

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO DEPARTMENT HEADS

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 3.80.020 of the Kirkland Municipal Code is hereby amended to read as follows:

**3.80.020 General provisions.**

(a) Purpose. The objective of the personnel ordinance is to facilitate efficient service to the public and provide a personnel management system within the city government which deals with all employees of various departments in an equitable and uniform manner.

(b) Affirmative Action Policy. Within the parameters required or allowed by law, it is the policy of the city to promote and assure equal opportunity based on ability and fitness to all persons regardless of race, religion, color, national origin, sex, age, marital status, political affiliation, sexual orientation or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a disabled person.

(c) Exclusion. Except as to Section 3.80.045 pertaining to sexual harassment and Section 3.80.140 pertaining to gifts and favors, this chapter shall not apply to the following personnel: mayor, members of the city council, members of commissions or boards, and reserve firefighters, ~~and the city attorney.~~

(d) Executive Management Group. The City Manager may form an executive management group to consist of the City Manager, Assistant City Manager and Department Heads (or "Department Directors"), unless otherwise specified by the City Manager.

(e) Department Heads. When there is an employment contract between the City and a department head, the terms of such contract shall prevail over the provisions of this Chapter, to the extent of any conflict.

(f) City Attorney. The City shall employ a City Attorney as a department head, provided that, on behalf of the City, the City Manager shall enter into an employment contract with the City Attorney that addresses employment separation and may contain other provisions.

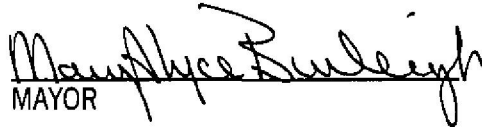
(eg) Scope. In cases where this chapter conflicts with collective bargaining contracts and agreements duly agreed upon between the authorized employee organizations or unions and the city, or with civil service regulations, the provisions of the contract or regulations shall govern.

(eh) Conflicts. Nothing in this chapter shall be construed to conflict with, or invalidate state or federal law relating to the subject matter herein.

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 3rd day of February, 2004.

Signed in authentication thereof this 3rd day of February, 2004.

  
MAYOR

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney

Ord\Dept Heads