

ORDINANCE O-4744

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PERSONNEL, MANAGEMENT LEAVE FOR ELIGIBLE EMPLOYEES AND CITY MANAGER DISCRETIONARY AUTHORITY TO AUTHORIZE ADDITIONAL MANAGEMENT LEAVE FOR ELIGIBLE EMPLOYEES SERVING IN OVERTIME-EXEMPT POSITIONS IDENTIFIED BY THE CITY MANAGER IN THE CITY MANAGER'S DISCRETION FOR USE IN 2021 ONLY DUE TO EXTRAORDINARY ADDITIONAL WORK TIME REQUIRED IN 2020 RESULTING FROM COVID-19, SOCIAL UNREST, ECONOMIC DISRUPTIONS AND BUDGET CHALLENGES.

1 WHEREAS, 2020 presented unprecedented challenges and
2 disruptions in Kirkland; and
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4 WHEREAS, in Kirkland those challenges included the
5 ongoing COVID-19 pandemic (including the first reported cases in
6 the United States), significant social unrest and demands for racial
7 justice and equality, severe and continuing impacts to the local
8 economy and its businesses, renters and taxpayers, as well as
9 unique challenges to biennial budgeting process for the City of
10 Kirkland ("City"); and
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12 WHEREAS, the City's diligent and in some instances
13 ground-breaking responses to these unprecedented challenges
14 created additional and extraordinary work time and hours for
15 many of the City's executive management group, managers and
16 supervisors serving in overtime exempt positions ("eligible
17 employees"); and
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19 WHEREAS, the City Council has previously adopted a
20 management leave program for its eligible employees, which
21 program is codified at Kirkland Municipal Code ("KMC") 3.80.115;
22 and
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24 WHEREAS, the City's management leave program
25 recognizes that employees who are exempt for purposes of
26 overtime pay often put in hours that extend beyond the standard
27 work week, without additional compensation or compensatory
28 time off, to meet the demands of their position; and
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30 WHEREAS, the City Manager has concluded that the
31 regular management leave benefits should be extended for some
32 eligible employees in the discretion of the City Manager on a one-
33 time and limited basis for use in 2021 in recognition of the
34 additional extraordinary work they performed in response to the
35 unprecedented challenges of 2020; and
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37 WHEREAS, such additional management leave for eligible
38 employees identified by the City Manager would be capped at no
39 more than 40 hours for each identified eligible employee and
40 granted at the start of 2021 and generally required to be used or

41 cashed by the end of 2021 in accordance with the general
42 provisions of KMC 3.80.115; and

43
44 WHEREAS, in recognition of the additional extraordinary
45 work performed by many eligible employees in responding to the
46 unprecedented challenges of 2021 the City Council wishes to grant
47 the City Manager such one-time authority notwithstanding any
48 provisions seemingly to the contrary contained in KMC 3.80.115
49 or otherwise.

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51 NOW, THEREFORE, the City Council of the City of Kirkland
52 do ordain as follows:

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54 Section 1. Notwithstanding anything seemingly to the
55 contrary in Kirkland Municipal Code ("KMC") 3.80.115 or
56 otherwise, and in recognition of the unprecedented challenges
57 faced by the City of Kirkland in 2020, which resulted in the need
58 for extraordinary additional work by many eligible employees
59 serving in overtime-exempt positions, specifically including
60 individual members of the City's executive management group,
61 managers and supervisors, the City Manager is hereby authorized,
62 in his discretion, to grant up to 40 additional hours of
63 management leave to each eligible employees identified by the
64 City Manager on a one-time basis for use in 2021, which amounts,
65 if granted, will be provided at the start of 2021 for use or payment
66 in 2021 in accordance with the general provisions of KMC
67 3.80.115.

68
69 Section 2. This ordinance will not be codified and shall be
70 in force and effect five days from and after its passage by the
71 Kirkland City Council and publication, as required by law.

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73 Passed by majority vote of the Kirkland City Council in open
74 meeting this _____ day of _____, 20.

75
76 Signed in authentication thereof this _____ day of
77 _____, 20.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney