

Ordinance No. 121856

Council Bill No. 115149

AN ORDINANCE amending Seattle Municipal Code Section 4.34.030, Vacation allowance for department heads, to permit a carry over and cash out provision for the Fire and Police Chiefs.

CF No. _____

Date Introduced:		
Date 1st Referred:	To: (committee)	
<u>JAN 10 2005</u>	<u>Finance & Budget</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>7-11-05</u>	<u>7-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>7-11-05</u>	<u>7/18/05</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input type="checkbox"/>
<u>7/21/05</u>	<u>2/18</u>	F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Richard J. McIVER
Councilmember **McIVER**

Committee Action:

Pass as Amended 7/6/05 LM, PC
7/11/05 Passed 7-0 (Excused: Della, Steinbrueck)

This file is complete and ready for presentation to Full Council. Committee: _____
(initial/date)

Law Department

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

ORDINANCE 121856

AN ORDINANCE amending Seattle Municipal Code Section 4.34.030, Vacation allowance for department heads, to permit a carry over and cash out provision for the Fire and Police Chiefs.

WHEREAS, department heads receive 30 days of vacation allowance per year, representing a significant component of the City's compensation package; and

WHEREAS, there is no provision for carrying over or cashing out unused vacation should a department head be unable to use his or her annual allowance; and

WHEREAS, the Fire Chief and the Police Chief are routinely unable to use more than a minimal amount of their vacation allowances, resulting in a loss of value in their compensation packages; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 4.34.030, Vacation allowance for department heads, Ordinance 110195, is hereby amended as follows:

SMC 4.34.040 Vacation allowance for department heads.

For department heads, the annual vacation allowance will be thirty (30) days in each calendar year. Except as provided below, ((U)) unused days may not be carried over into subsequent years.

With the approval of the Mayor, persons appointed to the positions of Fire Chief and Police Chief who, because of job-related obligations are unable to use at least fifteen (15) days of vacation per year, may carry over up to five (5) days per year with no maximum accumulation, and may cash out up to ten (10) days per year at their primary rate of pay in effect on December 31st of the year in which the vacation was awarded.

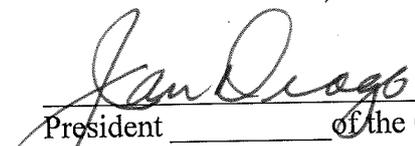


1 Section 2. The Personnel Director shall provide a report to the City Council no later
2 than December 31, 2009 indicating the amounts and cost of vacation carry over and cash out
3 approved by the Mayor for the Police Chief and the Fire Chief in each intervening year and any
4 overall impacts on the City's vacation program for department heads.

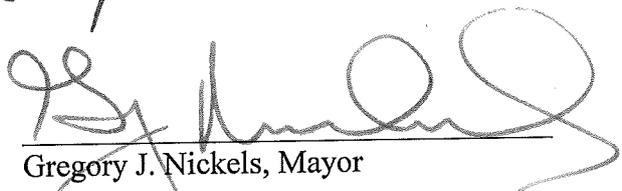
5 Section 3. Any acts made consistent with the authority and prior to the effective date of
6 this ordinance are hereby ratified and confirmed.

7 Section 4. This ordinance shall take effect and be in force thirty (30) days from and
8 after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
9 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

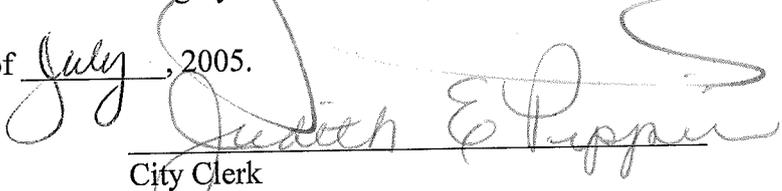
10 Passed by the City Council the 11th day of July, 2005, and signed by me in open
11 session in authentication of its passage this 11th day of July, 2005.

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15 
President _____ of the City Council

16 Approved by me this 18th day of July, 2005.

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19 Gregory J. Nickels, Mayor

20 Filed by me this 21st day of July, 2005.

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22 
23 City Clerk

24 (Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Personnel	Kathy Steinmeyer/4-7921	Ellen Schroer/3-9841

Legislation Title:

An ordinance amending Seattle Municipal Code Section 4.34.030, Vacation allowance for departments heads, to permit a carry over and cash out provision for the Fire and Police Chiefs.

• **Summary of the Legislation:**

This legislation proposes an amendment to the "vacation ordinance" to permit the Fire and Police Chiefs to carry over and/or cash out unused vacation days.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

The City's department heads receive 30 days of vacation per year which they must use within the calendar year or forfeit. Over the past 3 years, department head vacation usage has averaged 25 days, but the Fire and Police Chiefs are able to use significantly less than that. This legislation proposes to restore in part the overall value of the compensation package by providing for cash out and carry over of vacation for the Fire and Police Chiefs only.

• *Please check one of the following:*

This legislation does not have any financial implications. *(Stop here and delete the remainder of this document prior to saving and printing.)*

This legislation has financial implications. *(Please complete all relevant sections that follow.)*

The Police and Fire Chiefs are entitled to this compensation, and the money is included in their respective budgets. The financial effects of this legislation are minimal.



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

November 29, 2004

Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Drago:

The attached Council Bill proposes an amendment to Seattle Municipal Code Section 4.34.030 (Vacation Allowance for Department Heads) to allow Seattle's Fire and Police Chiefs to carry over and cash out a portion of their vacation days.

Currently, all City department heads receive 30 days vacation per year and are not permitted to cash out or carry over unused days. On average, Department Heads used 25 days of vacation per year in 2001, 2002, and 2003. Because of the demands of their positions, the Police and Fire Chiefs historically have used half or less of their allowed vacations. Vacation is a significant portion of the compensation package: \$15,708 for the current Fire Chief, and \$18,678 for the Police Chief. Essentially, the individuals in these positions have been simply returning a significant portion of that compensation to the City for no consideration.

The proposed Council Bill would permit individuals in these positions only to cash out up to 10 vacation days and carry over up to 5 days total per year with no maximum accumulation. The cost to the City over what has been committed to pay these individuals would be minimal. Thank you for your consideration of this legislation. Should you have questions, please contact Kathy Steinmeyer at 684-7921.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a large, stylized scribble.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@seattle.gov

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Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2004, and signed by me in open session in authentication of its passage this ____ day of _____, 2004.

President _____ of the City Council

Approved by me this ____ day of _____, 2004.

Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2004.

City Clerk

(Seal)



STATE OF WASHINGTON – KING COUNTY

--SS.

188511
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:121856 ORDINANCE

was published on

08/01/05

The amount of the fee charged for the foregoing publication is the sum of \$ 106.00, which amount has been paid in full.

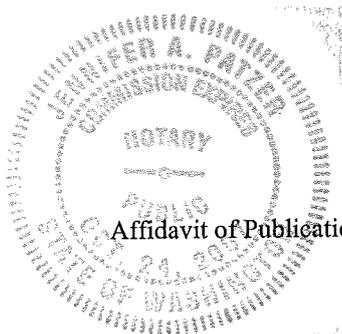
M.D.I.

Subscribed and sworn to before me on

08/01/05

Jennifer A. Patzer

Notary public for the State of Washington,
residing in Seattle



Affidavit of Publication

State of Washington, King County

City of Seattle

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Passed by the City Council the 11th day of July, 2005, and signed by me in open session in authentication of its passage this 11th day of July, 2005.

JAN DRAGO,

President of the City Council.

Approved by me this 18th day of July, 2005.

GREGORY J. NICKELS,

Mayor.

Filed by me this 21st day of July, 2005.

(Seal) JUDITH PIPPIN,

City Clerk.

Publication ordered by JUDITH PIPPIN,
City Clerk.

Date of publication in the Seattle Daily
Journal of Commerce, August 1, 2005.

8/1(188511)