

ORDINANCE NO. 116, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING A ONE-TIME PAYMENT OF ACCRUED, UNUSED 2018
PAID TIME OFF HOURS TO THE CITY MANAGER AND CITY ATTORNEY

WHEREAS, pursuant to Article III, Section 1 of the City Charter, the City Council is responsible for fixing the compensation of the City Manager; and

WHEREAS, pursuant to Article VI, Section 1 of the City Charter, the City Council is responsible for fixing the compensation of the City Attorney; and

WHEREAS, Fort Collins Municipal Code Section 2-596 sets the base salary to be paid to the City Manager; and

WHEREAS, Fort Collins Municipal Code Section 2-581 sets the base salary to be paid to the City Attorney; and

WHEREAS, on October 16, 2018, the City Council approved Resolution 2018-098, which says that any change in the compensation of the City Manager or City Attorney shall be approved by Council by ordinance; and

WHEREAS, by the end of the 2018 leave-benefit year, the City Manager and City Attorney vacation hour balances exceeded the carryover limit and each was unable to use several hours of earned vacation; and

WHEREAS, the City Manager and City Attorney also worked on several holidays and were therefore unable to use paid holiday hours granted to them in the 2018 leave-benefit year; and

WHEREAS, the City Manager and City Attorney's terms and conditions of employment are addressed in employment agreements approved by the City Council; and

WHEREAS, a one-time exception to the City Manager's or City Attorney's employment agreement does not require either agreement to be amended; and

WHEREAS, the City Council appointed ad-hoc committee known as the Direct Reports Compensation Committee recommended that the City Council consider a one-time payment to the City Manager and City Attorney for accrued, unused 2018 paid time off hours; and

WHEREAS, the City Council believes a one-time exception to each employee's employment agreement authorizing a payment to the City Manager and the City Attorney for accrued, unused 2018 paid time off hours is appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and

findings contained in the recitals set forth above.

Section 2. That notwithstanding the terms of the City Manager's employment agreement or the provisions of Resolution 2018-098, the City Council approves a one-time payment to the City Manager for 115.79 accrued, unused vacation hours and 20.5 accrued, unused holiday hours, to be calculated using the City Manager's 2018 rate of pay.

Section 3. That notwithstanding the terms of the City Attorney's employment agreement or the provisions of Resolution 2018-098, the City Council approves a one-time payment to the City Attorney for 101.90 accrued, unused vacation hours and 47 accrued, unused holiday hours, to be calculated using the City Attorney's 2018 rate of pay.

Section 4. That the date of the payment shall be within 14 days of the date this ordinance becomes final.

Introduced, considered favorably on first reading, and ordered published this 1st day of October, A.D. 2019, and to be presented for final passage on the 15th day of October, A.D. 2019.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 15th day of October, A.D. 2019.

Mayor

ATTEST:

City Clerk