

Requested by: Administration  
Introduced: February 11, 1008  
Public Hearing: February 25, 2008  
Amended: February 25, 2008  
Adopted: February 25, 2008  
Vote: Holler, Larson, Menard, Massie, Metiva, Woodruff

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 08-14(AM)**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 3.45.010 DEFINITIONS, WMC 3.60.010, REGULAR HOURS OF WORK, AND WMC 3.85.010, SCOPE, TO CLARIFY THE DEFINITION OF CONFIDENTIAL/MANAGERIAL POSITIONS AND HOURS OF WORK REQUIRED OF EMPLOYEES IN DESIGNATED MANAGERIAL OR PROFESSIONAL POSITIONS, AND TO PROVIDE A CURRENT DESIGNATION OF CONFIDENTIAL/MANAGERIAL POSITIONS.**

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\* **Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the city code.

\* **Section 2. Amendment of section.** WMC 3.45.010, Definitions, is amended by amending the definitions of "Classified service" and "Confidential/managerial employees" to read as follows:

"Classified service" means all [EMPLOYMENT] positions [WITH THE CITY] except for elective offices, [POSITIONS HELD BY ELECTED OFFICIALS, THE MAYOR], the city clerk, the city attorney, temporary [EMPLOYEES], intern[S.] and nonregular hourly positions, [EMPLOYEES,] positions filled [EMPLOYEES HIRED] by the mayor on a contractual basis, and confidential/managerial positions [EMPLOYEES].

"Confidential/managerial positions [EMPLOYEES]" means those positions [EMPLOYEES] listed in Section 3.85.010(B) or specifically designated by the mayor pursuant to Section 3.85.010(B) that [WHO] are exempt from the classified service.

\* **Section 3. Amendment of section.** WMC 3.60.010, Regular hours of work, is amended to read as follows:

3.60.010 Regular hours of work; Standard work week and work day.

**A.** Regular working hours of city employees shall consist of either five consecutive days of eight hours per day or four consecutive days of ten (10) hours per day. Regular working hours of all city employees must be approved in advance by the

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

mayor. With approval from the mayor, a department head may assign an employee a different work week than provided herein in order to adequately staff his/her department and serve the public.

**B. The mayor may designate certain full-time positions in the classified service that require the performance of managerial or professional duties as being subject to this subsection. Notwithstanding subsection A of this section, employees in these positions are expected to work during the whole of the work day, their work is expected to require two thousand eighty (2,080) or more hours of work per year, and they are expected to work as many hours as is necessary to perform their jobs. An employee in a position designated under this subsection that is eligible for overtime under the federal Fair Labor Standards Act shall be paid overtime in accordance with Section 3.60.070(B).**

**C.** The standard work week shall consist of the period from midnight Sunday to the following midnight Sunday, although a department head may establish a different work week of seven consecutive twenty-four (24) hour periods if necessary to adequately staff a particular department. The standard work day shall consist of the period from midnight to midnight.

\* **Section 4. Amendment of section.** WMC 3.85.010, Scope, is amended to read as follows:

3.85.010 Scope.

A. Chapter 3.85 shall apply to the **positions** [EMPLOYEES] listed in this section. In the event any provision of Chapter 3.85 conflicts with any other provision of Title 3, **the provision of** Chapter 3.85 shall govern.

B. The following positions are [WHOLLY OR PARTIALLY EXEMPT POSITIONS FROM THE CITY'S CLASSIFIED SERVICE BECAUSE THEY ARE] **confidential/managerial** [CONFIDENTIAL AND/OR MANAGERIAL] positions:

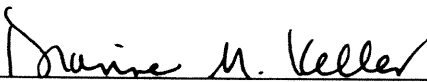
1. Chief of police;
2. **Recreation and cultural services manager**[LIBRARY DIRECTOR];
3. **Chief financial officer**[DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES];
4. Public works director;

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

5. **Deputy administrator**[ECONOMIC DEVELOPMENT DIRECTOR]; **and**
6. Executive assistant to the mayor[; and
7. ANY OTHER POSITION DESIGNATED BY THE MAYOR AS A CONFIDENTIAL/MANAGERIAL POSITION].

\* **Section 5. Effective date.** This ordinance shall take effect upon adoption of the Wasilla City Council.

ADOPTED by the Wasilla City Council on February 25, 2008.

  
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DIANNE M. KELLER, Mayor

ATTEST:

  
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KRISTIE SMITHERS, MMC  
City Clerk

[SEAL]

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**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

**RE: Ordinance Serial No. 08-14:** Amending WMC 3.45.010 Definitions, WMC 3.60.010, Regular Hours Of Work, And WMC 3.85.010, Scope, To Clarify The Definition Of Confidential/Managerial Positions And Hours Of Work Required Of Employees In Designated Managerial Or Professional Positions, And To Provide A Current Designation Of Confidential/Managerial Positions.

Agenda of: February 11, 2008  
Originator: Marvin Yoder, Deputy Administrator

Date: February 4, 2008

Route to:	Department	Signature/Date
	Police Chief Youth Court, Dispatch, Code Compliance	<i>[Signature]</i> 2/4/08
	Culture and Recreation Services Director Library, Museum, Sports Complex	<i>[Signature]</i> 2/4/08
	Public Works & Recreation Facility Maintenance Director	<i>[Signature]</i> 2/4/08
X	Finance, Risk Management & MIS Director Purchasing	<i>[Signature]</i>
X	Deputy Administrator Planning, Economic Development, Human Resources	<i>[Signature]</i>
X	City Clerk	<i>[Signature]</i>

**REVIEWED BY MAYOR DIANNE M. KELLER:** *Dianne M. Keller* 2/4/08

**FISCAL IMPACT:**  yes\$ or  no      Funds Available  yes  no

Account name/number:

Attachments: Ordinance Serial No. 08-14

**SUMMARY STATEMENT:**

This is a house keeping Ordinance that clarifies the definition of Confidential/Managerial positions and inserts the correct job titles. Over time some of the positions descriptions had changed and this aligns the Ordinance and current practice. The Attorney also changed the word "employee" to the more general term "position".

A new section "B" was added to clarify that salaried employees are still expected to work a minimum of 40 hours per week.

This Ordinance is in keeping with a City Council request to insure that the City Code accurately reflects current practice and meets contemporary legal requirements.

**Recommend Action: Introduction, set for public hearing, and adoption.**