

ORDINANCE NO. 2022-477

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN AMENDING AND RESTATING ARVIN MUNICIPAL CODE 2.06.090, and 2.06.100 CONCERNING CITY MANAGER AUTHORITY OVER EMPLOYEES AND POWER OF APPOINTMENT AND REMOVAL, AND 2.06.150 CONCERNING BUDGET

Section 1. Recitals.

WHEREAS, The City of Arvin (“City”) desires to amend, clarify and codify its Municipal Code Chapter related to the City Manager’s Authority over Employees and Power of Appointment and Removal and Budget;

WHEREAS, The Ordinance Amendment updates the Municipal Code to codify (1) the City Manager Powers and Duties over employees, appointments, promotions, removals, and demotions and (2) the Duty to prepare and submit the proposed annual budget and annual salary plan to the City Council for its approval;

WHEREAS, Adoption of this Ordinance will provide uniform and comprehensive regulations and standards related to Chapter 2.06 of the Arvin Municipal Code.

WHEREAS, Adoption of this Ordinance is in furtherance of the City’s goals and objectives while reducing the potentially negative impacts arising from incompatible Municipal Code Chapters.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ARVIN DOES ORDAIN AS FOLLOWS:

Section 2. Section 2.06 of the Arvin Municipal Code is hereby amended and restated to read as follows:

2.06.090 - Authority over employees.

It shall be the duty of the city manager, and he/she shall have the authority to control, order and give directions to all heads of department, officers, subordinate officers and employees of the city under his jurisdiction through their department heads, except the city attorney, finance director and, as to the duties of the city clerk as imposed by the Government Code.

2.06.100 – Power of appointment and removal.

It shall be the duty of the city manager to, and he/she shall appoint, remove, promote and demote any and all officers and employees of the city, except the city attorney, and the finance director, subject to all applicable personnel ordinances, rules and regulations, and subject to the review and approval of the city council.

2.06.150 – Budget.

It shall be the joint duty of the city manager and the finance director to prepare and submit the proposed annual budget and the proposed annual salary plan to the city council for its approval.

Section 3. NOTICE. The City clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be posted within 15 days after its passage, in accordance with Section 36933 of the Government Code.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or word of this Ordinance is, for any reason, deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or preempted by legislative enactment, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of McFarland hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or word thereof, regardless of the fact that any one or more sections, subsections, clauses, phrases, or word might subsequently be declared invalid or unconstitutional or preempted by subsequent legislation.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption pursuant to California Government Code section 36937.

Section 6. Certification; Publication. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

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I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by title, at a regular meeting thereof held on the 25th day of January 2022, and adopted the Ordinance after the second reading at a regular meeting held on the 08th day of February 2022, by the following roll call vote:

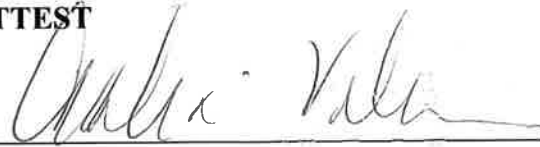
AYES: CM Reyes, CM Horton, CM Franetovich, MPT Borreli, Mayor Trujillo

NOES: _____

ABSTAIN: _____


ABSENT: _____

ATTEST



CECILIA VELA, City Clerk

CITY OF ARVIN

By: 
~~OLIVIA TRUJILLO, Mayor~~
Daniel Borreli, Mayor Pro Tem

APPROVED AS TO FORM:

By: 

NATHAN HODGES, City Attorney
Hodges Law Group

I, _____, City Clerk of the City of Arvin, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and adopted by the City Council of the City of Arvin on the date and by the vote indicated herein.