

ORDINANCE NO. 2034

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GLENDDORA, CALIFORNIA, AMENDING CHAPTER 2.08 OF THE
MUNICIPAL CODE ENTITLED CITY MANAGER**

**THE CITY COUNCIL
City of Glendora, California**

WHEREAS, in November, 2002, the City Council considered various provisions of the Municipal Code dealing, among other topics, with the position of City Manager. In doing so, the City Council adopted five ordinances related to the City's personnel system, including Ordinance Nos. 1762, 1763, 1764, 1765, and 1766; and,

WHEREAS, the scandal surrounding the City of Bell in 2010 exposed deficiencies in the then-existing state law that had to be addressed to ensure greater transparency and so voters would have confidence that taxpayer dollars are being used wisely; and,

WHEREAS, in an attempt to respond to the Bell scandal, in 2012 the California Legislature adopted, and the Governor signed into law, Assembly Bill (AB) 1344 which amends the California Government Code to add substantive limitations on employment contracts for senior public officials, as well as Brown Act meeting requirements and penalties for abuse of public office; and,

WHEREAS, in light of these up-dates to state law, the City Attorney has reviewed Chapter 2.08 of the Glendora Municipal Code and determined that certain of its provisions are inconsistent with current state law and should be amended, and/or are out of date and should be repealed.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENDDORA
DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. The City Council hereby amends Section 2.08.060 of the Glendora Municipal Code to read, in its entirety, as follows (new text, if any, in *bold & italics*; deleted text, if any, in ~~strikethrough~~):

“Subject to the limitations imposed by Assembly Bill No. 1344, ~~T~~the city manager shall receive such compensation and expense allowances as the city council shall from time to time determine and fix by ~~resolution~~ contract, and such compensation and expenses shall, to the extent not prohibited by Assembly Bill No. 1344, be a proper charge against such funds of the city as the city council shall designate.

Subject to the terms and conditions of any contract of employment, ~~T~~the city manager shall be reimbursed for all sums necessarily incurred or paid by him or her in the performance of his or her duties or incurred when traveling on business pertaining to the city under direction of the city council. Reimbursement shall only be made, however, when a verified itemized claim, setting forth the sums expended for such business for which reimbursement is requested, has been presented to the mayor for approval.”

SECTION 2. The City Council hereby amends Section 2.08.080 of the Glendora Municipal Code to read, in its entirety, as follows (new text, if any, in *bold & italics*; deleted text, if any, in ~~strikethrough~~):

~~“The removal of the city manager shall be only upon a majority vote of the whole *entire city* council of the city seated in a regular *city* council meeting; subject, however, to the provisions of the next succeeding subsections hereof. In case of his or her intended removal by the city council, except for cause, the city manager shall be furnished with a written notice stating the council’s intention to remove him or her and the reason therefor, at least thirty days before the effective date of his or her removal. If removed from office for cause, his or her term of office shall cease immediately upon notification by the council of the council’s decision to remove the city manager for cause, and his or her salary shall cease at the time of said notification.”~~

SECTION 3. The City Council hereby repeals, in their entirety, Sections 2.08.090, 2.08.100, and 2.08.110 of the Glendora Municipal Code

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The people of the City of Glendora hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 5. The Mayor shall sign this Ordinance and the City Clerk shall attest and certify to the passage and adoption thereof and cause same to be published at least once in the San Gabriel Valley Examiner, a weekly newspaper of general circulation, published in the City of Glendora, which newspaper is hereby designated for that purpose (Government Code § 40806); and thereupon, and thirty (30) days after its passage, this ordinance shall take effect and be in force.

PASSED, APPROVED and ADOPTED this 23rd day of October 2018.

City Council of Glendora, California

BY: 

MENDELL THOMPSON, Mayor

APPROVED AS TO FORM:
Aleshire & Wynder, LLP



WILLIAM W. WYNDER, City Attorney

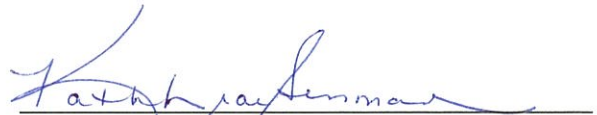
CERTIFICATION

I, Kathleen R. Sessman, City Clerk of the City of Glendora, do hereby certify that the foregoing Ordinance was introduced for first reading on the 11th day of September, 2018. Thereafter, said Ordinance was duly approved and adopted at a regular meeting of the City Council on the 23rd day of October, 2018, by the following roll call vote:

AYES:	COUNCIL MEMBERS:	Allawos, Boyer, Davis, Nelson, and Thompson.
NOES:	COUNCIL MEMBERS:	None.
ABSENT:	COUNCIL MEMBERS:	None.
ABSTAIN:	COUNCIL MEMBERS:	None.

I further certify that said Ordinance was published as required by law in a newspaper of general circulation in the City of Glendora, California on the 1st day of November, 2018.

Dated: October 24, 2018



KATHLEEN R. SESSMAN, City Clerk