

ORDINANCE NO. 21-1153U

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.04 (CITY MANAGER), OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE, TO AMEND PROVISION RELATED TO THE CITY MANAGER'S CONTRACT AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings.

- A. Section 2.04.040 of the West Hollywood Municipal Code (WHMC) only authorizes the City Council to appoint a City Manager for an "indefinite term" and includes antiquated provisions for removal of the City Manager that are not needed for a contract that has a set term. This section has not been amended since first adopted in 1985.
- B. In order to ensure that the City can immediately appoint the new city manager with a compliant contract, this ordinance must go into effect immediately. The City and State are currently in a period of a declared local emergency. Governor Newsom is expected to lift capacity and distancing restrictions for most businesses and activities on June 15, 2021. The smooth and speedy transition of City Manager duties is especially critical as the City begins to recover from the worst of the COVID-19 pandemic.
- C. The City Council therefore finds that this ordinance is necessary for the immediate preservation of the public peace, health, and safety by ensuring the effective transfer to, and performance of, vital duties by the new City Manager before City Manager Arevalo retires.

SECTION 2. Section 2.04.040 of Chapter 2.04 of Title 2 of the West Hollywood Municipal Code is amended to read as follows:

2.04.040 Removal of City Manager

The council shall appoint the city manager, and at any time prior to the expiration of any applicable employment agreement, may remove the city manager by three members voting affirmatively for such removal. The council, in removing the city manager, shall use its uncontrolled discretion and its action shall be final, and shall not depend upon any particular showing or degree of proof.

NOES: Councilmember: None.
ABSENT: Councilmember: None.
ABSTAIN: Councilmember: None.

LINDSEY P. HORVATH, MAYOR

ATTEST:

MELISSA CROWDER, ACTING CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST HOLLYWOOD)

I, MELISSA CROWDER, Acting City Clerk of the City of West Hollywood, do hereby certify that the foregoing Ordinance No. 21-1153U was duly passed, approved, and adopted by the City Council of the City of West Hollywood at a regular meeting held on this 7th day of June, 2021.

I further certify that this ordinance was posted in three public places as provided for in Resolution No. 5, adopted the 29th day of November, 1984.

WITNESS MY HAND AND OFFICIAL SEAL THIS 8th DAY OF JUNE, 2021.

MELISSA CROWDER, ACTING CITY CLERK

AFFIDAVIT OF POSTING

State of California)
County of Los Angeles)
City of West Hollywood)

I declare under penalty of perjury that I am employed by the City of West Hollywood in the Office of the City Clerk, and that this document was posted on:

Date: June 8, 2021
Signature: \\Alyssa T. Poblador\
Office of the City Clerk