

ORDINANCE NO. 18-004

An Ordinance Of The City Council Of The City Of Emeryville Amending Section 2-7.601 “Declaration of Policy,” of Chapter 7 of Title 2 of the Emeryville Municipal Code; CEQA Determination: Exempt Pursuant To Section 15061(B)(3) Of The California CEQA Guidelines

WHEREAS, the Emeryville Municipal Code currently provides that employment contracts for key city employees, which include the City Manager and City Attorney, shall have a term limit of two years; and

WHEREAS, the City of Emeryville would like to provide continuity in executive management; and

WHEREAS, increasing the term limit of executive contracts would provide an environment of stability and allow executive leadership to support the development and implementation of long-term strategic plans with confidence; and

WHEREAS, the City Council wishes to allow for key city employee employment contracts to have a term limit of three years; now, therefore

THE CITY COUNCIL OF THE CITY OF EMERYVILLE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE. MODIFYING SECTION 2-7.601 OF CHAPTER 7 OF TITLE 2 OF THE EMERYVILLE MUNICIPAL CODE

Section 2-7.601 of Chapter 7 of Title 2 of the Emeryville Municipal Code is hereby modified to read as follows. Additions are in **bold underline** text; deletions are in ~~strikeout~~ text.

2-7.601 Declaration of Policy.

It is hereby declared to be the policy of the City of Emeryville to limit the term of key city employees contracts as defined herein to not more than ~~two~~ **(2) three (3)** years; and that the City of Emeryville shall not enter into contracts with key city employees where provisions are made for automatic extensions or renewals.

SECTION TWO. CEQA DETERMINATION

The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that the adoption of this Ordinance may have a significant effect on the environment.

SECTION THREE. SEVERABILITY

Every section, paragraph, clause, and phrase of this Ordinance is hereby declared to be severable. If for any reason, any section, paragraph, clause, or phrase is held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining section, paragraphs, clauses or phrases.

SECTION FOUR. EFFECTIVE DATE

This Ordinance shall take effect 30 days following its final passage. The City Clerk is directed to cause copies of this Ordinance to be posted or published as required by Government Code section 33693.

SECTION FIVE. CODIFICATION

Section One of this Ordinance shall be codified in the Emeryville Municipal Code. Sections Two, Three, Four, and Five shall NOT be so codified.

This Ordinance was introduced and first read by the City Council of the City of Emeryville at a regular meeting on Monday, September 17, 2018, and **PASSED AND ADOPTED** by the City Council at a regular meeting on Tuesday, October 2, 2018 by the following vote:

AYES:	<u>5</u>	Mayor Bauters, Vice Mayor Medina and Council Members Donahue, Martinez, and Patz
NOES:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>0</u>	


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY