



## **CITY OF COMMERCE AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** City Attorney

**SUBJECT:** Ordinance of the City of Commerce, California Amending Chapter 2.04.050 of Title 2 of the Commerce Municipal Code Related to the City Manager Position

**MEETING DATE:** March 26, 2024

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### **RECOMMENDATION**

Adoption and second reading, read by title only, and waive further reading of the attached Ordinance entitled "AN ORDINANCE OF THE CITY OF COMMERCE, CALIFORNIA, AMENDING CHAPTER 2.04.050, OF TITLE 2 OF THE COMMERCE MUNICIPAL CODE RELATED TO THE CITY MANAGER POSITION".

### **BACKGROUND**

Pursuant to Government Code Section 54851 et seq., the City of Commerce ("City") has adopted a City Manager form of government under Commerce Municipal Code ("CMC") Chapter 2.04. Section 2.04.050 of the CMC provides for the circumstances under which the City Manager may be relieved of his or her duties by the City Council. The current provisions of CMC Section 2.04.050 provide that the City Manager may be removed by a four (4) member vote of the City Council.

### **ANALYSIS**

The intent of the proposed Ordinance is to streamline the removal process and eliminate any unnecessary procedural barriers associated with relieving the City Manager of his or her duties as provided for in Section 2.04.050 of the CMC. The proposed Ordinance simplifies the process by removal all other procedural requirements and providing that three (3) votes of the members of the City Council would be sufficient to relieve the City Manager of his or her duties, subject to any of the contractual rights included in the City Manager's contract. Most other jurisdictions that have adopted a city manager form of government require a only simple majority, or three votes, to remove their respective city manager. The City Council desires to update Chapter 2.04.050 in order to adhere to the current customary and standard practices of cities in the area related to the City Manager position and streamline any unnecessary procedural hurdles to the efficient operations and management of the City.

On March 12, 2024, the City Council unanimously introduced the ordinance for First Reading.

**FISCAL IMPACT**

Approval of the recommended action will have no adverse fiscal impact to the General Fund.

**ATTACHMENTS:**

1. Ordinance