

ORDINANCE NO. 2478

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING SECTION 2-236 (EXEMPT POSITIONS) OF DIVISION 3 (PERSONNEL SYSTEM) OF ARTICLE V (EMPLOYEES) OF CHAPTER 2 (ADMINISTRATION) OF THE WEST COVINA MUNICIPAL CODE

WHEREAS, Section 2-236 (Exempt positions) of Division 3 (Personnel System) of Article V (Employees) of Chapter 2 (Administration) of the West Covina Municipal Code provides that the provisions of Division 3, the classification and salary resolution and the personnel rules shall apply to all offices, employments, and positions in the City except for those specified within Section 2-236; and

WHEREAS, the City desires to amend Section 2-236 to add additional exempt positions in connection with the City's establishment of a local health department and to remove positions that are no longer applicable; and

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Amendment to Article V of Chapter 2. Section 2-236 (Exempt positions) of Division 3 (Personnel System) of Article V (Employees) of Chapter 2 (Administration) of the West Covina Municipal Code to is hereby amended to read as follows:

Sec. 2-236. – Exempt positions.

The provisions of this division, the classification and salary resolution and the personnel rules shall apply to all offices, employments and positions in the service of the city except the following:

- (a) Elective offices;
- (b) Members of appointive boards, commissions and committees;
- (c) City manager and assistant city manager;
- (d) City attorney;
- (e) Building and safety director;
- (f) Controller;
- (g) City engineer and assistant city engineer;
- (h) Public health director;
- (i) Administrative accountant, administrative assistant, administrative analyst, administrative analyst (Jr.) and administrative clerk;
- (j) Personnel officer;
- (k) Public services director;
- (l) Administrative secretary;
- (m) Police chief and deputy police chief;

- (n) Cadets (police department);
- (o) Fire chief;
- (p) Planning director and assistant planning director;
- (q) Communications director;
- (r) Recreation and parks director and assistant recreation and parks director;
- (s) Special services officer;
- (t) Street maintenance superintendent;
- (u) Persons engaged under contract to supply expert, professional, or technical services for a definite period of time;
- (v) Volunteer personnel who receive no regular compensation from the city;
- (w) Any new position hereafter created of the department head, assistant department head, or staff level, if it is specified as exempt by the city council at the time of creation;
- (x) Regular city officers and employees who are assigned to perform duties for the West Covina Successor Agency.

SECTION 2. Environmental Compliance. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance may have a significant effect on the environment. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of West Covina hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 4. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage.

SECTION 5. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED, APPROVED AND ADOPTED on the ____ day of _____, 2021.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, ASSISTANT CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Ordinance No. 2478 was introduced at a regular meeting of the City Council held on the 16th day of March, 2021, and adopted at a regular meeting of the City Council held on the ____ day of _____, 2021, by the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Lisa Sherrick
Assistant City Clerk