

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
RIALTO, CALIFORNIA, AMENDING SECTION 2.50.060 OF THE
RIALTO MUNICIPAL CODE RELATING TO THE CITY
POSITIONS INCLUDED IN THE COMPETITIVE SERVICE OF
THE CITY**

WHEREAS, City of Rialto Municipal Code Section 2.50.060 provides that the provisions of Chapter 2 apply to all offices, positions and employment in the service of the City, except those listed therein; and

WHEREAS, on November 13, 2018, the City added a Community Compliance (Code Enforcement) Manager to the City's classification plan; and

WHEREAS, the City of Rialto desires to exclude this position from competitive services and designate such position as at-will; and

WHEREAS, this designation of the Community Compliance Manager as at-will is not intended to affect the rights of incumbent managers at the time of the adoption of this Ordinance, and at-will employment status shall apply to Community Compliance Manager and other designated exempt from competitive service positions; and

WHEREAS, the City wishes to clarify that those positions not included in the competitive service are at-will and serve at the pleasure of their appointing authority; and

WHEREAS, the City Council now wishes to adopt this Ordinance, amending Section 2.50.060 of the Rialto Municipal Code, to exclude the Community Compliance Manager from the competitive service and make the position at-will.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO FINDS AND ORDAINS AS FOLLOWS:

Section 1: The above recitals are all true and correct and are hereby adopted as findings.

Section 2: The Rialto Municipal Code, at Section 2.50.060, entitled “Competitive Service,” shall be amended in its entirety to read as follows:

1 “2.50.060- Competitive service.

2 The provisions of this chapter apply to all offices, positions, and employer in the service of the
3 City, except:

4 A, Elective officers;

5 B. Members of appointive boards, commissions and committees;

6 C. Persons engaged under contract to supply expert, professional, and technical services for a
7 definite period of time;

8 D. Volunteer personnel such as volunteer firemen and reserve policemen who receive no
9 regular compensation from the City;

10 E. City Administrator and Department Heads/ Directors;

11 F. City Attorney;

12 G. Part Time Personnel;

13 H. State or federally subsidized personnel;

14 I. Public Relations Officer;

15 J. Utilities Manager;

16 K. City Administration Executive Assistant;

17 L. City Administration Assistant;

18 M. Community Compliance (Code Enforcement) Manager

19 City employees not included in the competitive service shall serve at the will and pleasure of their
20 appointing authority and may be terminated from employment at any time without cause and without right
21 of appeal or hearing.”

22 **Section 3.** The City Clerk shall certify to the adoption of this Ordinance, and cause the same to
23 be published in the local newspaper, and the same shall take effect thirty (30) days after is date of
24 adoption.

25 PASSED, APPROVED, and ADOPTED by the City Council of the City of Rialto this ____ day of
26 _____, 2019

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DEBORAH ROBERTSON, Mayor

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ATTEST:

BARBARA McGEE, City Clerk

APPROVED AS TO FORM:

FRED GALANTE, City Attorney

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)

4 I, Barbara McGee, city clerk of the City of Rialto, do hereby certify that the foregoing Ordinance No.
5 _____ was duly passed and adopted at a regular meeting of the city council of the City of Rialto
6 held on the _____ day of _____, 2019.

7 Upon motion of Councilmember _____, seconded by Councilmember
8 _____, the foregoing Ordinance No. _____ was duly passed and adopted.

9
10 Vote on the Motion:

11 AYES:

12 NOES:

13 ABSENT:

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15 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto, this
16 _____ day of _____, 2019.

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21 Barbara A. McGee, City Clerk
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