

# STAFF REPORT

## City of Lancaster

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5/27/2025
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Date: May 27, 2025

To: Mayor Parris and City Council Members

From: Allison E. Burns, City Attorney

Subject: Urgency Ordinance No. \_\_\_\_\_ Amending Sections 2.56.070 and 2.56.090 of the Lancaster Municipal Code to Clarify that the City Manager is Vested with the Authority to Appoint and Layoff Employees, and to Abolish Positions of Employment Entirely, Among Other Things

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### Recommendation:

Introduce and Adopt Urgency Ordinance No. \_\_\_\_\_ amending Sections 2.56.070 and 2.56.090 of the Lancaster Municipal Code (“LMC”) relating to the City Manager’s authority to make employment decisions.

**G.C. Section 84308:** No

### Fiscal Impact:

None

### Background:

On June 4, 1979, the City Council adopted Ordinance No. 121, which added Sections 1-1.01 through 1-1.14 to the LMC adopting a personnel system for the City and vesting in “any appointing power” the authority to demote, dismiss, reduce the pay of, or suspend with or without pay any regular employees, and vesting in the City Council the authority to abolish any position of employment. Sections 1-1.01 through 1-1.14 were subsequently changed to Sections 7-1 through 7-10.

On March 1, 1982, the City Council adopted Ordinance No. 256, which repealed Ordinance No. 121 and amended Chapter 7 of the LMC vesting in “[t]he City Manager or any municipal officer” the authority to appoint, reinstate, transfer, promote, layoff, demote, reduce the pay of, or suspend with or without pay any employees, and separately vesting in the City Council the authority to abolish any position of employment.

LMC Code Sections 2.56.070 and 2.56.090, as presently drafted, may be interpreted in a manner

inconsistent with the City Council's longstanding intent and practice that the City Manager is vested with the authority to appoint, reinstate, transfer, promote, layoff, demote, reduce the pay of, or suspend with or without pay any employees, as well as the authority to abolish any position of employment.

Ordinance No. \_\_\_\_ would change the language of Sections 2.56.070 and 2.56.090 to clarify its longstanding practice that the authority to appoint, reinstate, transfer, promote, layoff, demote, reduce the pay of, or suspend with or without pay any employees, and to abolish positions or employment entirely, is vested in the City Manager.

For these reasons, staff is recommending adoption of an urgency ordinance, with findings regarding the immediate preservation of public peace, health, and safety in accordance with Government Code section 36937(b). Adoption of the urgency ordinance will require an affirmative four-fifths vote of the City Council. Upon adoption, the urgency ordinance takes effect immediately.

**Attachment:**

Ordinance No. \_\_\_\_.