

ORDINANCE NO. ORD-2021-003

URGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA
ESTABLISHING HOURLY RATE FOR THE INTERIM CITY MANAGER

WHEREAS, Government Code section 36937(b) allows an ordinance to take effect immediately, if it is an ordinance for the immediate preservation of public peace, health or safety and it contains a declaration of the facts constituting the urgency. The facts constituting the urgency are as follows:

- A. COVID-19 is a pandemic threatening the health and safety of the City's residents, as reflected by the various emergencies declared at the local, state and national levels.
- B. Conditions of drought in Sonoma County have been declared an emergency by California Governor Gavin Newsome and by Sonoma County officials.
- C. Fire season has recently been declared by the Santa Rosa Fire Chief.
- D. Current City Manager Sean McGlynn has announced his resignation.
- E. Recruitment of a new permanent City Manager is likely to take six months or more.
- F. An Interim City Manager is integral to manage the City's response to (1) the ongoing public health emergency, (2) the resulting economic impacts to the City's budget and the local business community and economy, (3) the conditions of drought, (4) wildfire risk, (5) ongoing City projects and initiatives, and (6) any additional emergencies that may arise; and

WHEREAS, Section 8 of the Santa Rosa City Charter authorizes the City Council to adopt an urgency measure to take effect immediately upon its adoption if necessary to preserve the public peace, health or safety if such ordinance contains the reasons for its urgency; and

WHEREAS, such an urgency measure requires a five-sevenths vote of the City Council for adoption; and

WHEREAS, as provided herein, this Ordinance shall be in effect immediately upon its adoption; and

WHEREAS, the City Council has been provided with information upon which the findings and actions set forth in this Ordinance are based, allowing the Council to adopt this urgency ordinance to be effective upon adoption; and

WHEREAS, for the reasons set forth above, this Ordinance is declared by the Council of the City of Santa Rosa to be necessary for preserving the public peace, welfare, health or safety and to avoid a current, immediate and direct threat to peace, health, safety or welfare of the community and the recitals above taken together constitute the City Council's statement of the reason for adopting this Ordinance on an urgency basis.

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. Compensation shall be paid to Interim City Manager Jeffrey Kolin at the rate of \$117.95 per hour beginning upon his employment in June 2021 and continuing throughout the term of his employment. No other benefits, incentives, compensation in lieu of benefits, or other form of compensation shall be paid.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Environmental Determination. The Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)3 in that the Council finds there is no possibility that the implantation of this ordinance may have significant effects on the environment.

Section 4. Effective Date. This ordinance shall take effect immediately upon its adoption.

IN COUNCIL DULY PASSED AND ADOPTED this 18th day of May, 2021.

AYES: (6) Mayor C. Rogers, Vice Mayor N. Rogers, Council Members Alvarez, Fleming, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (1) Council Member Tibbetts

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney