

CITY OF CHENEY
ORDINANCE NO. W-40

AN ORDINANCE AMENDING CHAPTER 2.40 ENTITLED "CITY ADMINISTRATOR" ESTABLISHING PROCEDURES FOR THE REMOVAL OF THE CITY ADMINISTRATOR, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

WHEREAS, Chapter 2.40 of the Cheney Municipal Code creates the office of City Administrator, which is filled by appointment of the Mayor pursuant to RCW 35A.12.100;

WHEREAS, it is reasonable and necessary to modify the above ordinance in order to provide additional process and procedure prior to the termination of the City Administrator;

WHEREAS, RCW 35A.12.090 provides that the Mayor "shall have the power of appointment and removal of all appointed officers and employees...with confirmation by the City Council" of appointments required only when provided by ordinance of the City; and

WHEREAS, RCW 35A.12.100 allows the Mayor to appoint and remove the City Administrator if authorized by ordinance;

WHEREAS, the Mayor and City Council desire to establish a collaborative process regarding the appointment and removal of the City Administrator.

NOW, THEREFORE, the City of Cheney City Council do ordain as follows:

- Section 1. Amendment.** Section 2.40.010 entitled "Office Created - Appointment and removal" is hereby amended as follows:

2.40.010

There is created the office of city administrator, which office shall be filled by the appointment of the mayor, subject to confirmation by a majority of the city council, ~~to serve at the pleasure of the mayor.~~ The city administrator may be removed from office upon recommendation of the mayor and concurrence by the

city council through a majority vote. Unless otherwise stated, removal from office shall result in termination of employment effective on the day following the city council action.


2. **Section 2. Severability.** If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

3. **Section 3. Effective Date.** This ordinance shall become effective thirty (30) days after its passage, approval, and publication.

Introduced this 24th day of June, 2014.

Passed by the City Council this 24th day of June, 2014.

Approved by the Mayor this 24th day of June, 2014.



Tom Trulove, Mayor

ATTEST:



Cynthia L. Niemeier, City Clerk

APPROVED AS TO FORM:



Stanley M. Schwartz, City Attorney