

5/21/73

Sent to Registrar

CITY OF MONTEREY

CERTIFICATE OF ADOPTION
BY THE QUALIFIED ELECTORS OF THE CITY OF MONTEREY
AT A GENERAL MUNICIPAL ELECTION HELD ON THE
8TH DAY OF MAY, ONE THOUSAND NINE HUNDRED AND
SEVENTY-THREE, OF AMENDMENTS TO THE CHARTER OF
THE CITY OF MONTEREY, COUNTY OF MONTEREY,
STATE OF CALIFORNIA.

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STATE OF CALIFORNIA)
COUNTY OF MONTEREY) ss.

We, PETER J. CONIGLIO, Mayor of the City of Monterey,
and JOHN O. DUNN, JR., City Clerk of the City of Monterey, do
hereby certify as follows:

That the City of Monterey, in the County of Monterey,
State of California, is now and was at all times herein men-
tioned, a City containing more than 3,500 inhabitants and less
than 50,000 inhabitants as ascertained by the last preceding
census taken under the authority of the Congress of the United
States; and

That the City of Monterey is now and was at all times
herein mentioned, organized and existing under a Charter adopted
under the provisions of Section 8, Article XI, Constitution of
the State of California, which Charter was duly ratified by a
majority of the electors of said City at a Special Municipal
Election held therein on the 9th day of March, 1925, and
approved by the Legislature of the State of California (Statutes
of 1927, Chapter 32, Page 1292), and by Resolution of the Legis-
lature filed with the Secretary of State of the State of
California on the 27th day of March, 1925 (Statutes of 1927,
Chapter 32, Page 1292); and

That pursuant to the provisions of Section 8, Article XI, Constitution of the State of California, the legislative body of the City, namely the City Council of said City, did, on its own motion and pursuant to the provisions of said Section 8, Article XI, Constitution of the State of California, propose to the electors of the City of Monterey certain amendments to the Charter of said City and ordered that the amendments be submitted to said electors of said City at a General Municipal Election to be held in said City on the 8th day of May, 1973; and

That said proposed amendments were duly published once a week for two successive weeks in the Monterey Peninsula Herald, a newspaper of general circulation published in the City of Monterey and the official newspaper designated by the City Council for that purpose; and

That the City Council did by Resolution, designated as Resolution No. 12,072 C.S., adopted on the 3rd day of April, 1973, call for and give notice of a General Municipal Election in the City of Monterey on the 8th day of May, 1973; and

That said General Municipal Election was duly held in the City of Monterey on the 8th day of May, 1973, and that a majority of the voters voted in favor of the proposed amendments as set forth to the Charter of the City of Monterey and duly ratified the same; and

That said returns were duly canvassed and certified by the Clerk of the City of Monterey in the time and manner as required by law; and

That said amendments to the Charter of the City of Monterey, adopted and ratified by the qualified electors of said City, are in words and figures as follows:

Section 21. APPOINTMENT AND REMOVAL OF OFFICERS AND EMPLOYEES:

(a) Appointment of Officers and Employees:

- (1) The Council shall appoint the City Manager by affirmative vote of three of its members.
- (2) The Council shall appoint by affirmative vote of three of its members, all members of municipal boards, commissions and committees and representatives of the City to other agencies, except members of the Library Board of Trustees.
- (3) The City Manager shall appoint all other officers and employees of the City except as otherwise herein provided.

(b) Removal of Officers:

- (1) The Council may remove any of its appointees at pleasure without cause stated or hearing had by affirmative vote of four members, and may remove any of its appointees for cause after a hearing by affirmative vote of three of its members.
- (2) The City Manager may remove any of

the chief appointive officers appointed by him at pleasure, provided that

(i) Said officer is served with at least three days' written notice of the reason for such removal.

(ii) Said officer shall have the right of appeal to and hearing before the City Council, the procedures for which shall be established by ordinance.

(c) Removal of Subordinate Officers and Employees:

(1) The City Manager may remove all other officers and employees only for cause. An officer or employee removed for cause shall have a right of appeal to and hearing before the City Council. The procedures for removal for cause, appeal and hearing shall be established by ordinance.

(d) Limitations on Removals:

(1) The Council shall not remove any officers within three months next succeeding a general municipal election except for cause.

(2) The City Manager shall not remove any chief appointive officer within

*three months next succeeding his
appointment except for cause.*


(e) Suspension in Lieu of Removal:

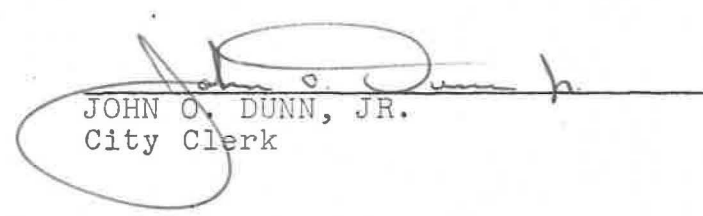
- (1) *Any officer or employee, in lieu
of removal, may be suspended up
to thirty days without pay for
the same reasons or on the same
grounds and on the same proce-
dure as herein provided for
removal.*

That we have compared the amendments as stated herein
with the original proposals submitted to the electors of said
City and find and certify that all of said amendments are a full,
true and correct copy thereof.

IN WITNESS WHEREOF, we have hereunto set our hands and
caused the seal of said City of Monterey to be affixed hereto
this 21st day of May, 1973.

CITY OF MONTEREY


PETER J. CONIGLIO
Mayor


JOHN O. DUNN, JR.
City Clerk