



**ORDER OF THE DIRECTOR OF EMERGENCY SERVICES (MONTEREY CITY MANAGER)
SUSPENDING PORTIONS OF MONTEREY CITY CODE SECTION 25-10
DURING THE LOCAL EMERGENCY**

WHEREAS, Section 11-4(b) of the Monterey City Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session;

WHEREAS, MCC 11-4(b)(9) states that the Director of Emergency Services shall have the power during a proclaimed emergency to make and issue rules and regulations on matters reasonably related to the protection of life and property which are or may be affected by the emergency, including the temporary suspension of local ordinances and regulations, provided that such actions shall be confirmed at the earliest practical time by the City Council;

WHEREAS, on March 13, 2020, the City Manager as the Director of Emergency Services of the City of Monterey, proclaimed the existence of a local emergency based on the following: (1) on January 30, 2020, the World Health Organization declared the COVID-19 outbreak a public health emergency of international concern; (2) on January 31, 2020, the U.S. Department of Health and Human Services declared a Public Health Emergency in the United States; (3) the State of California proclaimed a state of emergency on March 4, 2020; and (4) the County of Monterey declared a local emergency on March 10, 2020;

WHEREAS, on March 17, 2020, the City Council adopted Resolution No. 20-033 and ratified said Proclamation;

WHEREAS, on April 21, 2020, the City Council adopted Resolution No. 20-053 to Amend the Position Control List by Reducing Positions as part of a Budget Reduction Plan and Appoint Negotiator to Meet and Confer on Identified Impacts or Other Concessions;

WHEREAS, MCC 25-10.06(a) states any City employee shall be eligible to participate in a promotional examination during their probationary period subject to the following conditions:

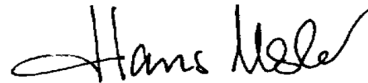
1. If the employee is serving an original probation, the employee cannot be certified for promotional consideration or appointment to a vacancy until the employee has completed his/her original probation. An original probation shall be that probationary

period that an employee must serve prior to achieving Regular status for the first time in the classified service of the City.

WHEREAS, due to the reduction of positions and the current state of local emergency, allowing employees who are serving an original probationary period to apply for promotional opportunities could be advantageous to the City to lessen the increased workload and reemploy employees who have been placed on the reemployment list;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED, that during the duration of the local emergency, Monterey City Code section 25-10.06(a)(1)'s requirement that employees on an original probation cannot be certified for promotional appointment is hereby suspended.

08/20/2020 2:20 p.m.



Date and Time

Hans Uslar, City Manager and
Director of Emergency Services