

**CITY OF TWENTYNINE PALMS
CITY COUNCIL
ORDINANCE NO. 325**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, ADOPTING AN AMENDMENT TO THE CITY OF TWENTYNINE PALMS MUNICIPAL CODE, AMENDING CHAPTER 2.01, CITY MANAGER, CHANGING RESPONSIBILITY FOR SUPERVISORY AUTHORITY OVER THE CITY CLERK FROM THE CITY COUNCIL TO THE CITY MANAGER

WHEREAS, currently, the City Clerk of the City of Twentynine Palms ("City") is appointed by, and serves at the direction and discretion of, the City Council; and

WHEREAS, Municipal Code Section 2.01.070 provides that the City Manager has "authority to control, order and give directions to all heads of departments and to subordinate officers and employees of the City under his jurisdiction through their department heads"; and

WHEREAS, Municipal Code Section 2.01.070 provides that the City Manager "shall appoint, remove, promote and demote any and all officers and employees of the City, except the City Attorney, City Clerk and Treasurer"; and

WHEREAS, pursuant to Government Code section 34856, the City Council is responsible for appointment and supervision of the City Clerk, unless that authority is delegated to the City Manager, and the City Council desires to delegate such authority over the City Clerk to the City Manager.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, TAKES THE FOLLOWING ACTIONS:

Section 1. Based upon the review of the proposed amendment to the Municipal Code, Chapter 2.01, City Manager, the City Council finds that the proposed amendment does not have the potential to have an adverse impact on the environment and, in accordance with the California Environmental Quality Act ("CEQA") Guidelines Section 15061(b)(3), the activity is covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen, as here, with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA. Therefore, the Council finds and determines that the adoption of this Ordinance is not subject to CEQA.

Section 2. The City Council finds that the proposed amendment to the Municipal Code is consistent with the City's adopted General Plan Goals and Policies.

Section 3. As authorized by Government Code section 34856, City Council hereby delegates its authority for the appointment and supervision of the City Clerk, including expressly the authority to appoint, direct, discipline, and dismiss the City Clerk, to the City Manager.

Section 4. In order to accomplish the intent sent forth herein, the City Council hereby amends Twentynine Palms Municipal Code Section 2.01.070, City Manager, Powers and Duties, to read as fully set forth in Exhibit A attached hereto and incorporated by this reference.

Section 5. The City Clerk of the City of Twentynine Palms shall certify to the adoption of this Ordinance and cause publication to occur as required by law.

Section 6. This Ordinance shall become effective thirty (30) days after the second reading and adoption by City Council.


Section 7. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and, to this end, the provisions of this Ordinance are declared to be severable.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Twentynine Palms held on this 14th day of October, 2025.




Steven Bilderain, Mayor





Cindy Vilesca, CMC, City Clerk

APPROVED AS TO FORM:



A. Patrick Muñoz, City Attorney

I hereby certify that the foregoing is a true copy of Ordinance No. 325, introduced on the 23rd day of September, 2025 and duly adopted by the City Council of the City of Twentynine Palms in a meeting held on the 14th day of October, 2025, in Twentynine Palms, California by the following vote, to wit.

AYES: COUNCILMEMBER: MINTZ, RAMIREZ, SCOTT, WRIGHT, BILDERAIN
NOES: COUNCILMEMBER: NONE
ABSENT: COUNCILMEMBER: NONE
ABSTAIN: COUNCILMEMBER: NONE



Cindy Vilesca CMC, City Clerk

EXHIBIT A

TITLE 2 – ADMINISTRATION OF PERSONNEL

CHAPTER 2.01 – CITY MANAGER

2.01.070 - Powers and Duties.

The City Manager shall be the administrative head of the government of the City under the direction and control of the City Council except as otherwise provided in this Chapter. He shall be responsible for the efficient administration of all the affairs of the City which are under his control. In addition to his general powers as administrative head, and not as a limitation thereon, it shall be his duty and he shall have the following powers:

- (a) Law Enforcement. It shall be the duty of the City Manager to enforce all laws and ordinances of the City and to see that all franchises, contracts, permits and privileges granted by the City Council are faithfully observed.
- (b) Authority Over Employees. It shall be the duty of the City Manager, and he shall have the authority to control, order and give directions to all heads of departments and to subordinate officers and employees of the City under his jurisdiction through their department heads.
- (c) Power of Appointment and Removal. It shall be the duty of the City Manager to, and he shall appoint, remove, promote and demote any and all officers and employees of the City, except the City Attorney and Treasurer.
- (d) Administrative Reorganization of Offices. It shall be the duty and responsibility of the City Manager to conduct studies and effect such administrative reorganization of officers, positions or units under his direction as may be indicated in the interest of efficient, effective and economical conduct of the City's business.
- (e) Ordinances. It shall be the duty of the City Manager and he shall recommend to the City Council for adoption such measures and ordinances as he deems necessary.
- (f) Attendance at Council Meetings. It shall be the duty of the City Manager to attend all meetings of the City Council unless at his request he is excused therefrom by the Mayor individually or the City Council, except when his removal is under consideration.

- (g) Financial Reports. It shall be the duty of the City Manager to keep the City Council at all times fully advised as to the financial condition and needs of the City.
- (h) Budget. It shall be the duty of the City Manager to prepare and submit the proposed annual budget and the proposed annual salary plan to the City Council for its approval.
- (i) Expenditure Control and Purchasing. It shall be the duty of the City Manager to make investigations into the affairs of the City and any department or division thereof, and any contract or the proper performance of any obligations of the City. Further, it shall be the duty of the City Manager to investigate all complaints in relation to matters concerning the administration of the City Government and in regard to the service maintained by public utilities in said City.
- (j) Public Buildings. It shall be the duty of the City Manager and he shall exercise general supervision over all public buildings, public parks, and all other public property which are under the control and jurisdiction of the City Council.
- (k) Additional Duties. It shall be the duty of the City Manager to perform such other duties and exercise such other powers as may be delegated to him from time to time by ordinance or resolution or other official action of the City Council.