

ORDINANCE NO. 2259

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTION 2.06.230 (DIRECTIONS AND INSTRUCTIONS FROM CITY COUNCIL – LIMIT ON DIRECTIVES) OF CHAPTER 2.06 (CITY COUNCIL) TO TITLE 2 (ADMINISTRATION, CIVIL SERVICE AND PERSONNEL) OF THE HAWTHORNE MUNICIPAL CODE AND MAKING A FINDING OF EXEMPTION IN COMPLIANCE WITH CEQA IN CONNECTION THEREWITH

WHEREAS, the City of Hawthorne has previously promoted and encouraged the efficient operation of its City Council to conduct its business by way of ordinance; and

WHEREAS, on October 28, 2025, consistent with the goal to promote and encourage its efficient operation, the City Council voted by a tally of 3-2 to direct the City Attorney’s Office to amend Section 2.06.230 (Directions and Instructions from City Council – Limit on Directives), of Chapter 2.06 (City Council), to Title 2 (Administration, Civil Service and Personnel) to require a second to any directive given by a Council Member to the City Manager, and if seconded, to vote upon such a directive, and

WHEREAS, on November 12, 2025, the City Council of the City of Hawthorne considered the amendment and, after a duly noticed public hearing where all persons in support and in opposition were heard, introduced this Ordinance; and

WHEREAS, the City Council of the City of Hawthorne wishes to now adopt Ordinance 2259 in furtherance of its intention to amend Section 2.06.230.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAWTHORNE DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Hawthorne hereby incorporates by reference all the recitals herein.

SECTION 2. Section 2.06.230 (Directions and Instructions from City Council – Limit on Directives), of Chapter 2.06 (City Council), to Title 2 (Administration, Civil Service and Personnel) of the City of Hawthorne Municipal Code is hereby amended as follows (redlined):

2.06.230 Directions and instructions from city council – Limit on directives.

- A. The city council and its members shall deal with the administrative services of the city, (including but not limited to assignments, administrative tasks, research and reports by staff) only through the city manager except for the purpose of inquiry, and neither the city council, nor any member thereof, shall give directions or instructions to any subordinate of the city manager, any city contractor or consultant, or appointed city commissioner or board member.**
- B. Similarly, the individual city council members shall refrain from meeting or contacting the city’s contractors or retained consultants without first advising the city**

manager of such meeting. If the city manager is advised of such a meeting between the individual city council member and the city's contractor or consultant, the city council member shall be required to subsequently report to the city manager whether the individual council member requested research or directed the contractor or consultant to undertake work assignments that are contrary to objectives listed in the contractor's or consultant's contract with the city as well as the amount that the contractor or consultant will charge the city for such a meeting.

- C. The city manager shall take his or her directions and instructions regarding administrative tasks and services from the city council only during a duly convened meeting of the city council as defined by the Ralph M. Brown Act, and no individual council member shall give any direction or instruction regarding administrative tasks and services to the city manager which is not made during such a duly convened meeting. Any direction or instruction given to the city manager which is not made during a duly convened council meeting is unauthorized and the city manager is not obligated to comply with such order or instructions.
- D. **Directives to the City Manager.** A directive is a request, pronouncement, or instruction to conduct research, prepare a report, letter, agenda item, resolution or ordinance, or otherwise initiate action on a designated project. Each city councilmember shall make no more than two directives to the city manager at any city council meeting. Any city councilmember making a directive to the city manager shall: (1) state the purpose of the directive, the reasons why the directive is warranted, and the ways the directive would directly benefit the city, for example, economic development, job creation, raising the quality of life, or community safety; and (2) request city staff to state any reasons why the directive might not be warranted, for example, the directive duplicates a report or task already accomplished in the recent past, the report or task already exists in another format, or existing federal, state, or local resources already address the directive. No directive shall be put until seconded. Upon receipt of a second, the city council shall vote on whether the directive to the city manager shall be made. If passed, a directive shall be considered a directive from the entire council as a whole. Staff shall comply with all directives of the city council as a whole.

SECTION 3. Any provision of the City of Hawthorne Municipal Code or appendices thereto inconsistent with the provisions of this Chapter, to the extent of such inconsistencies and no further, are hereby repealed or modified to the extent necessary to effect the provisions of this Chapter.

SECTION 4. CEQA. The City Council hereby concurs with staff's determination and hereby finds that the adoption of this Ordinance is a type of organizational activity involving the administration of the City that does not have the possibility to have a direct or indirect effect on the environment and is therefore exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Title 14, California Code of Regulations, Section 15379(b)(5). In addition, the actions taken by this Ordinance are not a "project" under CEQA because the Ordinance does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment and is also exempt from CEQA pursuant to the "common sense" exemption because it can be seen with certainty that there is no possibility that

the activity in question may have a significant effect on the environment. (Title 14, California Code of Regulations, Section 15061(b)(3)).

SECTION 5. Severability. If any section, subsection, phrase or clause of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. City Clerk. The City Clerk shall attest to the adoption of this Ordinance and shall cause this Ordinance to be posted in the manner required by law.

SECTION 7. Effective Date. This Ordinance shall take effect thirty (30) days after passage thereof.

SECTION 8. Publication. The City Clerk is directed to forward a copy of Ordinance No. 2259 to General Code, LLC, 781 Elmgrove Road, Rochester, NY 14824.

PASSED, APPROVED AND ADOPTED this 9th day of December, 2025.

ALEX VARGAS, Mayor
City of Hawthorne, California

ATTEST:

DAYNA WILLIAMS-HUNTER, City Clerk
City of Hawthorne, California

APPROVED AS TO FORM:

DAVID CACERES, Interim City Attorney
City of Hawthorne, California