

## DRAFT ORDINANCE

### AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AMENDING TOWN CODE SECTION 1.10.075, "OFFICIAL TOWN HOLIDAYS – DESIGNATED; EXCEPTIONS" TO ADD JUNETEENTH AS A TOWN HOLIDAY

**WHEREAS**, Section 1.10.075, "Official Town Holidays – Designated; Exceptions," lists the Town holidays;

**WHEREAS**, Juneteenth has been included as a holiday in the Town's recently-amended memorandums of understanding with the Town's labor organizations; and

**WHEREAS**, the Town Council deems it necessary to amend Section 1.10.075, "Official Town Holidays – Designated; Exceptions," of the Town Code to add Juneteenth, to the list of recognized Town holidays in the Town Code;

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS ORDAINS** as follows:

**SECTION I.** Section 1.10.075, "Official Town Holidays – Designated; Exceptions," of the Town Code is hereby amended to add the following underlined language and re-number the holidays:

**Sec. 1.10.075. Official Town holidays—Designated; exceptions.**

(a) The following days shall be holidays for the Town:

- (1) January first.
- (2) The third Monday in January.
- (3) The third Monday in February.
- (4) The last Monday in May.
- (5) Juneteenth
- ~~(6)(5)~~ July fourth.
- ~~(7)(6)~~ The first Monday in September.
- ~~(8)(7)~~ Thanksgiving Day.
- ~~(9)(8)~~ The Friday following Thanksgiving Day.
- ~~(10)(9)~~ December twenty-fifth.
- ~~(11)(10)~~ Every day appointed by the President or Governor for a public fast, thanksgiving or holiday, which is also designated as a Town holiday by the Mayor through written directive.

ATTACHMENT 1

- (b) If any of the holidays designated above fall upon a Saturday, the preceding Friday, instead of Saturday, shall be the holiday. If any of the holidays designated above fall upon a Sunday, the succeeding Monday, instead of Sunday, shall be the holiday.
- (c) If provisions of this section are in conflict with provisions of a memorandum of understanding, the memorandum of understanding shall be controlling without further legislative action, except that if such provisions of a memorandum of understanding require the expenditure of funds, then the provisions shall not become effective unless approved by the Town Council in the annual budget.

(Code 1968, § 1-13)

**SECTION 2. SEVERABILITY CLAUSE.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons and circumstances. The Town Council of the Town of Los Gatos declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable

**SECTION 3. CEQA FINDINGS.** This Ordinance is not a project within the meaning of Section 15378 of the California Environmental Quality Act (CEQA) Guidelines because it has no potential to result in physical change in the environment, directly or indirectly. This Ordinance is also exempt under CEQA Guideline 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

**SECTION 4. PUBLICATION.** The Town Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the Town of Los Gatos and to cause publication once in the Los Gatos Weekly, the official publication of legal notices of the Town of Los Gatos, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the Town Council and a certified copy shall be posted in the office of the Town Clerk, pursuant to GC 36933(c)(1).

**SECTION 5. EFFECTIVE DATE.** This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on the \_\_\_\_ day of \_\_\_\_ 20 , and adopted by the following vote as an ordinance of the Town of Los Gatos at a regular meeting of the Town Council of the Town of Los Gatos on the \_\_\_\_ day of \_\_\_\_ 20 . This ordinance takes effect 30 days after it is adopted.

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_