

City Manager Termination Checklist

1. Preliminary Review

- Review employment contract (termination clause, notice requirements, severance terms)
- Understand the city charter or municipal code on removal procedures
- Determine if termination is with or without cause
- Check voting requirements (e.g., simple majority or supermajority)

2. Legal & HR Preparation

- Consult with city attorney or outside legal counsel
- Ensure compliance with:
 - Brown Act (if in California)
 - Other applicable open meeting or sunshine laws
 - Due process rights (especially for 'for cause' terminations)
- Evaluate risks of legal claims (wrongful termination, retaliation, etc.)

3. Documentation (If Terminating for Cause)

- Compile written documentation of:
 - Performance issues
 - Conduct violations
 - Staff concerns or complaints
 - Past evaluations and feedback
- Ensure evidence is specific, factual, and recent

4. Internal Process

- Notify city manager of closed session discussion (24-hour notice required in CA)
- Place item on closed session agenda
- Notify HR for support and transition planning
- Schedule internal review or council discussions, if not urgent

5. Closed Session Discussion

- Conduct the closed session in compliance with legal requirements
- Allow city manager the opportunity to respond
- Reach consensus on next steps (resignation, termination, negotiation)
- Take vote, if required

6. Public Communication & Open Session

- Report closed session action as required
- Prepare and approve a public statement or press release
- Communicate with city staff and key stakeholders

- Avoid inflammatory or disparaging comments

7. Transition Planning

- Offer severance or negotiate terms (if applicable)
- Appoint or identify an interim city manager
- Provide internal communication to staff
- Notify department heads and unions (if needed)
- Plan external messaging to residents and media

Common Mistakes to Avoid

- Violating open meeting laws (e.g., serial communications or unagendized discussions)
- Failing to give the manager notice of closed session discussion
- Claiming 'for cause' without solid documentation
- Rushing the process for political or personal reasons
- Not giving the city manager a chance to respond
- Making public comments that damage reputation or invite liability
- Overlooking the impact on morale among city staff
- Neglecting a clear and stable transition plan
- Disregarding public trust or community perception
- Failing to involve legal counsel at key steps

● **How *Not* to Fire a City Manager**

A Cautionary List for City Councils

✗ 1. Hold Closed-Door Discussions with a Pre-Decided Outcome

- Secret meetings that violate the spirit (or letter) of open meeting laws erode public trust and may be legally questionable.

✗ 2. Rush the Process Without Public Input

- Scheduling a termination vote with little notice and no prior discussion on performance gives the impression of a backroom deal, not thoughtful governance.

✗ 3. Ignore the Regular Review Schedule

- Terminating a city manager before their scheduled performance evaluation undermines credibility and fairness, especially if no prior concerns were formally documented.

✗ 4. Dismiss Staff and Community Voices

- When dozens of employees and residents speak in support of the city manager, pretending their voices don't matter can deeply damage morale and community relations.

✗ 5. Allow Political or Personal Agendas to Drive the Decision

- Using a termination to settle political scores or fulfill campaign promises signals instability and partisanship, not leadership.

✗ 6. Stay Silent About the Reasons

- Firing a city manager "without cause" but refusing to explain why creates a vacuum that invites speculation, distrust, and division.

✗ 7. Forget the Human Impact

- Publicly firing someone who has dedicated years to the city without dignity or gratitude reflects poorly on the council—not just the process.

✗ 8. Overlook Succession or Transition Planning

- Removing a city manager without a plan for interim leadership or continuity can paralyze city operations and frustrate staff.

✗ 9. Ignore Legal and Financial Consequences

- Firing a manager without cause often comes with a hefty buyout. Doing so without a clear rationale invites criticism and potential legal exposure.

✗ 10. Underestimate Public Backlash

- Communities notice when a council acts in secrecy or appears to be retaliatory. Public trust is hard to earn—and easy to lose.

✓ Reminder:

City managers are professionals, not politicians. They deserve a fair, transparent process—especially when their employment is on the line.