

TO: Thomas Frutchey, City Manager  
FROM: Meg Williamson, Assistant City Manager  
SUBJECT: Administrative Policies – City Council Delegation of Authority  
DATE: May 3, 2016

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NEEDS: For the City Council to delegate authority to the City Manager to prescribe, amend and revoke routine Administrative Policies.

FACTS:

1. The City operates under a “Council-Manager” general law form of government where the City Council instructs the City Manager in matters of policy and the City Manager is responsible for the administrative oversight of City operations.
2. Section 2.28.050 of the City’s Municipal Code establishes the breadth of authority that is currently delegated to the City Manager (copy attached).
3. Currently, Section 2.28.050 does not specifically provide the authority for the City Manager to adopt policies that are either required by law or would facilitate the City’s administrative services and operations. (e.g. cash handling, safety standards, mandatory training schedules, etc.).
4. There are a large number of “administrative policies” that must be developed and administered in accordance with State and Federal laws. These same policies must be updated from time to time.

ANALYSIS &

CONCLUSION: The City Council shall continue to publicly approve and direct the City Manager on policy matters of community impact and import. The City Manager, in order to efficiently administer the business affairs of the City, should have an appropriate breadth of authority to implement administrative policy. The City Council’s delegation of authority to the City Manager to approve and amend routine administrative policies will facilitate best business practices in City business operations.

POLICY

REFERENCE: Municipal Code Section 2.28.050

FISCAL  
IMPACT:

No negative fiscal impact is anticipated with delegating authority to the City Manager to approve routine administrative policies. There will be minor savings related to the reduction of staff and City Council resources otherwise spent in bringing routine policies to City Council for action.

OPTIONS:

a) Adopt Resolution 16-XXX delegating authority to the City Manager to prescribe, amend and revoke routine administrative policies associated with city business operations.

b) Amend or modify the above option.

c) Take no action.

Attachments:

1. Resolution 16-XXX delegating authority to the City Manager
2. Municipal Code Section 2.28.050

RESOLUTION NO. 16 -XXX

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF EL PASO DE ROBLES DELEGATING AUTHORITY TO THE CITY  
MANAGER TO APPROVE ROUTINE ADMINISTRATIVE POLICIES

WHEREAS, the City operates under a “Council-Manager” general law form of government; and

WHEREAS, Section 2.28.050 of the City’s Municipal Code sets forth the powers and duties of the City Manager; and

WHEREAS, currently, Section 2.28.050 does not specifically authorize the City Manager to prescribe, amend or revoke general polices for the conduct of administrative services under his areas of responsibility; and

WHEREAS, the City Manager, in order to efficiently administer the business affairs of the City, should have an appropriate breadth of authority to implement administrative policy; and

WHEREAS, the City Council will continue to publicly determine and direct the City Manager on policy matters of community impact and import; and

WHEREAS, the City Council’s delegation of authority to the City Manager to approve basic administrative policies will facilitate the efficient administration of the City’s services;

NOW, THEREFORE, LET IT BE RESOLVED by the City Council of the City of El Paso de Robles that the City Manager is authorized to prescribe, amend or revoke such general rules, regulations and policies as the City Manager deems necessary and expedient for the conduct of administrative services within his jurisdiction.

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PASSED AND ADOPTED by the City Council of the City of el Paso de Robles this 3<sup>rd</sup> day of May 2016 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Mayor Steven W. Martin

ATTEST:

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Kristen L Buxkemper, Deputy City Clerk

## 2.28.050 - Powers and duties.

The city manager shall be the administrative head of the government of the city. The council shall instruct the city manager in matters of policy. Any action, determination or omission of the city manager shall be subject to review by the council. The council may not overrule, change, or modify any such action, determination or omission except by the affirmative vote of at least three members of the council. The city manager shall be responsible for the efficient administration of all affairs of the city which are under his control. In addition to his general powers as city manager, and not as a limitation thereon, it shall be his duty, and he shall have the powers as follows:

- (A) Appoint and, when necessary for the good of the service, discipline and remove all officers and employees of the city except elective officers, the city attorney and department heads which he must recommend to the city council for confirmation;
- (B) Prepare and submit the annual budget to the council and be responsible for its administration after its adoption and prepare such estimates and reports as may be required by the city council;
- (C) Prepare rules and regulations governing the contracting for, the purchasing, storing, inventory, distribution or disposal of all supplies, materials, and equipment required by any office, department or agency of the city government and recommend them to the council for its adoption;
- (D) See that all the laws of the state pertaining to the city, and the ordinances, franchises, and rights of the city are enforced;
- (E) Keep the council advised of the financial conditions and future needs of the city and make such recommendations on any matter as may to him seem desirable;
- (F) Act as purchasing agent for all departments of the city; provided, however, that he may designate some officer or employee of the city to act as assistant purchasing agent, and to perform the duties of the purchasing agent. All purchases shall be made by purchase order signed by the city manager or the assistant purchasing agent;
- (G) Act as and be custodian of all city property, custody of which has not been otherwise provided for;
- (H) Exercise general supervision over all privately owned public utilities operated within the city so far as the same are subject to municipal control;
- (I) See that all provisions of all franchises, leases, contracts, permits, and privileges granted by the city are fully observed, and report to the council any violation thereof;
- (J) Act as personnel officer of the city;
- (K) Maintain contact with all boards and commissions appointed by the city council and report all actions and programs of such boards and commissions to the council;
- (L) Act as director of civil defense and disaster for the city;
- (M) Perform such other duties as may be directed by resolution or order by the city council from time to time, and, in addition, perform the duties of the city administrator that may be enumerated in this code.

(Ord. 332 N.S. § 2 (part), 1972)