

## Chapter 2.08

### ADMINISTRATIVE OFFICER

#### Sections:

- 2.08.010 Created.**
- 2.08.020 Residence requirement—Eligibility.**
- 2.08.030 Bond required.**
- 2.08.040 Appointment of substitute in case of absence.**
- 2.08.050 Removal—Resolution.**
- 2.08.060 Removal—Not permitted after municipal election.**
- 2.08.070 Compensation.**
- 2.08.080 Powers and duties.**
- 2.08.090 Association with city council.**

#### **2.08.010 Created.**

The position of administrative officer of the city is created and established in the unclassified service of the city. The administrative officer shall be appointed by the city council solely on the basis of his executive and administrative qualifications and ability, and shall hold office at and during the pleasure of the city council. (Ord. 81 § 1, 1953)

#### **2.08.020 Residence requirement—Eligibility.**

A. Residence in the city, at the time of appointment, shall not be required as a condition of employment. However, residence in the city shall be established within six months after the acceptance of an appointment to this position.

B. No person elected or appointed to membership on the city council shall, subsequent to such election or appointment,

be eligible for appointment as administrative officer of the city until one year has elapsed after he has ceased to be a member of the city council. (Ord. 81 § 2, 1953)

#### **2.08.030 Bond required.**

The administrative officer shall secure a corporate surety bond to be approved by the city council in such sum as may be determined by the city council and shall be conditioned on the faithful performance of the duties imposed on the administrative officer as prescribed in this chapter. Bond fee is to be paid by the city. (Ord. 81 § 3, 1953)

#### **2.08.040 Appointment of substitute in case of absence.**

In case of the absence or disability or suspension of the administrative officer, the city council may designate some duly qualified person to perform the duties of the administrative officer, subject, however, to said person furnishing a corporate surety bond and conditioned on faithful performance of the duties required to be performed as set forth in Section 2.08.080 of this chapter. (Ord. 81 § 4, 1953)

#### **2.08.050 Removal—Resolution.**

The city council shall appoint the administrative officer for an indefinite term and may remove him at any time by a four-member vote of the city council. At least thirty days before such removal shall become effective the city council shall by a four-member vote of, its members adopt a resolution stating the reasons for the removal. The resolution shall be published at least twice in a newspaper of general circulation

printed and published and circulated in the city prior to the effective date of the resolution providing for the removal of the administrative officer. By the resolution the city council in its absolute discretion may suspend the administrative officer immediately from duty, but shall in any case cause to be paid to him any unpaid balance of his salary up to the date upon which the removal shall become effective. The city council in removing the administrative officer shall use its uncontrolled discretion and its action shall be final. (Ord. 81 § 5, 1953)

#### **2.08.060 Removal—Not permitted after municipal election.**

Notwithstanding the provisions of this section, the administrative officer shall not be removed from office during or within a period of ninety days next succeeding any general municipal election held in the city at which election a member of the city council is elected. The purpose of this provision is to allow any newly elected member to the city council or a reorganized city council to observe the actions and ability of the administrative officer in the performance of the powers and duties of his office. After the expiration of the ninety-day period aforementioned, the provisions of Section 2.08.050 as to the removal of the administrative officer shall apply and be effective. (Ord. 81 § 6, 1953)

#### **2.08.070 Compensation.**

A. The administrative officer, or such person designated to perform his duties as provided in Section 2.08.040 of this chapter, shall receive such compensation as the city

council shall from time to time determine and fix, and the compensation shall be a proper charge against such funds of the city that the city council shall designate.

B. The administrative officer shall be reimbursed for all sums necessarily incurred or paid by him in the performance of his duties, or incurred when traveling on business pertaining to the city under direction of the city council; reimbursement shall only be made, however, when a verified itemized claim, setting forth the sums expended for which reimbursement is requested, has been presented to the city council, and by the city council duly approved and allowed. (Ord. 81 § 7, 1953)

#### **2.08.080 Powers and duties.**

The administrative officer shall be the administrative head of the city government 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 this 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 power:

A. To see that all laws and ordinances of the city are duly enforced, and that all franchises, permits and privileges granted by the city are faithfully observed;

B. To analyze the functions, duties and activities of the various departments, divisions and services of the city government and of all employees thereof and to make such recommendations to the city council with reference thereto as in his judgment will result in the highest degree of efficiency in the

overall operation of the city government;

C. To appoint and remove, subject to any personnel rules and regulations and personnel ordinance of the city any officers and employees of the city, except the elected officers and their respective staffs; subject further, however, at all times to ratification of any such action by the city council;

D. To exercise control over all departments of the city government and over all appointive officers and employees thereof, except elective officers and their respective staffs;

E. To attend all meetings of the city council unless excused therefrom by the city council, except when his removal is under consideration by the council;

F. To recommend to the city council for adoption such measures and ordinances as he deems necessary or expedient;

G. To keep the city council at all times fully advised as to the financial conditions and needs of the city;

H. To cause to be prepared and submitted to him each department, division or service of the city government, itemized annual estimates of income and expenditures required by any of them for capital outlay, salaries, wages and miscellaneous operating costs; to tabulate the same into a preliminary consolidated municipal budget and submit the same to the city council before the fifteenth day of May of each year with his recommendations as to such changes which he deems advisable;

I. To prepare and to submit to the city council as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the

preceding year, such financial report not to be confused with the city clerk's report to the state controller;

J. To purchase or cause to be purchased all supplies for all of the departments or divisions of the city;

K. To make investigation 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;

L. 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 the city, and to see that all franchises, permits and privileges granted by the city are faithfully performed and observed;

M. To exercise general supervision over all public buildings, public parks and other public property which are under the control and jurisdiction of the city council;

N. To devote his entire time to the duties of this office and the interest of the city;

O. To provide leadership for civic movements designed to benefit the residents of the city when so authorized by the city council;

P. To supervise in general the operations of all departments of the city, securing special counsel as required;

Q. To compile and keep up to date a complete inventory of all property, real and personal, owned by the city and to recommend to the city council the purchase of new machinery, equipment and supplies whenever in his judgment the same can be obtained at the best advantage, taking into consideration trade-in value of machinery and equipment, etc., in use;

R. In addition to the elective officers and their respective staffs, the planning commission, the personnel board, and the positions of city attorney and city engineer shall be excluded from the scope of the administrative officer's surveillance; however, the services and facilities of the city engineer, city attorney, the planning commission, and the personnel board, shall be made available to the administrative officer;

S. To perform such other duties and exercise such other powers as may be delegated to him from time to time by ordinance or resolution of the city council. (Ord. 352 § 1, 1986; Ord. 81 § 8, 1953)

#### **2.08.090 Association with city council.**

A. The city council and its members shall deal with the administrative services of the city through the administrative officer, except for the purpose of inquiry.

B. It is the responsibility of the city council and its members to aid and assist in an advisory capacity, any department head, individually or collectively on any phase of policy and/or public relations, such association not to conflict with the administrative duties of the administrative officer. (Ord. 81 § 9, 1953)