



CITY OF IONE CITY COUNCIL STAFF REPORT



FOR THE MEETING OF: APRIL 7, 2009

DATE: APRIL 3, 2008
TO: MAYOR ARD AND CITY COUNCIL
FROM: KIMBERLY A. KERR, CITY MANAGER
SUBJECT: DISCUSSION INTERNAL CONTROLS AND FINANCE DEPARTMENT

RECOMMENDED ACTION:

That the City Council receives staff report and provide direction, if necessary.

SOURCE OF FUNDING: Various Funds

DISCUSSION:

On March 17, 2009, City Council directed staff to provide information on internal controls involving the Finance Department and the reporting structure for the Finance Department. The City Council approved Resolution No. 1582 to change from a City Administrator form of government to a City Manager form. Attached for your review are the current Chapter 2.10 City Manager and the prior Chapter 2.10 City Administrator. Also, the section involving the City's Finance Director is shown in Chapter 2.08.040.

Currently, the Finance Department reports to the City Manager as indicated in the attached organizational chart as does all City employees. The elected City Clerk and City Treasurer and City Attorney do not report to the City Manager. The City Manager as the Chief Executive of the City has management responsibility for all employees and departments, except for City Clerk, Treasure, and City Attorney.

Additionally, the City is required by law to have an external audit conducted by an independent auditor annually. The City is in compliance with this requirement and the

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other Written Correspondence

City Council for the City of Ione
Upon motion of Council Member
Seconded by Council Member
And carried _____ by those members present,
The Council hereby adopts the recommended action contained in this report.

PREVIOUS ACTION/REFERRAL:

Council Order No. _____

Dated: _____

Meeting of: _____

Janice Traverso, City Clerk

By: _____

City Council received the report from the Auditor tonight on the 2008 Audit.

In 2007, the City implemented the City's Finance Committee to comply with Statement of Audit No. 114. At that time, the City Council had the option to appoint two members of the City Council to a Finance Committee or hire a second external auditor. The City Council elected to create the Finance Committee. The Finance Committee has been meeting over the past year to review the Quarterly Financial Reports, the Annual Audits, and budget prior to any recommendations going to the City Council. The Finance Committee has also been working on Financial Handbook that provides the framework for the Finance Department's operations including the budget.

In August 2007, the City Council approved a process to reduce the processing time for payments. The City Manager and Finance Manager implemented a process of obtaining two signatures on the checks, usually City Manager and City Treasurer, and providing the warrant list at the next City Council meeting for review. This reduced the time for processing payments that resulted in the reduction of late payment fees.

Additionally, as a result of the audit in 2007 and 2008, the City Manager and Finance Department have implemented additional controls. Some of the controls are limiting the use of the City's credit card, using the Purchase Order process regularly to reduce last minute purchases, and requiring timecards prepared by employees for payroll. The Finance Department and City Manager are reviewing the accounts payable and accounts receivable processes to improve controls by ensuring that the employee who receives the payment does not make the deposit. Also, the Finance Department staff and City Manager are learning more about the City's financial systems to ensure that the City is using it to the fullest potential. Currently the City is reconciling the bank accounts outside of the financial system and not posting journal entries and other transactions on a monthly basis. These limitations are impacting the ability of the City Council and staff to be able to review the financial system and know where the City is at financial at any given time. The goal is to be able to provide a financial report with minimal manipulation to provide an accurate picture of the City's financial picture.

Additionally, the City Council, the Finance Committee, or the public can request copies of the City's financial reports at anytime. There is always room for improvement on internal controls, financial reporting, and training of staff on processes.

FINANCIAL IMPACT: There is no fiscal impact at this time.

OTHER AGENCY INVOLVEMENT: Various

ALTERNATIVES TO STAFF RECOMMENDATIONS:

There are no alternatives at this time.

ATTACHMENTS:

Ione Municipal Code Chapter 2.10 – City Manager Duties
Ione Municipal Code Chapter 2.10 – City Administrator Duties
City of Ione Organizational Chart

the Government Code, in a form prescribed by the State Controller, to be published once in a newspaper of general circulation, pursuant to Article 1 (commencing with 6000), Chapter 1, Division 7, Title 1 of the Government Code. The report shall be published not later than one hundred twenty days after the close of the fiscal year for which the report is compiled.

B. The director of finance shall cause the city clerk to maintain records readily reflecting the financial condition of the city.

C. The salary and hours of the director of finance shall be set by resolution. (Ord. 288 §1, 1988).

2.08.050 Duties of city clerk. The city clerk shall have the following duties:

A. The city clerk shall keep an accurate record of the legislative body in books bearing appropriate titles. The books shall have a comprehensive general index.

B. Under the direction and control of the director of finance, the city clerk shall maintain records readily reflecting the financial condition of the city.

C. The city clerk shall keep and maintain a book marked "ordinances" and record in it all city ordinances with her certificate annexed to each stating:

1. It is a true and correct copy of a city ordinance;

2. The ordinance number;

3. It has been posted or published pursuant to law.

D. The city clerk is the custodian of the city seal.

E. The salary and hours of the city clerk shall be set by resolution. (Ord. 287 §1, 1988).

Chapter 2.10

CITY ADMINISTRATOR

Sections:

- 2.10.010 Office created.
- 2.10.030 Eligibility.
- 2.10.040 Bond.
- 2.10.050 Compensation.
- 2.10.060 Pro tempore.
- 2.10.065 Residency required.
- 2.10.070 Powers and duties--Generally.
- 2.10.080 Powers and duties--Law enforcement.
- 2.10.090 Powers and duties--Authority over employees.

Sections: (Continued)

- 2.10.100 Powers and duties--Appointment, removal, promotion and demotion of officers and employees.
- 2.10.110 Powers and duties--Reorganization of offices.
- 2.10.120 Powers and duties--Ordinances.
- 2.10.130 Powers and duties--Attendance at council meetings.
- 2.10.140 Powers and duties--Financial reports.
- 2.10.150 Powers and duties--Budgets.
- 2.10.160 Powers and duties--Purchasing.
- 2.10.170 Powers and duties--Investigations.
- 2.10.180 Powers and duties--Public utilities franchises.
- 2.10.190 Powers and duties--Public buildings.
- 2.10.200 Powers and duties--Hours of employment.
- 2.10.210 Powers and duties--Additional duties.
- 2.10.220 Council-Administrator relations.
- 2.10.230 Departmental cooperation.
- 2.10.240 Attendance at commission meetings.
- 2.10.250 Removal--General procedure--Notice.
- 2.10.260 Removal--Hearing.
- 2.10.270 Removal--Suspension pending hearing.
- 2.10.280 Removal--Discretion of council.
- 2.10.290 Removal--Limitation.

2.10.010 Office created. The office of administrator of the city is created and established. The administrator shall be appointed by the city council wholly on the basis of his administrative and executive ability and qualifications and shall hold office for and during the pleasure of the city council. (Ord. 300 §1(part), 1989).

2.10.030 Eligibility. No person serving as a councilman of the city shall, subsequent to such election, be eligible for appointment as city administrator until one year has elapsed after such council member has ceased to be a member of the city council. (Ord. 300 §1(part), 1989).

2.10.040 Bond. The city administrator shall furnish a corporate surety bond, to be approved by the city council in such sum as may be determined by the city council, which shall be conditioned upon the faithful performance of the duties imposed upon the city administrator as prescribed in this chapter. Any premium for such bond shall be a proper charge against the city. (Ord. 300 §1(part), 1989).

2.10.050 Compensation. The city administrator shall receive such compensation and expense allowance as the city council from time to time determines and fixes by resolution, and said compensation and expenses shall be a proper charge against such funds of the city as the city council designates.

The city administrator 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 such business for which reimbursement is requested, has been presented to the city council for approval. (Ord. 300 §1(part), 1989).

2.10.060 Pro tempore. The city administrator shall appoint, subject to the approval of the city council, one of the other officers or department heads of the city to serve as city administrator pro tempore during any temporary absence or disability of the city administrator. In case of the absence or disability of the city administrator and his failure to appoint a city administrator pro tempore, the city council may designate some qualified officer or employee of the city to perform the duties of the city administrator during the period of absence or disability of the city administrator. In the event of prolonged absence of the city administrator the city council may require said temporary appointee to furnish a corporate surety bond conditioned upon faithful performance of the duties required to be performed. Any premium for such bond shall be a proper charge against the city. (Res. 773, 1991: Ord. 300 §1(part), 1989).

2.10.065 Residency required. Residence in the city at the time of appointment of the city administrator is not a condition of the appointment. However, within one hundred eighty days after reporting for work, the city administrator shall become a resident of the city unless the city council approves his residence outside the city. (Ord. 300 §1(part), 1989).

2.10.070 Powers and duties--Generally. The city administrator shall be the administrative head of the government of the city 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 his control. In addition to his general powers as administrative head, and not as a limitation thereon, it shall be his duty and

2.10.080--2.10.140

he shall have the powers set forth in Sections 2.10.080 through 2.10.210. (Ord. 300 §1(part), 1989).

2.10.080 Powers and duties--Law enforcement. It shall be the duty of the city administrator to enforce all laws and ordinances of the city and to see that all franchises, contracts, permits and privileges granted by the city council are faithfully observed. (Ord. 300 §1(part), 1989).

2.10.090 Powers and duties--Authority over employees. It shall be the duty of the city administrator and he shall have the authority to control, order and give directions to all heads of departments and to subordinate officers and employees of the city under his jurisdiction, except the city clerk, city attorney and city treasurer, through their department heads. (Ord. 300 §1(part), 1989).

2.10.100 Powers and duties--Appointment, removal, promotion and demotion of officers and employees. It shall be the duty of the city administrator to recommend to the city council the appointment, removal, promotion and demotion of any and all officers and employees of the city, except the city clerk, city attorney and city treasurer. (Ord. 300 §1(part), 1989).

2.10.110 Powers and duties--Reorganization of offices. It shall be the duty and responsibility of the city administrator to recommend to the city council such reorganization of offices, positions, departments or units under his direction as may be indicated in the interest of efficient, effective and economical conduct of the city's business. (Ord. 300 §1(part), 1989).

2.10.120 Powers and duties--Ordinances. It shall be the duty of the city administrator and he shall recommend to the city council for adoption such measures and ordinances as he deems necessary or expedient. (Ord. 300 §1(part), 1989).

2.10.130 Powers and duties--Attendance at council meetings. It shall be the duty of the city administrator to attend all meetings of the city council unless excused therefrom, except when his removal is under consideration. (Ord. 300 §1(part), 1989).

2.10.140 Powers and duties--Financial reports. It shall be the duty of the city administrator to keep the city council at all times fully advised as to the financial conditions and needs of the city. The city administrator

shall assume the duties of the director of finance as set forth in Section 2.08.040. (Ord. 300 §1(part), 1989).

2.10.150 Powers and duties--Budgets. It shall be the duty of the city administrator to prepare and submit the proposed annual budget and the proposed annual salary plan to the city council for its approval. (Ord. 300 §1(part), 1989).

2.10.160 Powers and duties--Purchasing. It shall be the duty of the city administrator and he shall be responsible for the purchase of all supplies for all of the departments or divisions of the city. No expenditures shall be submitted or recommended to the city council except on report and approval of the city administrator. (Ord. 300 §1(part), 1989).

2.10.170 Powers and duties--Investigations. It shall be the duty of the city administrator to make investigations 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. (Ord. 300 §1(part), 1989).

2.10.180 Powers and duties--Public utilities franchises. It shall be the duty of the city administrator 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 and permits granted by the city are faithfully performed and observed. (Ord. 300 §1(part), 1989).

2.10.190 Powers and duties--Public buildings. It shall be the duty of the city administrator and he shall exercise general supervision over all public buildings, public parks and all other public property which are under the control and jurisdiction of the city council. (Ord. 300 §1(part), 1989).

2.10.200 Powers and duties--Hours of employment. It shall be the duty of the city administrator to devote his entire time to the duties of his office in the interests of the city. (Ord. 300 §1(part), 1989).

2.10.210 Powers and duties--Additional duties. It shall be the duty of the city administrator to perform such other duties and exercise such other powers as may be delegated to him from time to time by ordinance or resolution or other action of the city council. (Ord. 300 §1(part), 1989).

2.10.220 Council-Administrator relations. The city council and its members shall deal with the administrative services of the city only through the city administrator, except for the purpose of inquiry, and neither the city council nor any member thereof shall give orders to any subordinates of the city administrator. The city administrator shall take his orders and instructions from the city council only when sitting in a duly held meeting of the city council and no individual councilman shall give any orders or instructions to the city administrator. (Ord. 300 §1(part), 1989).

2.10.230 Departmental cooperation. It shall be the duty of all subordinate officers and the city clerk, city treasurer and city attorney to assist the city administrator in administering the affairs of the city efficiently, economically and harmoniously so far as may be consistent with their duties as prescribed by the laws and ordinances of the city. (Ord. 300 §1(part), 1989).

2.10.240 Attendance at commission meetings. The city administrator may attend any and all meetings of the planning commission, recreation or park commission, and any other commissions, boards or committees created by the city council after the effective date of the ordinance codified in this chapter upon his own volition or upon direction of the city council. At such meetings which the city administrator attends, he shall be heard by such commissions, boards or committees as to all matters upon which he wishes to address the members thereof, and he shall inform said members as to the status of any matter being considered by the city council, and he shall cooperate to the fullest extent with the members of all commissions, boards or committees appointed by the city council. (Ord. 300 §1(part), 1989).

2.10.250 Removal--General procedure--Notice. A. The removal of the city administrator shall be only upon a three member vote of the whole city council in regular council meeting, subject, however, to the provisions of Sections 2.10.260 through 2.10.290.

B. In case of his intended removal by the city council, the city administrator shall be furnished with a written notice stating the council's intention to remove him and the reason therefor, at least thirty days before the effective date of his removal. (Ord. 300 §1(part), 1989).

2.10.260 Removal--Hearing. Within seven days after the delivery to the city administrator of the notice of intended removal provided for in Section 2.10.250, he may, by written notification to the city clerk, request a hearing before the city council. Thereafter, the city council

shall fix a time for the hearing which shall be held at its usual meeting place, but before the expiration of the thirty-day period provided for in Section 2.10.250, at which the city administrator shall appear and be heard, with or without counsel. (Ord. 300 §1(part), 1989).

2.10.270 Removal--Suspension pending hearing. After furnishing the city administrator with written notice of intended removal, the city council may suspend him from duty, but his compensation shall continue until his removal by resolution of the council passed subsequent to the hearing provided for in Section 2.10.260. (Ord. 300 §1(part), 1989).

2.10.280 Removal--Discretion of council. In removing the city administrator, the city council shall use its uncontrolled discretion. Its action shall be final and shall not depend upon any particular showing or degree of proof at the hearing. The purpose of the hearing is to allow the city administrator to present to the city council his grounds of opposition to his removal prior to its action. (Ord. 300 §1(part), 1989).

2.10.290 Removal--Limitation. Notwithstanding the other provisions of this chapter, the city administrator 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 of the city council or a reorganized city council to observe the actions and ability of the city administrator in the performance of the powers and duties of his office. After the expiration of the ninety-day period, the provisions of Section 2.10.280 as to the removal of the city administrator shall apply and be effective. (Ord. 300 §1(part), 1989).

Chapter 2.12

BONDS FOR CITY OFFICERS

Sections:

- 2.12.010 Sum for city clerk and city treasurer designated.
- 2.12.020 Conformance to Government Code required.
- 2.12.030 Premiums a charge upon city.

B. Make monthly bank reconciliation of all accounts, tying the reconciliation balance back to the books and records of the city;

C. Make timely recording of all cash transfers between the various city accounts. (Ord. 268 § 1, 1986).

2.08.040 Director of finance. Pursuant to Sections 37209 and 40805.5 of the California Government Code, there is established the office of the director of finance, who shall have the following duties:

A. The director of finance shall cause a summary of the city's financial report required by Section 53891 of the Government Code, in a form prescribed by the State Controller, to be published once in a newspaper of general circulation, pursuant to Article 1 (commencing with 6000), Chapter 1, Division 7, Title 1 of the Government Code. The report shall be published not later than one hundred twenty days after the close of the fiscal year for which the report is compiled.

B. The director of finance shall cause the city clerk to maintain records readily reflecting the financial condition of the city.

C. The salary and hours of the director of finance shall be set by resolution. (Ord. 288 § 1, 1988).

2.08.050 Duties of city clerk. The city clerk shall have the following duties:

A. The city clerk shall keep an accurate record of the legislative body in books bearing appropriate titles. The books shall have a comprehensive general index.

B. Under the direction and control of the director of finance, the city clerk shall maintain records readily reflecting the financial condition of the city.

C. The city clerk shall keep and maintain a book marked "ordinances" and record in it all city ordinances with her certificate annexed to each stating:

1. It is a true and correct copy of a city ordinance;

2. The ordinance number;

3. It has been posted or published pursuant to law.

D. The city clerk is the custodian of the city seal.

E. The salary and hours of the city clerk shall be set by resolution. (Ord. 287 § 1, 1988).

Chapter 2.10

CITY MANAGER*

Sections:

- 2.10.010 Office created.
- 2.10.030 Eligibility.
- 2.10.040 Bond.
- 2.10.050 Compensation.
- 2.10.060 Pro tempore.
- 2.10.065 Residency required.
- 2.10.070 Powers and duties--Generally.
- 2.10.080 Powers and duties--Law enforcement.
- 2.10.090 Powers and duties--Authority over employees.
- 2.10.100 Powers and duties--Appointment, removal, promotion and demotion of officers and employees.
- 2.10.110 Powers and duties--Reorganization of offices.
- 2.10.120 Powers and duties--Ordinances.
- 2.10.130 Powers and duties--Attendance at council meetings.
- 2.10.140 Powers and duties--Financial reports.
- 2.10.150 Powers and duties--Budgets.
- 2.10.160 Powers and duties--Purchasing.
- 2.10.170 Powers and duties--Investigations.
- 2.10.180 Powers and duties--Public utilities franchises.
- 2.10.190 Powers and duties--Public buildings.
- 2.10.200 Powers and duties--Hours of employment.
- 2.10.210 Powers and duties--Additional duties.
- 2.10.220 Council-manager relations.
- 2.10.230 Departmental cooperation.
- 2.10.240 Attendance at commission meetings.
- 2.10.250 Removal--General procedure--Notice.
- 2.10.260 Removal--Hearing.
- 2.10.270 Removal--Suspension pending hearing.
- 2.10.280 Removal--Discretion of council.
- 2.10.290 Removal--Limitation.

* Editor's Note: The title of Ch. 2.10 was amended by Res. 1582 § 1.

2.10.010 Office created. The office of manager of the city is created and established. The manager shall be appointed by the city council wholly on the basis of his or her administrative and executive ability and qualifications and shall hold office for and during the pleasure of the city council. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.030 Eligibility. No person serving as a council member of the city shall, subsequent to such election, be eligible for appointment as city manager until one year has elapsed after such council member has ceased to be a member of the city council. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.040 Bond. The city manager shall furnish a corporate surety bond, to be approved by the city council in such sum as may be determined by the city council, which shall be conditioned upon the faithful performance of the duties imposed upon the city manager as prescribed in this chapter. Any premium for such bond shall be a proper charge against the city. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.050 Compensation. The city manager shall receive such compensation and expense allowance as the city council from time to time determines and fixes by resolution, and said compensation and expenses shall be a proper charge against such funds of the city as the city council designates.

The city manager shall be reimbursed for all sums necessarily incurred or paid by him or her in the performance of his or her 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 such business for which reimbursement is requested, has been presented to the city council for approval. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.060 Pro tempore. The city manager shall appoint, subject to the approval of the city council, one of the other officers or department heads of the city to

serve as city manager pro tempore during any temporary absence or disability of the city manager. In case of the absence or disability of the city manager and his or her failure to appoint a city manager pro tempore, the city council may designate some qualified officer or employee of the city to perform the duties of the city manager during the period of absence or disability of the city manager. In the event of prolonged absence of the city manager, the city council may require said temporary appointee to furnish a corporate surety bond conditioned upon faithful performance of the duties required to be performed. Any premium for such bond shall be a proper charge against the city. (Res. 1582 § 2(part), 2007; Res. 773, 1991; Ord. 300 § 1(part), 1989).

2.10.065 Residency required. Residence in the city at the time of appointment of the city manager is not a condition of the appointment. However, within one hundred eighty days after reporting for work, the city manager shall become a resident of the city unless the city council approves his or her residence outside the city. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.070 Powers and duties--Generally. The city manager shall be the administrative head of the government of the city under the direction and control of the city council except as otherwise provided in this chapter. He or she shall be responsible for the efficient administration of all the affairs of the city which are under his or her control. In addition to his or her general powers as administrative head, and not as a limitation thereon, it shall be his or her duty and he or she shall have the powers set forth in Sections 2.10.080 through 2.10.210. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.080 Powers and duties--Law enforcement. It shall be the duty of the city manager to enforce all laws and ordinances of the city and to see that all franchises, contracts, permits and privileges granted by the city council are faithfully observed. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.090 Powers and duties--Authority over employees. It shall be the duty of the city manager and he or

she shall have the authority to control, order and give directions to all heads of departments and to subordinate officers and employees of the city under his or her jurisdiction, except the city clerk, city attorney and city treasurer, through their department heads. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.100 Powers and duties--Appointment, removal, promotion and demotion of officers and employees. The city manager shall have the power to hire, fire, appoint, remove, promote and demote any and all officers and employees of the city, except the city clerk, city attorney and city treasurer. (Res. 1582 §§ 2(part), 3, 2007; Ord. 300 § 1(part), 1989).

2.10.110 Powers and duties--Reorganization of offices. It shall be the duty and responsibility of the city manager to recommend to the city council such reorganization of offices, positions, departments or units under his or her direction as may be indicated in the interest of efficient, effective and economical conduct of the city's business. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.120 Powers and duties--Ordinances. It shall be the duty of the city manager and he or she shall recommend to the city council for adoption such measures and ordinances as he or she deems necessary or expedient. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.130 Powers and duties--Attendance at council meetings. It shall be the duty of the city manager to attend all meetings of the city council unless excused therefrom, except when his or her removal is under consideration. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.140 Powers and duties--Financial reports. It shall be the duty of the city manager to keep the city council at all times fully advised as to the financial conditions and needs of the city. The city manager shall assume the duties of the director of finance as set forth in Section 2.08.040. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.150 Powers and duties--Budgets. It shall be the duty of the city manager to prepare and submit the proposed annual budget and the proposed annual salary plan to the city council for its approval. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.160 Powers and duties--Purchasing. It shall be the duty of the city manager and he or she shall be responsible for the purchase of all supplies for all of the departments or divisions of the city. No expenditures shall be submitted or recommended to the city council except on report and approval of the city manager. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.170 Powers and duties--Investigations. It shall be the duty of the city manager to make investigations 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. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.180 Powers and duties--Public utilities franchises. It shall be the duty of the city manager 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 and permits granted by the city are faithfully performed and observed. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.190 Powers and duties--Public buildings. It shall be the duty of the city manager and he or she shall exercise general supervision over all public buildings, public parks and all other public property which are under the control and jurisdiction of the city council. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.200 Powers and duties--Hours of employment. It shall be the duty of the city manager to devote his or her entire time to the duties of his or her office in the interests of the city. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.210 Powers and duties--Additional duties. It shall be the duty of the city manager to perform such other duties and exercise such other powers as may be delegated to him or her from time to time by ordinance or resolution or other action of the city council. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.220 Council-manager relations. The city council and its members shall deal with the administrative services of the city only through the city manager, except for the purpose of inquiry, and neither the city council nor any member thereof shall give orders to any subordinates of the city manager. The city manager shall take his or her orders and instructions from the city council only when sitting in a duly held meeting of the city council and no individual council member shall give any orders or instructions to the city manager. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.230 Departmental cooperation. It shall be the duty of all subordinate officers and the city clerk, city treasurer and city attorney to assist the city manager in administering the affairs of the city efficiently, economically and harmoniously so far as may be consistent with their duties as prescribed by the laws and ordinances of the city. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.240 Attendance at commission meetings. The city manager may attend any and all meetings of the planning commission, recreation or park commission, and any other commissions, boards or committees created by the city council after the effective date of the ordinance codified in this chapter upon his or her own volition or upon direction of the city council. At such meetings which the city manager attends, he or she shall be heard by such commissions, boards or committees as to all matters upon which he or she wishes to address the members thereof, and he or she shall inform said members as to the status of any matter being considered by the city council, and he or she shall cooperate to the fullest extent with the members of all commissions, boards or committees appointed by the city council. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.250 Removal--General procedure--Notice.

A. The removal of the city manager shall be only upon a three-member vote of the whole city council in regular council meeting, subject, however, to the provisions of Sections 2.10.260 through 2.10.290.

B. In case of his or her intended removal by the city council, the city manager shall be furnished with a written notice stating the council's intention to remove him or her and the reason therefor, at least thirty days before the effective date of his or her removal. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.260 Removal--Hearing. Within seven days after the delivery to the city manager of the notice of intended removal provided for in Section 2.10.250, he or she may, by written notification to the city clerk, request a hearing before the city council. Thereafter, the city council shall fix a time for the hearing which shall be held at its usual meeting place, but before the expiration of the thirty-day period provided for in Section 2.10.250, at which the city manager shall appear and be heard, with or without counsel. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.270 Removal--Suspension pending hearing. After furnishing the city manager with written notice of intended removal, the city council may suspend him or her from duty, but his or her compensation shall continue until his or her removal by resolution of the council passed subsequent to the hearing provided for in Section 2.10.260. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.280 Removal--Discretion of council. In removing the city manager, the city council shall use its uncontrolled discretion. Its action shall be final and shall not depend upon any particular showing or degree of proof at the hearing. The purpose of the hearing is to allow the city manager to present to the city council his or her grounds of opposition to his or her removal prior to its action. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

2.10.290 Removal--Limitation. Notwithstanding the other provisions of this chapter, the city manager 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 of the city council or a reorganized city council to observe the actions and ability of the city manager in the performance of the powers and duties of his or her office. After the expiration of the ninety-day period, the provisions of Section 2.10.280 as to the removal of the city manager shall apply and be effective. (Res. 1582 § 2(part), 2007; Ord. 300 § 1(part), 1989).

Chapter 2.12

BONDS FOR CITY OFFICERS

Sections:

- 2.12.010 Sum for city clerk and city treasurer designated.
- 2.12.020 Conformance to Government Code required.
- 2.12.030 Premiums a charge upon city.

2.12.010 Sum for city clerk and city treasurer designated. The qualifying bond for each of the city clerk and city treasurer shall be in the penal sum of twenty-five thousand dollars. (Ord. 211 § 2, 1980; Ord. 6 § 1, 1953).

2.12.020 Conformance to Government Code required. Said bonds shall conform to the provisions of the Government Code of the state relating to the bonds of public officers. (Ord. 6 § 2, 1953).

2.12.030 Premiums a charge upon city. In the event that said qualifying bonds are executed by a corporate surety company, the premiums thereupon are to be a charge upon the city. (Ord. 6 § 3, 1953).

Chapter 2.16

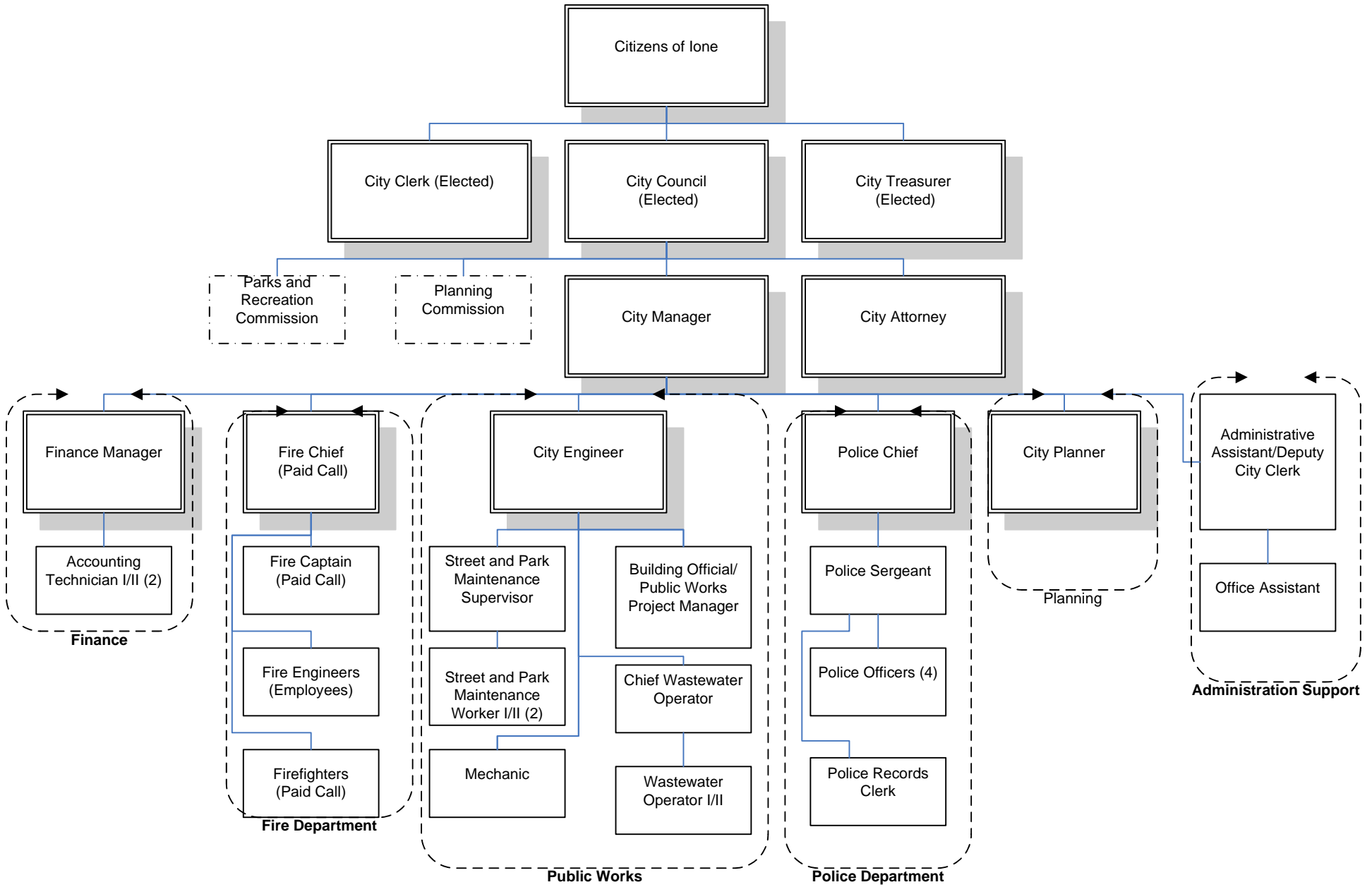
PERSONNEL SYSTEM

Sections:

- 2.16.010 Salary schedule.
- 2.16.020 Time cards.
- 2.16.030 Personnel records.
- 2.16.040 Residency requirements.
- 2.16.050 Physical and psychological examination requirements.
- 2.16.060 Memorandum of understanding.

2.16.010 Salary schedule. A. The salary schedule is based upon the following criteria: New employees shall be appointed at the first step of the salary range in effect for the particular class of position in which the appointment is made. Salary step advancement within range shall be on an annual basis, at five percent increments, and dependent upon employee's satisfactory annual performance rating, until the employee reaches the maximum salary step of the appropriate salary range. The salary schedule will be reviewed annually and may be changed by resolution.

B. Every employee in the classified service shall have a salary anniversary date which shall be the first day of the month following the month in which he completes his first twelve months of satisfactory service. Accrual for step salary increases, as well as vacation and sick leave credits, begins on the first day of a month if an employee is hired on or before the fifteenth of that month. If he is hired after the fifteenth, accrual begins on the first day of the following month. Employees working less than half-time are not included in this schedule. The salary schedule may be adjusted according to council discretion for cost of living increases or decreases, effective July 1st of each year. The salary schedule ranges are as follows:



City of Lone

Organization Chart
(Revised April 1, 2009)