

ORDINANCE NO. 899

AN ORDINANCE OF THE CITY OF REDLANDS CREATING AND ESTABLISHING A CITY MANAGER FORM OF GOVERNMENT FOR SAID CITY; DEFINING THE AUTHORITY, POWERS AND DUTIES OF THE CITY MANAGER: AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

The City Council of the City of Redlands does ordain as follows:

SECTION ONE: OFFICE OF THE CITY MANAGER CREATED.

The office of City Manager of the City of Redlands is hereby created and established. The City Manager 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.

SECTION TWO: ELIGIBILITY.

Residence in the City of Redlands, at the time of appointment, shall not be required as a condition of appointment.

No person elected to membership on the City Council, shall, subsequent to such election, be eligible for appointment as City Manager of the City of Redlands until one year has elapsed after he has ceased to be a member of the City Council.

SECTION THREE: BOND

The City Manager 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 City Manager as herein prescribed. Bond fee to be paid by the City of Redlands.

SECTION FOUR: ABSENCE

In the absence or disability of the City Manager, the City Council may designate some duly qualified person to perform the duties of the City Manager, during the period of absence or disability of said City Manager, subject, however, to said person furnishing a corporate surety bond conditioned on faithful performance of the duties required to be performed, as set forth in Section 3 herein.

SECTION FIVE: REMOVAL

The City Council shall appoint the City Manager for an indefinite term and may remove him by a three (3) member vote. At least thirty (30) days before such removal shall become effective, the City Council shall by a three (3) member vote of its members adopt a preliminary resolution stating the reasons for his removal. By the preliminary resolution the Council may suspend the manager from duty, but shall in any case cause to be paid to him forthwith any unpaid balance of his salary and his monthly salary shall continue to be paid for the next three calendar months following the adoption of the preliminary resolution. The City Council in removing the manager shall use its uncontrolled discretion and its action shall be final.

SECTION SIX: REMOVAL AFTER MUNICIPAL ELECTION

Notwithstanding the provisions of the Ordinance hereinbefore enumerated, 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 said City at which said 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 City Manager in the performance of the powers and duties of his office. After the expiration of said ninety day period aforementioned, the provisions of the preceding section as to the removal of the said City Manager shall apply and be effective.

SECTION SEVEN: COMPENSATION

The City Manager shall receive such compensation as the City Council shall from time to time determine and fix, and said compensation shall be a proper charge against such funds of the City that the City Council shall designate.

Said City Manager 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 said 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

SECTION EIGHT: POWERS AND DUTIES

The City Manager shall be the administrative head of the City Government under the direction and control of the City Council, except as otherwise provided in this ordinance. 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 he shall have the power :

- (12304) (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 control, order and give directions to all heads of departments, subordinate officers and employees of the City, except elected officers and their respective staffs, and to transfer employees from one department to another; and to consolidate or combine offices, positions, departments or units under his direction.
- (c) To appoint and remove any officers and employees of the City except the elected officers and their respective staffs, subject to ratification by the City Council in the case of department heads.
- (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 prepare and submit to the City Council the annual budget.

(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 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 services 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 his office and the interest of the City of Redlands.

(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 of Redlands, securing special counsel as required.

(q) To act as Personnel Director until the Council shall establish a separate office therefor.

(r) In addition to the elective officers and their respective staffs, the positions of City Attorney and City Judge shall be excluded from the scope of the Manager's surveillance; however, the services and facilities of those officers shall be made available to the City Manager.

(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.

SECTION NINE: ORDERS AND DIRECTIONS

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 members thereof shall give orders to any subordinates of the City Manager.

It shall be 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 Manager.

SECTION TEN: REPEAL

All ordinances or parts of ordinances in the City of Redlands in conflict herewith are hereby repealed.

SECTION ELEVEN: CONSTITUTIONALITY

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not effect the validity of the remaining portions of this ordinance. The City Council of the City of Redlands hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION TWELVE: CERTIFICATION

The City Clerk is hereby ordered and directed to certify to the passage of this ordinance and to cause the same to be published once in the Redlands Daily Facts, a newspaper of general circulation, printed, published and circulated in the City of Redlands. This ordinance shall be effective thirty (30) days after passage.

ATTEST:

Harry R. Whaley
City Clerk

(s/s) Maurice Clapp

MAYOR

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Redlands at a regular meeting held on the 5th day of May, 1949, by the following vote, to-wit:

AYES: Councilmen Dike, Danielson, Fletcher, Mayor Clapp

NOES: None

ABSENT: Councilman Thornquest

Harry R. Whaley
City Clerk
City of Redlands