



CITY OF COMMERCE STAFF REPORT

TO: Honorable City Council **Item No.** _____

FROM: City Administrator

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA AMENDING CHAPTER 2.04 (CITY ADMINISTRATOR) OF THE COMMERCE MUNICIPAL CODE – FIRST READING

MEETING DATE: MARCH 5, 2019

RECOMMENDATION:

The City Administrator recommends the City Council re-introduce Ordinance of the City of Commerce Amending Chapter 2.04 as described below to change the title of the City Administrator to City Manager and assign the City Manager with responsibilities and authority more consistent with cities that have a council-manager type of government. The ordinance was modified to better clarify the City Council's role under this particular council-manager structure of government. Read the ordinance by title only and approve for first reading.

DISCUSSION:

The council-manager form is the system of local government that combines the strong political leadership of elected officials in the form of a council or other governing body, with the strong managerial experience of an appointed local government manager. The form establishes a representative system where all power is concentrated in the elected council and where the council hires a professionally trained manager to oversee the delivery of public services. In council-manager government, council members are the leaders and policy makers elected to represent various segments of the community and to concentrate on policy issues that are responsive to citizens' needs and wishes. The manager is appointed by council to carry out policy and ensure that the entire community is being served. If the manager is not responsive to the council's wishes, the council has authority to terminate the manager at any time, subject to narrow limitations contained in Chapter 2.04. In that sense, a manager's responsiveness is tested daily. The council-manager form of government is currently used by over 3,625 cities in the United States and more than 75.5 million Americans live under council-manager form of government.

Section 2.04 of the Commerce Municipal Code (CMC) outlines the provisions for the city administrator position in the City of Commerce, including role, responsibilities, powers and authority of the City Administrator under the City Council.

In order to allow more accountability, better information flow, and efficient management of city operations, staff proposes the following changes for Council's consideration:

1. Change the title of the City Administrator to City Manager.
2. Provides gender neutral language to provide for future city managers whom may be male or female.
3. Update language related to the City Administrator/Manager being the head of civilian defense to instead reflect public safety and emergency management operations.
4. Assigns the responsibility for all staff appointment and discipline to the City Manager, pursuant to typical council-manager form of government city governing structures. **Language was added to make clear that: This section shall not preclude the City Council from directing the city manager to take any actions consistent with the above duties upon a majority vote.**
5. Delineates a clearer management plan in the absence of the City Manager and Assistant City Manager.
6. Removes superfluous references to the City Clerk and City Treasurer.

This ordinance was approved for first reading on February 19, 2019.

FISCAL IMPACT:

The recommended action can be carried out without additional impact on the current operating budget.

Respectfully submitted: Edgar P. Cisneros, City Administrator
Reviewed and Approved as to form by: Noel Tapia, City Attorney

Attachment: Amended Ordinance