

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, CONCERNING APPOINTING
AUTHORITY AND RESPONSIBILITY

WHEREAS, the City of Fresno has a charter form of government, with each elected official, appointed official, and employee having certain Charter designated authority and responsibilities; and

WHEREAS, Charter section 800 provides the Council has the sole authority to appoint and remove the City Attorney and City Clerk; and

WHEREAS, Charter section 400 provides the Mayor has the sole authority to appoint and remove the City Manager (Chief Administrative Officer); and

WHEREAS, Charter section 500 provides each Councilmember has sole authority to appoint and remove his or her Council Assistant; and

WHEREAS, Charter section 705 provides the City Manager has the authority to approve or disapprove all proposed appointments and removals of deputies, assistants and subordinate employees by department heads or officers *except* those officers whose appointment is vested by this Charter in the Council – the City Attorney and City Clerk; and

WHEREAS, it is desirable that City officials and employees are clear and informed of their respective Charter authority and responsibilities; and

WHEREAS, it is the intent of this Resolution to clarify, restate, and implement provisions of the Charter.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. Pursuant to Charter sections 705 and 800, authority and responsibility for appointment, removal, discipline, compensation, payroll records, and direction of deputies, assistants and subordinate employees of the Councilmembers, City Attorney and City Clerk shall remain solely with the individual Councilmembers, City Attorney and City Clerk, respectively; and

2. Pursuant to Charter section 705, the City Manager has the authority to approve or disapprove all proposed appointments and removals of deputies, assistants and subordinate employees, including department heads and their subordinate employees, except for the elected officials, the appointees and employees of the Council, and the employees of the City Attorney and City Clerk's offices; and

3. This Resolution shall supersede any provisions of the Fresno Municipal Code or resolutions that are inconsistent, except for provisions of any approved Memorandum of Understanding with a City bargaining unit; and

4. This Resolution shall take effect upon its passage.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2015.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2015
Mayor Approval/No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Katie Doerr [Date]
Assistant City Attorney

KBD:ns [69620ns/kbd]- 11/9/15