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Agenda Item: ID#15-1031 (2-A)

Date: 8/27/15

CITY CLERK, FRESNO, CA

FRESNO CITY COUNCIL



Supplemental Information Packet

Agenda Related Item(s) – ID#15-1031 (2-A)

Contents of Supplement: Amended Resolution

Item(s)

***RESOLUTION – Concerning Appointing Authority and Responsibility

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

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 910 provides the Retirement Board shall appoint and direct a Retirement Administrator who shall report to the Board; serve at the Board's pleasure; administer the retirement office and its financial affairs as directed by the Board; appoint, suspend and remove subordinate employees subject to the Civil Service System provisions of this Charter; and perform such other administrative duties as directed by the Board; 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, the employees of the City Attorney and City Clerk's offices, and of the Retirement Board; 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.

* * * * *

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: _____
Douglas T. Sloan [Date]
City Attorney

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