

#### Section 4.01. - CITY MANAGER.

There shall be a City Manager who shall be the chief administrative officer of the City. He or she shall be responsible to the Commission for the administration of all City affairs placed in his or her charge by or under this Charter and such other duties as may be required by the Commission.

(Ord. No. 4-76, passed 2/23/76, Adopted at Referendum 2/2/76; Ord. No. 62-01, passed 1/8/02, Adopted at Referendum 3/12/02)

#### Section 4.04. - POWERS AND DUTIES OF THE CITY MANAGER.

(A) *Powers of the City Manager.* The City Manager shall have the following powers and duties:

- (1) Appoint and, when he or she deems it necessary for the good of the City, suspend or remove all City employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter. All appointments and promotions of City officials and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence. The City Manager may authorize any administrative officer who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency.
- (2) Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law.
- (3) Attend all Commission meetings and shall have the right to take part in discussion, but may not vote.
- (4) See that all laws, provisions of this Charter and acts of the Commission, subject to enforcement by him or her or by officers subject to his or her direction and supervision, are faithfully executed.
- (5) Submit to the Commission and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year.
- (6) Make such other reports as the Commission may require concerning the operations of City departments, offices and agencies subject to his or her direction and supervision.
- (7) Keep the Commission fully advised as to the financial condition and future needs of the City and make such recommendations to the Commission concerning the affairs of the City as he or she deems advisable or as the Commission may require.
- (8) Sign contracts on behalf of the City pursuant to the provisions of this Charter, provisions of appropriation ordinances and where authorized by ordinance, resolution or by motion (see Section 4.09).
- (9) Perform such other duties as are specified in this Charter or may be required by the Commission.

(B) *Prohibition.* The City Manager shall not adopt and provide personnel policies or personnel rules pursuant to this Charter that apply to any of the City's employees who are covered by a collective bargaining agreement that is subject to renegotiation, unless otherwise expressly provided in said personnel policies, personnel rules, or collective bargaining agreement.

(Ord. No. 4-76, passed 2/23/76, Adopted at Referendum 2/2/76; Ord. No. 62-01, passed 1/8/02, Adopted at Referendum 3/12/02)