

CITY COUNCIL MEETING
February 17, 1993

STATEMENT READ BY MAYOR PENNINO CONCERNING
THE RELATIONSHIP BETWEEN THE CITY COUNCIL
AND CITY STAFF

CC-6

Mayor Pennino read the following statement regarding the roles of the City Manager, City Attorney and City Clerk and the fact that a number of requests are being directed from a Council Member to City Department Heads and staff, causing an additional workload. Mr. Pennino stated there needs to be a policy that clearly states what an "inquiry" is and that the City Council should deal with City staff through the City Manager.

"Each one of us was elected by the citizens of Lodi to represent them in providing direction and setting policy for the City of Lodi. As Council Members we are like the board of directors of a corporation in which we have a chief executive officer or in this case a City Manager.

The City Manager directly reports to the City Council. In addition to the City Manager, two other individuals are hired and, for that matter, fired by the City Council. Those being the City Attorney and the City Clerk.

The City Manager is responsible for taking direction and action from this council as a whole and not from any one individual. He is responsible for taking this information and running the City's operations on a day-to-day basis.

Municipal Code Section 2.12.070 spells out how Council Members are to deal with City staff. It says:

'Except for the purpose of inquiry, the city council and its members shall deal with the administrative services solely through the city manager, and neither the city council nor any member thereof shall give orders to any of the subordinates of the city manager.'

To that point, during the past several weeks some issues have arisen that need to be addressed by the Council. A Council Member has requested documents of information which has been very time consuming to produce. This has placed an additional workload on certain Department Heads and their staff. Some of the information appears to be of a personal nature.

There have been other actions which are disrupting the normal operations of the City. It is not my/our intent to stop a Council Member from staying abreast of City business, but the Council needs to adopt a policy in connection with Municipal Code Section 2.12.070, spelling out what 'inquiry' is and making it perfectly clear that for everything else besides simple routine questions, the Council should deal with City staff through the City Manager.

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Finally in closing, as Council Members and as individuals, we must remember that the City Manager, City Attorney and the City Clerk work for the Council as a whole and we should respect them and not threaten them with verbal comments. This cannot and will not be tolerated!"

February 1, 1967

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Finally in closing, as council members and as individuals we must remember that the City Manager, City Attorney and the City Clerk work for the council as a whole and we should respect them and not threaten them with verbal comments. This cannot and will not be tolerated!

Philip Bermond

2.12.060

and be responsible for its administration after adoption;

H. Annual report: To prepare and submit to the 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;

I. Salary plan: To prepare and recommend to the city council a salary plan;

J. Purchasing: To purchase all supplies for all of the departments or divisions thereof, and no expenditure shall be submitted or recommended to the city council except upon report or approval of the city manager;

K. Investigation of city affairs: To make investigations into the affairs of the city or any department or division thereof or any contract, or the proper performance of any obligation running to the city;

L. Investigation of complaints: To investigate all complaints in relation to all matters concerning the administration of the government of the city and in regard to the service maintained by public utilities in the city, and to see that all franchises, permits and privileges granted by the city are faithfully observed;

M. Supervision of public buildings, parks, etc.: To exercise general supervision over all public buildings, public parks, streets and other public property which are under the control and jurisdiction of the city council;

N. Organizational chart: To prepare and submit to the city council an organization chart showing the organization plan for all departments of the city government;

O. Issue licenses and permits: To issue on behalf of the council all licenses and ~~permits not otherwise provided for by ordinance;~~

P. Public works construction: To superintend the construction of all public work done by the city;

Q. Devotion of entire time to duties: To devote his entire time to the duties and interest of the city;

R. Delegated duties: To perform such other duties and exercise such other powers as may be delegated by ordinance or motion of the city council;

S. Political activity: The city manager shall not participate in any city political activities or politics;

T. Contracts: To execute on behalf of the city and without city council approval, contracts in the amount of five thousand dollars or less. Except in emergencies, all contracts exceeding five thousand dollars shall be approved by city council action. No contract shall be split into smaller purchase orders or segments to avoid the provisions of this subsection or the requirements of Chapter 3.20 of this code. (Ord. 1506 § 1, 1991; prior code § 2-25)

2.12.070 Council to deal exclusively through city manager.

Except for the purpose of inquiry, the city council and its members shall deal with the administrative services solely through the city manager, and neither the city council nor any member thereof shall give orders to any of the subordinates of the city manager. (Prior code § 2-26)

2.12.080 Compensation.

The city manager shall receive such salary as the city council shall from time to time determine and fix by resolution or motion. (Prior code § 2-27)