

ORDINANCE NO. 1223

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY AMENDING SIMI VALLEY MUNICIPAL CODE TITLE 2, CHAPTER 6, ARTICLE 2 RELATING TO CITY MANAGER POWERS AND DUTIES

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIMI VALLEY DOES ORDAIN AS FOLLOWS:

SECTION 1. Simi Valley Municipal Code Section 2-6.205 shall be amended as follows:

Sec. 2-6.205 Powers and duties.

The City Manager shall be the administrative head of the City government under the direction and control of the Council, except as otherwise provided in this article. He shall be responsible for the efficient administration of all the affairs of the City which are under his control. In addition to his general powers as administrative head, and not as a limitation thereon, he shall have the following powers and duties:

- (a) *Law enforcement.* To enforce all the laws and ordinances of the City and to assure the proper performance of all franchises, contracts, permits, licenses, and privileges granted by the Council;
- (b) *Supervision of officers and employees.* To supervise and direct all officers, heads of departments, subordinate officers, and employees of the City, except he shall have no authority over the City Attorney, City Treasurer, and City Clerk;
- (c) *Appointment, removal, promotion, and demotion of employees.* To appoint, remove, promote, and demote any officer or employee of the City, except the City Attorney, City Treasurer, and City Clerk;
- (d) *Reorganization of departments, offices, and positions.* To consolidate, combine, or reorganize departments, offices, positions, or units under his supervision as may be indicated in the interests of the efficient, effective, and economical conduct of the City's business. With the approval of the Council, the City Manager may be the head of one or more departments;
- (e) *Recommendation of legislation.* To recommend to the Council for adoption such measures and ordinances as he deems necessary or expedient;
- (f) *Attendance at Council meetings.* To attend all meetings of the Council, unless excused therefrom, except when his removal is under consideration;
- (g) *Preparation of financial reports.* To advise the Council of the financial conditions and requirements of the City;

- (h) *Budget preparation and administration.* To prepare and submit to the Council the annual budget and to administer the budget after its adoption;
- (i) *Purchases and expenditures.* To purchase all materials, supplies, services, and equipment for which funds are provided in the budget. No purchase shall be made, contract let, or obligation incurred for any item or service which exceeds the current budget appropriation without a supplemental appropriation by the Council. No expenditure shall be submitted or recommended to the Council except by the report and approval of the City Manager; provided, however, the provisions of this section with respect to the actual purchases of supplies shall not apply to purchases made when required under a sealed bid presented to the Council. The City Manager shall advise the Council regarding the advantages or disadvantages of contract and bid proposals;
- (j) *Investigations.* To investigate the operation and performance of the City and any department or division thereof;
- (k) *Supervision of public property.* To exercise general supervision over all public buildings, parks, and other public property which are under the control and jurisdiction of the Council;
- (l) *Investigations of complaints.* To investigate all complaints concerning the administration of the City government and the services maintained by public utilities in the City and the franchises, permits, or privileges granted by the City;
- (m) *Execution of grant application agreements.* To execute all grant application agreements and documentation, including contracts, grant applications, and City lease agreements made with individual lessees of the City-owned real property, following approval by the Council;
- (n) *Accept or consent to deeds or grants conveying property.* Pursuant to the provisions of Section 27281 of the Government Code of the State, to accept and consent to deeds and grants to the City conveying any interest in, or easements upon, real estate for public purposes. In the absence of the City Manager, the City Attorney shall perform this duty;
- (o) *Devotion of time to his duties.* To devote his entire time to the discharge of his official duties;
- (p) *Performance of additional duties.* To perform such other duties and exercise such other powers as may be delegated to him from time to time by ordinance, resolution, or other action of the Council; and
- (q) *Delegation of administrative duties.* The City Manager may delegate any administrative duty of City affairs placed in his charge by the Council or this Code, at his sole discretion, whenever such delegation is deemed necessary for the efficient administration of City business, unless this Code expressly provides otherwise. The City Manager may delegate in writing to any Assistant City Manager or the head of any department, office, or agency that is under his direction and supervision.

SECTION 2. The City Clerk shall cause this ordinance or a summary hereof to be published in a newspaper of general circulation, published in the County of Ventura and circulated in the City, and if applicable, to be posted, in accordance with Section 36933 of the California Government Code; shall certify to the adoption of this ordinance and shall cause a certified copy of this ordinance, together with proof of publication, to be filed in the Office of the Clerk of this City.

SECTION 3. This ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED and ADOPTED this 27th day of January 2014.

Attest:

/s/
Ky Spangler, Assistant City Clerk

/s/
Robert O. Huber, Mayor of the City of Simi Valley, California

Approved as to Form:

Approved as to Content:

/s/
Sonia A. Hehir, Acting City Attorney

/s/
Eric J. Levitt, City Manager