CHAPTER 5. ADMINISTRATIVE SERVICE AND EMPLOYEES

Sec. 5-1. Administrative officers designated; appointment functions generally; employees designated.

(a) The administrative officers of the city shall be the city manager, city attorney, city clerk, city treasurer, and city assessor. The city commission may by ordinance create additional administrative offices and may by resolution combine any administrative offices in any manner it deems necessary or advisable for the proper and efficient operation of the city.

(b) The city manager and city attorney shall be appointed by the city commission for an indefinite period, shall be responsible to and serve at the pleasure of the city commission and shall have their compensation fixed by the city commission. All administrative officers of the city except the city manager and city attorney and except administrative officers of independent boards, commissions, and committees shall be appointed by the city manager for an indefinite period, subject to confirmation by the city commission. Such officers shall be responsible to the city manager and shall have their compensation fixed by the city manager in accordance with budget appropriations and any pay plan adopted by the city commission. Such officers may be discharged by the city manager without confirmation by the city commission, but they shall have the right of appeal provided for in section 6-12.

(c) Except as may be otherwise required by statute or this charter, the city commission shall establish by ordinance such departments of the city as it deems necessary or advisable and shall prescribe therein the functions of each department and the duties, authorities and responsibilities of the officers of each department, but the city commission may not diminish the duties or responsibilities of the office of city manager. The city manager may prescribe such duties and responsibilities of the officers of those departments responsible to the manager that are not inconsistent with this charter or with any ordinance or resolution.

(d) All personnel employed by the city who are not elected officers of the city or administrative officers or deputies by, or under the authority of, this charter shall be deemed to be employees of the city. The head of each department with the confirmation of the city manger shall have the power to hire and discharge employees.

Sec. 5-2. Performance review of city manager and city attorney.

The city commission shall conduct an annual performance review of the city manager and the city attorney.

Sec. 5-3. Relationship of city commission to administrative service.

Neither the city commission nor any of its members or committees shall influence the appointment or employment of any person or in any way interfere with the city manager or any other administrative officer so to prevent the manager or other administrative officer from

exercising judgment in the appointment of officers and employees in the administrative service. Except for the purpose of reasonable inquiry, the city commission and its members shall deal with the administrative service solely through the city manager. Neither the city commission nor any member thereof shall give orders to any of the subordinates of the city manager.

Sec. 5-4. City manager.

(a) *Appointment and qualifications.* The city commission shall appoint a city manager within 90 days after any vacancy exists in such position. The city manager shall hold office at the pleasure of a majority of the city commission, but the city manager shall not be removed from office during a period of 60 days following any regular city election except by the unanimous vote of the members of the city commission in office at the time. The city manager shall be selected solely on the basis of executive and administrative qualifications with special reference to training and experience.

(b) *Functions and duties.* The city manager shall be the chief administrative officer of the city government. The functions and duties of the city manager shall be:

(1) To be responsible to the city commission for the efficient and effective administration of all administrative departments of the city government.

(2) To see that all laws and ordinances are enforced.

(3) To appoint and remove the heads of the several city departments in the manner specified in section 5-1.

(4) To see that all terms and conditions imposed in favor of the city or its inhabitants in any public utility franchise, or in any contract, are faithfully kept and performed.

(5) To recommend an annual budget to the city commission, administer the budget as finally adopted under policies formulated by the city commission, and keep the city commission fully advised at all times as to the financial condition and needs of the city.

(6) To recommend to the city commission for adoption such measures as deemed necessary or expedient and attend city commission meetings with the right to take part in discussions but not to vote.

(7) To exercise and perform all administrative functions of the city that are not imposed by this charter or ordinance upon some other official.

(8) To perform such other duties as may be prescribed by this charter or as may be required by ordinance or by direction of the city commission.

(c) The city manager shall make all administrative polices available to the public.