

GARIBALDI ORDINANCES

ORDINANCE NO. 238

AN ORDINANCE PRESCRIBING THE METHOD OF APPOINTMENT AND THE POWERS AND DUTIES OF THE CITY RECORDER AND REPEALING ORDINANCES NOS. 2 AND 235

The City of Garibaldi ordains as follows:

Section 1. Office of City Recorder Created by Charter. The City of Garibaldi Charter creates the office of City Recorder for the City of Garibaldi, Oregon.

Section 2. Manner of Appointment.

A. The City Recorder shall be approved by a majority vote of the Common Council of the City of Garibaldi, following nomination by the mayor or by nomination by two members of the Common Council. The City Recorder shall serve at the pleasure of the Common Council and shall be removed by a majority vote of the Common Council.

B. The City Recorder may also be appointed to perform other duties as required by the Common Council. In the event of other duties, the City Recorder shall hold the office of City Recorder and perform the recorder duties in addition to the powers and duties prescribed for the other appointed office in such manner that the efficiency and administration of the other office shall in no way be effected or diminished.

C. At the time of appointment, the person so appointed as City Recorder need not be a resident of the City of Garibaldi, Oregon or the State of Oregon, but within six (6) months from the date of appointment said person shall reside within said City and State during his tenure in office unless excused from said requirement by the City Council for good and appropriate cause.

D. The City Recorder shall be required to carry a bond for the faithful performance of his duties in the amount of \$50,000.00. The expense of said bond shall be paid from the budget of the City Recorder's office.

Section 3. Duties, Power and Authority of City Recorder.

A. The power and duties of the City Recorder shall be as follows:

1. The City Recorder shall have the general supervision, direction and control of all non-elective officers and public employees of the City in the exercise of their duties and of the work of all City departments other than the office of City Attorney and of Municipal Judge. In exercising this general supervision, direction and control, the City Recorder shall consult with the department head. Department heads shall have the responsibility of day-to-day supervision, direction and control of employees in their departments.

2. To supervise the expenditures of all departments of the City and analyze and supervise the functions, duties and activities of the various departments of the City, and all employees thereof, and make such recommendations to the Mayor and the City Council with reference thereto, which in his judgement, will result, if adopted, in greater efficiency of the overall operation of the City of Garibaldi's government.
3. To act as administrative head of all departments of the City government subject to the control and direction of the Mayor and Council.
4. To act as budget officer and to prepare the annual budget for consideration by the budget committee and the council.
5. To act as purchasing agent for all departments of the City and all purchases shall be made by requisition and signed by him or his designee.
6. To act as business agent of the council in connection with City Business.
7. To prepare and furnish all reports requested by the Mayor or Council.
8. To recommend ordinances to the Council designed to increase the efficiency of the City government.
9. To enforce all ordinances including the provision of all franchises, leases, contracts, permits and privileges granted by or running to the City.
10. To collect all sums of money due the City.
11. To meet with private citizens and interested groups seeking information or bringing complaints and to attempt to resolve any problems tactfully and fairly.
12. To make and keep an inventory of all personal and real property owned by the City and advise the Mayor and Council of the purchase of new machinery, equipment or supplies, which in his judgment the same can be obtained under the terms and conditions which are most advantageous to the City.
13. To make or cause to be made, studies and surveys of the duties, responsibilities and work of the personnel employed by the City. The City Recorder shall inform and update the Mayor and City Council in regard to his decisions on abolition, consolidation, transfer, removal of positions or personnel, or any other administrative decisions made by the Recorder which in his judgment will increase administrative efficiency. Such information reports to the Council may be made orally or in writing at the discretion of the City Recorder.

14. City Recorder shall perform such other duties as may be required of him by the Mayor and City Council, not inconsistent with the laws of the State of Oregon, and the provisions of the Charter and Ordinances of the City of Garibaldi.

15. City Recorder shall perform all of the duties of Recorder as provided in the City of Garibaldi Charter.

B. Except for department heads, the City Recorder shall have the power to appoint, remove, discipline, transfer, designate the duties of employees, the hours of their employment, and all matters pertaining to their work for all non-elective officers and public employees of the City. In exercising these powers, the City Recorder shall consult with department heads. The Council may, by motion, resolution or ordinance, provide rule under which the City Recorder shall conduct the City Recorder's Office and affairs for the various departments of the City. Any resolution or collective bargaining agreement now in effect with reference to hours of work and vacation shall be binding on the City Recorder.

C. The City Recorder shall have the power to recommend to the City Council the appointment or removal of a department head. The City Recorder shall have the general supervision, direction and control over department heads. Department heads shall have responsibility for the day-to-day operation of their departments.

Section 4. Legislative Policy Making Prohibited. The City Recorder shall not exercise any legislative making policy or legislative functions, nor attempt to commit or to bind the Mayor or City Council to any action, plan or program regarding legislative policy or legislative functions, and such shall remain exclusively the province of the City Council.

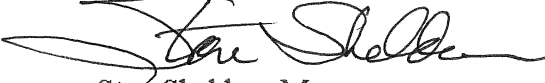
Section 5. Removal of City Recorder. The City Recorder shall serve at the pleasure of the Council and may be removed with or without cause by a majority vote of the members of the City Council presently holding office at the time of such vote. The action of the City Council in removing the City Recorder shall be final.

Section 6. Salary and Benefits. The salary and benefits of the City Recorder shall be set by the City Council within the annual budget of the City of Garibaldi and may be revised from time to time by the City Council in its discretion and legislative function.

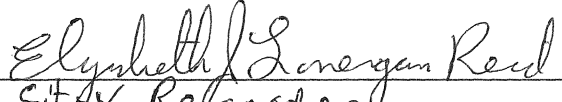
Section 7. Repealed Ordinances. Ordinance Nos. 2 and 235 are hereby repealed.

Section 7. Severability. If any of the provisions of this Ordinance shall be held void and unconstitutional, it is hereby provided that all other parts of the same which are not expressly held to be void or unconstitutional shall be and continue in full force and effect.

PASSED by the City Council and APPROVED by the Mayor the 21st day of June, 1999.


Stan Sheldon, Mayor

ATTEST:


Elizabeth L. Lomenyan Reed
City Recorder