

## ORDINANCE NO. 1572

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING ARTICLE 1 IN CHAPTER 2, TITLE II OF THE ARCATA MUNICIPAL CODE TO INCLUDE THE CITY MANAGER'S AUTHORITY TO SIGN DOCUMENTS.

**WHEREAS**, The City's Community Development Department regularly submits grant applications to the California Department of Housing and Community Development (HCD); and

**WHEREAS**, HCD has informed the City that in order for the City Manager to execute HCD contracts or other grant documents going forward; the City is required to have specific language regarding this authority in the Arcata Municipal Code; and

**WHEREAS**, amendments to Chapter 2, Officers & Employees, of Title II, Administration, are necessary for the City to comply with this requirement.

### NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ARCATA DOES ORDAIN AS FOLLOWS:

Section 1: Title II, (Administration), Chapter 2 (Officers & Employees), Article 1, (City Manager), Section 2107 of the Arcata Municipal Code is amended as follows by the deletion of language as shown by strike through and addition of language as shown by bold double underscore text:

**TITLE II: Administration**  
**CHAPTER 2: Officers & Employees**  
**ARTICLE 1: City Manager**

#### **SEC. 2107. Powers and duties.**

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

(a) Law Enforcement. It shall be the duty of the City Manager to see that all laws and ordinances of the City are enforced and to see that all franchises, licenses and permits granted by the City and contracts entered into by the City are faithfully performed and observed.

(b) Authority Over Employees. It shall be the duty of the City Manager and he/she shall have the authority to control and give directions to all heads of departments and to subordinate officers and employees of the City under his/her jurisdiction through their department heads.

(c) Power of Appointment and Removal. With the exception of the City Attorney, it shall be the duty of the City Manager to appoint, remove, promote or demote the officers and employees of the City of Arcata, including without limitation the City Clerk.

(d) Attendance at Council Meetings. It shall be the duty of the City Manager to attend all meetings of the City Council, except when his/her removal is under consideration or unless excused by the City Council.

(e) Financial Reports and Budget. It shall be the duty of the City Manager to keep the City Council at all times fully advised with respect to the financial conditions and needs of the City, and to prepare and submit a proposed annual budget and a proposed annual salary plan to the City Council for its approval.

(f) Purchasing Agent. It shall be the duty of the City Manager to purchase and he/she shall be responsible for the purchase of all supplies for the City and all supplies of all the departments and divisions of the City. All expenditures recommended to the City Council shall be submitted through the City Manager.

(g) Attendance at Commission Meetings. The City Manager may attend any and all meetings of the Planning Commission, and any other commission, board or committee hereafter created by the City Council, upon his/her own volition or upon direction of the City Council. At such meetings the City Manager may be heard by such commission, boards or committees as to all matters upon which he/she wishes to address the members thereof, and he/she shall inform the members as to the status of any matter being considered by the City Council and he/she shall cooperate with the members of all commissions, boards or committees appointed by the City Council to the fullest extent consistent with his/her duties as prescribed by ordinance or other act of the City Council.

(h) Employee Relations. It shall be the responsibility of the City Manager to carry out the function of Personnel Officer as specified in Title II, Chapter 2, Article 3 herein. However, it shall be the responsibility of the Human Resources/Administrative Services Director to carry out the labor relations process on behalf of the City Council. (Ord. 1443, eff. 7/18/2014; Ord. 1567, eff. 3/22/2024)

(i) Authority to Sign Documents. The City Manager is hereby authorized to sign any of the following documents, as provided in California Government Code section 40602, when authorized by motion, resolution, minute order or other appropriate action of the city council:

- (1) Warrants drawn by the city treasurer;
- (2) Written contracts and conveyances made or entered by the city; or
- (3) Instruments requiring the city seal.

All contracts shall be in writing. No oral contract shall become an obligation of the city. For the purposes of this section, the term "contract" shall refer to any agreement, contract, lease, promise, or other obligation to which the city is, or is alleged to be, a party and shall include, but not be limited to, any contract for equipment, supplies, services, or public works. The City Manager or his/her designee is also authorized to sign contracts on behalf of the city that do not require prior city council approval.

**Section 2: Severability.** If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Chapter, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid under law.

**Section 3:** This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

**Section 4:** This ordinance will take effect thirty (30) days after the date of its adoption.

**DATED:** November 6, 2024

**ATTEST:**

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/s/Rhea Varley  
City Clerk, City of Arcata

**APPROVED:**

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/s/Meredith Matthews  
Mayor, City of Arcata

## **CLERK'S CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of **Ordinance No. 1572**, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California held on the 6<sup>th</sup> day of November, 2024, by the following vote:

**AYES: MATTHEWS, STILLMAN, ATKINS-SALAZAR, SCHAEFER, WHITE**

**NOES: NONE**

**ABSENT: NONE**

**ABSTENTIONS: NONE**

/s/Rhea Varley

City Clerk, City of Arcata