

## ORDINANCE NO. 1158

### AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF PRINEVILLE

The People of the City of Prineville ordain as follows:

1. Chapter 31 of the Code of Prineville is amended to read as follows:

#### *CITY MANAGER*

##### **§ 31.01 OFFICE CREATED.**

There is hereby created the office of City Manager for the city, and the appointee to the office shall have general supervision, direction and control over all nonelective officers and public employees of the city in the exercise of their duties and of all the work of all city departments, other than the office of Municipal Judge, which is specifically exempted from the operation of this subchapter.

##### **§ 31.02 CITY COUNCIL ROLE.**

Except for the purpose of inquiry, the City Council and its members shall deal with the administrative service solely through the City Manager and neither the City Council nor any member thereof shall give orders to any subordinates of the City Manager either publicly or privately.

##### **§ 31.03 POWERS AND DUTIES.**

(A) *Generally.* The powers and duties of the City Manager shall be as follows.

(1) To prepare the annual budget and submit it to the City Council, together with a message describing the important features thereof, and to be responsible for its administration after adoption.

(2) To supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget; to let contracts necessary for the operation or maintenance of city services pursuant to state law and city ordinances; for amount up to and including \$2500; to receive sealed bids or quotations for purchase or contracts in excess of \$2500 and present them to the City Council for approval; to advise the City Council on the advantages and disadvantages of contracts and bid proposals. No purchase shall be made, contract let or obligation incurred for any item or service that exceeds the current budget appropriation without a supplemental appropriation by the City Council. The Manager may issue rules governing purchasing procedures within the administrative organization as the City Council shall approve.

(3) To act as administrative head of all departments of the city government; subject to the control and direction of the Mayor and the City Council; provided, however, he/she shall have the power to appoint, and when necessary for the good of the service, suspend or remove all officers and employees of the city except as otherwise provided by the City Charter, and except as he/she may authorize the head of a

department or office to appoint, suspend or remove subordinates in the department or office. Whenever necessary to fill a vacancy in administrative positions that are required by Charter to be appointments of the City Council, the City Manager shall submit the names of qualified individuals for the appointment. The Manager may recommend the removal or suspension of any appointee when it would be in the best interests of the city, and the City Council shall give full weight to the Manager's recommendations. All recommendations for appointment or removal shall be based solely on the merit, qualifications or disqualifications of the official concerned, without regard to his/her political beliefs or affiliations. In the appointment or dismissal of public employees other than department heads, the Manager shall consult with the head of the department charged with responsibility for the employee.

(4) To prepare and submit to the City 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.

(5) To periodically advise the City Council ~~at each monthly meeting~~ of the financial condition of the city and from time to time make recommendations as to the future needs of the city.

(6) To recommend to the City Council from time to time the adoption of such measures and ordinances as he/she deems necessary or expedient for the health, safety or welfare of the community or for the improvement of the administrative services.

(7) When not inconsistent with the Charter, and with the approval of the City Council, to consolidate or combine offices, positions, departments or units under his/her jurisdiction.

(8) To attend all meetings of the City Council unless excused therefrom and to take part in the discussion of all matters coming before the City Council. He/she shall be entitled to notice of all regular and special meetings of the City Council.

(9) To see that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits and privileges granted by the city are observed.

(10) To meet with private citizens and interested groups seeking information or bringing complaints and to attempt to resolve any problems tactfully and fairly.

(11) To recommend to the City Council a standard schedule of pay for each ~~employee appointive office and position~~ in the city service, including minimum, intermediate and maximum rates.

(12) To serve as City Recorder and City Treasurer and be responsible for the duties of ~~those offices. Recorder and Treasurer.~~

(B) *Additional duties.* The City Manager shall perform such other duties as may be required by the City Council not inconsistent with the City Charter or ordinances.

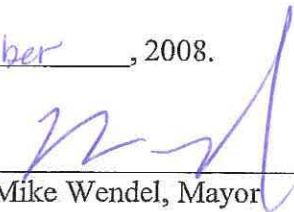
§ 31.04 BOND.

The City Manager shall furnish a surety bond, to be approved by the City Council, the bond to be conditioned upon the faithful performance of his/her duties and shall be in an amount as the City Council shall specify. The premium for the bond shall be paid by the city.

2. Ordinances 617, 845, 956, 1000, and 1098 are hereby repealed.

Passed this 28<sup>th</sup> day of October, 2008.

Signed by the Mayor this 28<sup>th</sup> day of October, 2008.

  
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Mike Wendel, Mayor

ATTEST:

  
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Wayne Van Matre, Interim City Manager