**Ordinance 2019 - 16**

**An Ordinance Creating the Office of City Administrator in the City of Hyde Park and providing for his/her powers and duties**

**BE IT ORDAINED by the City Council of Hyde Park City**

**CITY ADMINISTRATOR**

Sections:

**Position created.**

**Scope of authority.**

**General powers and duties.**

**Creation of department heads.**

**Department heads – Authority.**

**Interference by Councilmembers.**

**Residency requirement.**

**Qualifications.**

**Removal of City Administrator**

**Discretion of City Administrator**

**Saving Clause**

**Position created.**

There is created the office of City Administrator, which shall be filled by appointment of the Mayor, subject to the advice and consent of the City Council, to serve at the pleasure of the Mayor and City Council. The City Administrator reports directly to and is evaluated by the Mayor, and performs the duties assigned to him/her by the Mayor and as set forth in City Ordinance. The City at its discretion may specify additional terms and conditions of employment in a written agreement executed by the Mayor and approved by the City Council.

**Scope of authority.**

Under the direction and authority of the Mayor, the City Administrator shall supervise, administer, and coordinate the activities and functions of all City officers, departments, commissions and boards to implement City ordinances and policies through the effective use of City employees, funds, materials, facilities, and time, and shall direct and control the overall operations of the City to assure optimum services to the community.

**General powers and duties.**

Under the direction and authority of the Mayor, the City Administrator shall have the following powers and duties:

A.    Plan and direct all administrative activities of the City, develop and implement internal policies and procedures, and take necessary actions to improve operations.

B. Evaluate and manage all City employees and, with the approval of the Mayor, hire or dismiss City employees.

C.    Provide information and advice to the Mayor, City Council, other public officials and the public on the City’s Operations.

D.    Act as the City’s representative in such areas as labor relations, intergovernmental relations, conferences, conventions, and seminars related to public management.

E.    Delegate responsibility as necessary to accomplish the desired objectives.

F.    Attend meetings of the City Council and other boards and commissions as necessary to coordinate and satisfy the administrative needs of the City.

G.    Act to resolve operational conflicts, decide and implement alternate courses of action, formulate administrative policies, and otherwise make decisions in the best interest of the City’s operations.

H.    Recommend for adoption by the Council such measures and policies as he or she may deem necessary or expedient.

I.    Prepare and submit to the Mayor and Council such reports as may be required by that body, or as he or she may deem advisable to submit.

J.    Keep the Mayor and Council fully informed and advised of the financial conditions of the City and its future needs.

K.    Coordinate and supervise preparation of the preliminary budget for submission to the Mayor, and administer the budget after its adoption.

L. Review and make recommendations regarding all proposed contracts to which the City may be a party and to see that the terms of any contract to which the City is party are fully performed and executed.

M. Protect and ensure the proper care and management of all real and personal property of the City.

N.    In the Mayor’s absence, the City Administrator acts on behalf of the Mayor for purposes of emergency and disaster powers of the Mayor.

O.    Perform such other duties as the Mayor and Council may determine by ordinance, resolution, agreement, or in a delegation of Authority Matrix adopted by the City Council.

P. The City Administrator is expected to ensure the legal compliance of all City processes and carry out the will of the Council, to be accountable for all fiscal matters and to manage human and other resources while creating a safe and productive City

**Creation of department heads.**

On recommendation of the City Administrator, the City Council may create such departments, offices and employments as may be found necessary, and may determine the powers and duties of each department or office. All heads of departments and other necessary municipal officers, as determined by Utah law or City ordinance, shall be appointed by the Mayor, subject to the advice and consent of the City Council.

**Department heads – Authority.**

The City Administrator, acting within the scope of the delegated authority of the Mayor, may authorize the head of a department or office responsible to him/her to appoint or remove subordinates in such department or office. Any officer or employee, who may be appointed by the City Administrator, or by the head of a department or office, may be removed by the Administrator or by the Mayor at any time. The decision of the City Administrator or Mayor may be appealed to the city council, whose decision is final.

**Interference by Councilmembers.**

Neither the Council, nor any of its committees or members, shall direct or request the appointment of any person to, or his removal from, office by the City Administrator or any of his or her subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the Administrator and Mayor, and neither the Council nor any committee or member thereof shall give orders to any subordinate of the City Administrator, either publicly or privately; provided, however, that nothing herein shall be construed to prohibit the Council, while in open session, from fully and freely discussing with the Administrator and Mayor anything pertinent to appointments or removals of City officers and employees and City affairs.

**Residency requirement.**

The City Administrator need not be a resident of the City, but may be required to reside within a distance of the City limits which would provide opportunity of optimum response time in case of a City emergency as determined by the Personnel Policy.

**Qualifications.**

The City Administrator shall have experience and qualifications suitable to manage the City. Membership and participation in an appropriate professional organization is required including membership in International City Management Association (ICMA) and the Utah City Management Association (UMCA), with the cost for participation covered by the City. The membership must be obtained within 60 days. The City Administrator shall adhere to all ethical, training, and performance requirements established by Utah Law and City Ordinance or policy.

**Removal of the City Administrator**

The City Council may remove the City Administrator at any time, with or without cause or notice, by a super majority vote of its members which includes the Mayor. Reference the written contract.

**Discretion of the City Administrator**

The City Administrator shall have discretion to perform all duties described by ordinance, resolution, or agreement and all duties necessary and incident to the described duties. The City Administrator shall not have the power to disburse or obligate the City to disburse funds in excess of the limit outlined in the purchasing policy unless the approval of the Mayor or City Council has been obtained. Approval is deemed to be granted where the disbursement is pursuant to the intent and purpose of a duly adopted budget or authorized contract.

**Saving Clause**

If any section, sub-section, or sentence, clause, or phrase of the ordinance is for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of the ordinance.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF HYDE PARK CITY, UTAH, this 23rd day of October, 2019.

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Sharidean Flint, Mayor

ATTESTED:

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Donja Wright, City Recorder

PUBLICATION DATE: \_\_\_10/05/19\_\_\_\_\_\_\_\_\_