



CITY COUNCIL AGENDA ITEM NO. E.14
10/24/2023

SUBJECT: An Ordinance Amending the City Council Signature Policy

DEPARTMENT: City Attorney's Office

STAFF: Damien Brower, City Attorney

TITLE/RECOMMENDATION

That the City Council introduce and waive the first reading of an ordinance to amend the City Council Signature Authority Policy (10-13) to revise the signature authority of the City Attorney for legal service and personnel investigative service agreements from \$50,000 to \$75,000.

As the proposed change to the Policy will not cause either a direct physical change in the environment, or a reasonable foreseeable indirect physical change in the environment, it is not a "project" subject to review under the California Environmental Quality Act (CEQA) and thus no environmental review is necessary.

FISCAL IMPACT

There is no fiscal impact associated with this action, as amounts for legal and personnel investigative services can only be expended if included in the adopted Operating Budget.

BACKGROUND

State law generally requires that the Mayor sign all written contracts and conveyances made or entered into by the City. However, the City Council may, by passage of an ordinance, provide that this authority be delegated to an officer other than the Mayor. (Government Code § 40602.) The purpose of the City's Signature Authority Policy ("Policy") is thus to allow specific City employees to enter into certain agreements, and to sign other documents on the City's behalf without first taking them to the City Council for approval.

The Policy has been in place since at least 2006; most California cities have similar policies. Among other things, the Policy helps reduce the number of standard agreements that must be reviewed and approved by the City Council, allowing for greater operational efficiencies.

Since the adoption of the Policy in 2006, the City Attorney's annual signature authority for individual legal services agreements that are not paid for by third party



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deposit accounts has been set at \$50,000. This amount has mirrored the City Manager's signature authority for general City agreements.

With increased inflation over the past several years, costs for most goods and services have increased throughout the State, and the rates for outside attorneys and personnel investigators have been no exception.

The proposed ordinance would amend the Policy to increase the City Attorney's annual signature authority for legal service and personnel investigator agreements from \$50,000 to \$75,000 per agreement. The signature authority for other City Attorney's Office agreements would remain at \$50,000. If approved, this would be the first increase for these types of agreements in 17 years.

Specifically, the proposed amendment would revise the first paragraph of Section 4.1 of the Policy as follows:

4.1 General. For purposes related to ~~legal services and~~ the activities and functions of the City Attorney's Office, the City Attorney is granted the same authority as the City Manager as set forth in section 3.1.1, up to \$50,000; and for legal services and personnel investigative services, up to \$75,000.

There are no other proposed revisions to the Policy.

A copy of the current Policy is attached to this report for the City Council's reference.

CITY COUNCIL STRATEGIC INITIATIVE

Not Applicable.

PREVIOUS ACTION

Previous Action by the City Council are listed as recitals in the attached Ordinance (Attachment 1).

To view prior actions and materials, and Brentwood Municipal Code references in the staff report, as may be applicable:

- Visit www.brentwoodca.gov/meetings, and select the meeting date(s) desired to see the reference materials and videos.
- Visit www.brentwoodca.gov/municipalcode to research references to the Brentwood Municipal Code and search by the code section(s) cited.

ENVIRONMENTAL DETERMINATION

As the proposed change to the Policy will not cause either a direct physical change in the environment, or a reasonable foreseeable indirect physical change in the



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environment, it is not a “project” subject to review under the California Environmental Quality Act (CEQA) and thus no environmental review is necessary.

ATTACHMENT(S)

1. Ordinance
2. Government Code section 40602
3. Signature Authority Policy (10-13)