



CITY COUNCIL AGENDA ITEM NO. E.10
11/14/2023

SUBJECT: Second Reading of Ordinance No. 1064, Amending the City Council Signature Policy

DEPARTMENT: City Attorney's Office

STAFF: Damien Brower, City Attorney

TITLE/RECOMMENDATION

Waive the second reading and adopt Ordinance No. 1064 amending 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 with this item, as moneys spent for legal and personnel investigative services will still need to have been previously budgeted before being expended.

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.



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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 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 is included on attachment 1.

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



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ATTACHMENT(S)

1. Previous Action
2. Ordinance No. 1064
3. Government Code section 40602
4. Signature Authority Policy (10-13)