

ORDINANCE NO. 1064

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD AMENDING THE FIRST PARAGRAPH OF SECTION 4.1 OF CITY COUNCIL/ADMINISTRATIVE POLICY NO. 10-13, SIGNATURE AUTHORITY, RELATED TO THE CITY ATTORNEY'S SIGNATURE AUTHORITY FOR LEGAL SERVICE AND PERSONNEL INVESTIGATIVE SERVICE AGREEMENTS

WHEREAS, on July 27, 1993, the City Council approved Resolution No. 93-96 authorizing the City Manager to perform functions of the City Council relating to claims against the City; and

WHEREAS, on October 14, 2003, the City Council approved Resolution No. 2997 authorizing the City Manager or City Engineer to accept on the City's behalf all interests in real property; and

WHEREAS, on February 8, 2005, the City Council approved Resolution No. 2005-28 authorizing the City Manager to sign tenant contracts and amendments for the Brentwood Education and Technology Center; and

WHEREAS, on March 28, 2006, the City Council approved Resolution No. 2006-61 delegating authority to the City Manager to make determinations of industrial disability pursuant to Government Code 21173; and

WHEREAS, on June 13, 2006, the City Council approved Resolution No. 2006-134 authorizing the City Manager to execute License Agreements as necessary for Landscape Maintenance of City right of way by private non-residential property owners upon acceptance of public improvements; and

WHEREAS, on August 8, 2006, the City Council approved Resolution No. 2006-187 authorizing the City Manager or designee to direct the City Clerk to file notices of completion for projects up to \$50,000 and not awarded by City Council, per the City's Purchasing Policy; and

WHEREAS, on November 14, 2006, the City Council approved Resolution No. 2006-78 adopting City Council/Administrative Policy No. 10-13, Signature Authority and Repealing Resolutions 93-96, 2997, 2005-28, 2006-61, 2006-134, 2006-187; and

WHEREAS, on April 14, 2009, the City Council approved Resolution 2009-74 amending Section 2.2.4, Settlements and Claims, of City Council/Administrative Policy No. 10-13, Signature Authority, related to the settlement of claims and litigation filed by the City; and

WHEREAS, on July 28, 2009, the City Council introduced and waived the first reading of an Ordinance amending City Council/Administrative Policy No. 10-13,

Signature Authority, related to signature authority for credit applications, Department of Motor Vehicle paperwork, and grant applications; and

WHEREAS, on August 11, 2009, the City Council approved and adopted Ordinance 875 Amending City Council/Administrative Policy No. 10-13, Signature Authority, related to signature authority for credit applications, Department of Motor Vehicle paperwork, and grant applications; and

WHEREAS, on January 25, 2011, the City Council introduced and waived the first reading of an Ordinance amending City Council/Administrative Policy No. 10-13, Signature Authority, related to placing and removing liens, placing assessments, uncollectible receivables, bank accounts, banking documents, standard litigation procedural documents and agreements approved by City Council, and utility agreements; and

WHEREAS, on February 8, 2011, the City Council waived the second reading and adopted Ordinance 887 amending City Council/Administrative Policy No. 10-13, Signature Authority, related to placing and removing liens, placing assessments, uncollectible receivables, bank accounts, banking documents, standard litigation procedural documents and agreements approved by City Council, and utility agreements, which became effective on March 8, 2011; and

WHEREAS, on September 11, 2012, the City Council waived the second reading and adopted Ordinance 906 amending City Council/Administrative Policy No. 10-13, Signature Authority to include authority levels to sign certain letters of support or opposition; and

WHEREAS, on June 10, 2014, the City Council waived the second reading and adopted Ordinance 928 amending sections of City Council/Administrative Policy No. 10-13, Signature Authority related to property exchanges, pre-litigation documents, permits to enter and use property and software related agreements; and

WHEREAS, on December 11, 2018, the City Council waived the second reading and adopted Ordinance 1006 amending sections of City Council/Administrative Policy No. 10-13, Signature Authority related to development services under a deposit agreement; real property, utilities, letters of support or opposition and regulatory reporting; updating the grants and emergency sections and restructuring the policy for easier readability; and

WHEREAS, on January 11, 2022, the City Council introduced and waived the first reading of Ordinance No. 1031 amending City Council/Administrative Policy No. 10-13, Signature Authority, related to non-development related services under a deposit agreement, City Attorney and Director Signature authority sections and minor revisions for consistency; and

WHEREAS, on January 24, 2022, the City Council waived the second reading and adopted Ordinance No. 1031 amending City Council/Administrative Policy No. 10-13, Signature Authority, related to non-development related services under a

deposit agreement, City Attorney and Director Signature authority sections and minor revisions for consistency; and

WHEREAS, Government Code section 40602 authorizes the City to adopt an ordinance regarding signature authority.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Brentwood

1. Does hereby determine that since the adoption of this Ordinance 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.

2. Does hereby amend in its entirety the first paragraph of Section 4.1 of City Council/Administrative Policy No. 10-13, Signature Authority, 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."

3. Requests that the City Clerk replace the existing text in the first paragraph of Section 4.1 of City Council/Administrative Policy No. 10-13 Signature Authority with a clean copy of the quoted text in Section 2 of this Ordinance, and revise the Policy's effective date to the effective date of this Ordinance.

4. Finds that this Ordinance will take effect 30 days from and after the date of its adoption by the City Council at a second reading, and shall be posted and published in accordance with the California Government Code.

THE FOREGOING ORDINANCE was introduced with the first reading waived at a regular meeting of the Brentwood City Council on the October 24, 2023, by the following vote:

And was adopted at a regular meeting of the Brentwood City Council on the 14th day of November, 2023, by the following vote: