Item No: 5

Report to the City Council

Council Meeting December 9, 2014

Agenda Section: **Consent Item**

Subject: **Second Reading and Adoption of Ordinance Amending City of St. Helena Municipal Code Section 2.21 City Manager and Section 2.24 Director of Finance/Treasurer to change the Treasurer Function from the Director of Finance to the City Manager**

CEQA Status or Action: **Not a CEQA project**

Prepared By: **Jennifer Phillips, City Manager**

Approved By: **Jennifer Phillips, City Manager**

DISCUSSION

The City Council on November 25, 2014 voted on a first reading to adopt an Ordinance amending City of St. Helena Municipal Code Section 2.21 City Manager and Section 2.24 Director of Finance/Treasurer to change the Treasurer Function from the Director of Finance to the City Manager.

Chapter 2.24.020 Section O. states that the Finance Director shall assume all functions of the treasurer as set forth in this Code and in California Government Sections 41000 to 41007. To provide more oversight of the City's financial functions, particularly investments and distribution of funds, staff recommends changing the Treasurer function from the Director of Finance to the City Manager.

Both the City Manager and Director of Finance meet quarterly with the City's Investment Advisor, PFM Asset Management LLC to review the City's investment portfolio and to ensure funds are being invested in compliance with the City's Investment Policy.

The Amendment to the City of St. Helena Municipal Code Section 2.12.060 Powers and Duties adds the following paragraph:

23. Assume all functions of the treasurer as set forth in this Code and in California Government Code Sections 41000 to 41007.

Item No:

The Amendment to the the City of St. Helena Municipal Code Section 2.24.060 Powers and Duties removes paragraph 2.24.020.O Assume all functions of the treasurer as set forth in this Code and in California Government Code Sections 41000 to 41007.

FISCAL IMPACT

None

RECOMMENDED ACTION

Read the title and adopt Ordinance No. ___ to amend Chapter 2.12 of the City of St. Helena Municipal Code by amending Section 2.12.060 Powers and Duties to add paragraph 23 and to amend Chapter 2.24 of the City of St. Helena Municipal Code by deleting Section 2.24.060.O

ATTACHMENTS

Ordinance Amending St. Helena Municipal Code Chapter 2.12 and Chapter 2.24.

CITY OF ST. HELENA

ORDINANCE NO. _____

AMENDING SECTIONS 2.12.060 B AND 2.24.020 O OF THE ST. HELENA MUNICIPAL CODE TO AUTHORIZE THE CITY MANAGER TO ASSUME THE DUTIES OF CITY TREASURER.

The City Council of the City of St. Helena does hereby ordain as follows:

SECTION 1. Amendment of Section 2.12.060 B. St. Helena Municipal Code Section 2.12.060 B is hereby amended to add a new subsection 23 to read as follows:

> "23. Assume all functions of the treasurer as set forth in this Code and in California Government Code Sections 41000 to 41007."

SECTION 2. Amendment of Section 2.24.020. St. Helena Municipal Code Section 2.24.020 O is hereby amended to read as follows:

> "Assume all functions of the treasurer as set forth in this Code and in California Government Code Sections 41000 to 41007; provided, however, that the City Manager may instead assume such duties pursuant to Section 2.12.060 B, upon notice to the City Council."

SECTION 3. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance to amend Sections 2.12.060 B and 2.24.020 O of the St. Helena Municipal Code is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA) because the City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance may have a significant effect on the environment, and the Ordinance is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(1), 15061(b)(2), and 15061(b)(3).

SECTION 4. Severability. The City Council hereby declares every section, paragraph, sentence, cause and phrase is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 5: Effective Date. This ordinance shall take effect and be in force 30 days after its adoption, and a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the ordinance in the St. Helena Star, a newspaper of general circulation published in the city of St. Helena.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the 25th day of November, 2014, and was adopted at a regular meeting of the St. Helena City Council on the _____ day of _____, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____

ATTEST:

CITY OF ST. HELENA

Cindy Black, City Clerk

I, CINDY BLACK, CITY CLERK of the City of St. Helena, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 25th day of November, 2014. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ____ day of _____, 2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Cindy Black, City Clerk

APPROVED AS TO FORM:

_____
Thomas B. Brown, City Attorney