_house_bill_1593_(as_passed_house_and_senate)_

by: representatives crowe of the 110th and holmes of the 129th

a bill to be entitled

an act

1 to amend an act to provide a new charter for the city of jackson, approved september 21, 1995 (ga. l. 1995 ex. sess, p. 269), so as to provide for a city manager; to provide for the appointment, removal, powers, and duties of the city manager; to revise the powers and duties the mayor; provide for related matters; to repeal conflicting laws; and for other purposes.

be it enacted by the general assembly of georgia:

section 1.

an act to provide a new charter for the city of jackson, approved september 21, 1995 (ga. l. 1995 ex. sess, p. 269), is amended by revising sections 2.28 and 2.29 as follows:

section 2.28.

(city manager.

(a) there shall be a city manager who shall be the chief administrative officer of the city. the city manager shall be appointed by a majority vote of the city council and shall serve at the pleasure of the city council. the city council shall choose the city manager solely

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on the basis of his or her administrative and professional qualifications and experience without political favor of affiliation. The city manager shall be:

(1) At least 21 years of age;

(2) Of good moral character;

(3) Free of a history of conviction of any felony or misdemeanor involving moral turpitude; and

(4) The holder of a bachelor's degree or higher in management, public administration, public finance, or any comparable field.

(b) The city manager shall function as the administrative and fiscal officer of the city and shall devote his or her entire time and attention to the office. He or she shall be responsible to the city council for the proper administration of affairs of the city and may head one or more city departments. Councilmembers shall deal with employees who are subject to the direction and supervision of the city manager solely through the city manager and neither the city council nor its individual members shall give orders or direction to any such employee, either publicly or privately, except through the city manager. The city manager shall have the power and shall be required to:

(1) Serve as the city's personnel director, and as such, appoint, and when necessary for the good of the city, suspend, demote, or remove any employee of the city under his or her supervision. All recommendations for appointment or removal shall be based solely on the merit, qualifications, or disqualifications of the employee concerned, without regard to political beliefs or affiliations.

(2) Direct and supervise the administration of all departments, offices, and agencies of the city, except as otherwise provided by this charter or by law. The city manager shall fix the compensation and benefits for employees, subject to the approval of the city council, through a standard schedule of pay for each position in the city government.

(3) Consolidate or combine officers, positions, or departments under his or her jurisdiction, with approval of the city council.
(4) Prepare, revise, and amend an employee personnel policy, subject to the approval of the city council. Investigate, either personally or through the proper authorities, any and all complaints involving any city department, division, or employee in a professional and timely manner.

(5) Attend all meetings of the city council and participate in discussions, but not vote; provided however, that the city manager shall have no right to attend closed meetings of the city council held for the purpose of deliberating the appointment, compensation, discipline, or removal of the city manager.

(6) See that all laws, provisions of this charter, and acts of the city council, subject to enforcement by the city manager or by officers subject to the city manager's direction and supervision, are fully and faithfully executed.

(7) Prepare and present proposed operating and capital project budgets annually for the city and its utilities for submission, together with a message describing the important features of the budget, to the city council in sufficient advance of the end of each fiscal year. Upon approval by the city council, the budgets shall serve as an appropriations document for the line items indicated therein and the city manager shall administer the operating budget in accordance with the city's financial policies. The city manager shall keep the mayor and city council fully informed as to the financial condition of the city and its future needs and make recommendations to the city council concerning the financial affairs of the city.

(8) Supervise the purchase of all materials, supplies, and equipment for which funds are appropriated in the budget, acquire necessary contracts for the operation and maintenance of the city services subject to council approval, and receive bids for purchases or contracts, in accordance with the city's financial policy.

(9) Prepare and submit to the city council at the end of each month, a complete report of the finances and administrative activities of the city in the preceding month. The city manager shall also prepare and submit to the city council at the end of each fiscal year,
a complete report of the finances and administrative activities of the city for the preceding fiscal year.

(10) Make such other reports as the mayor and city council may require concerning the operations of city departments, utilities, offices, and agencies, subject to the request of the mayor and city council.

(11) Implement all policies, procedures, and programs which have been established by the mayor and city council.

(12) Enforce, or have enforced, all laws and ordinances adopted by the city council.

(13) Make recommendations to the mayor and city council concerning the affairs of the city and facilitate the work of the mayor and city council in developing policy.

(14) Assist the mayor and city council to develop long-term goals for the city and strategies to implement these goals.

(15) Perform other duties as may be required by the mayor and city council in accordance with the provisions of the city's charter and code of ordinances.

SECTION 2.29.

Powers and duties of mayor.

The mayor shall:

(1) In coordination with the city council, see that all laws and ordinances of the city are faithfully executed;

(2) Appoint those officers, subject to confirmation by the city council, as provided for in this charter;

(3) Call special meetings of the city council as provided for in subsection (b) of Section 2.19 of this charter;

(4) Approve or disapprove ordinances s provided for in subsection (b) of Section 2.30 of this charter;
(5) Participate in the discussion of all matters brought before the city council and vote only in the event of a tie;
(6) Sign as a matter of course all written contracts, ordinances, and other instruments executed by the city which by law are required to be in writing; and
(7) Perform such other duties as may be required by general state law, this charter, ordinance."

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SECTION 2.

Said Act is further amended by revising subsections (d) and (e) of Section 3.11 as follows:
"(d) There shall be a director of each department or agency who shall be its principal officer. Each director shall, subject to the direction and supervision of the city manager, be responsible for the administration and direction of the affairs and operations of that director's department or agency.
(e) All directors under the supervision of the city manager shall be nominated by the city manager, with confirmation or appointment by a majority of the city council. The city manager may suspend or remove directors under his or her supervision. Any director so removed may appeal to the city council, which after a hearing, may override the city manager's action by a majority vote."

SECTION 3.

Said Act is further amended by revising Section 3.16 as follows:

"SECTION 3.16.
Position classification and pay plans.

The city manager shall be responsible for the preparation of a position classification and pay plan which shall be submitted to the city council for approval. Such plan may apply

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to all employees of the city and any of its agencies, departments, boards, commissions, or
authorities. When a pay plan has been adopted, the city council shall not increase or
decrease the salary range applicable to any position except by amendment of such pay plan.
For purposes of this section, elected and appointed city officials are not city employees.
The city clerk, city treasurer, and city accountant shall receive such compensation as
provided by the authority which appoints them to their respective office.”

SECTION 4.
All laws and parts of laws in conflict with this Act are repealed.