



## **ORDINANCE 2024-003**

### **ADDING NEW SECTIONS TO THE SHERWOOD MUNICIPAL CODE DESIGNATING CITY MANAGER PRO TEM IN THE ABSENCE OF THE CITY MANAGER AND AMENDING CHAPTER 1.10**

**WHEREAS**, the city manager will occasionally have planned or unplanned absences from the City, and the office could unforeseeably become vacant; and

**WHEREAS**, the city manager should be permitted to designate the assistant city manager, or other qualified persons to serve during their planned absences; and

**WHEREAS**, the City Charter Section 33 (h) states, "When the manager is temporarily disabled from acting as manager or when the office becomes vacant, the council must appoint a manager pro tem. The manager pro tem has the authority and duties of manager, except that a pro tem manager may appoint or remove employees only with council approval."; and

**WHEREAS**, if the office of city manager becomes vacant or if the manager is temporarily disabled from action as manager, the city government would benefit by having the assistant city manager temporarily serve as city manager pro tem until council can meet to appoint a city manager pro tem; and

**WHEREAS**, Sherwood Municipal Code 1.10.030(D)(4) authorizes the city manager to delegate in writing the city manager's signing authority and purchasing power. In the absence of such written delegation, the signing authority is currently the following order: public works director; city attorney; community services director; finance director; police chief; and

**WHEREAS**, The assistant city manager should be included in the list of designees in Sherwood Municipal Code 1.10.030(D)(4) and the above positions shall be reordered as shown in exhibit 1.

### **NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:**

**Section 1.** Sherwood Municipal Code Chapters 1.04.010 and 1.04.090 shall be added as shown in Exhibit 1. Sherwood Municipal Code Chapter 1.10.030(D)(4) shall be amended as shown in Exhibit 1.

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**Section 2.** This ordinance shall become effective the 30<sup>th</sup> day after its enactment by the City Council and approval by the Mayor.

**Duly passed by the City Council September 17, 2024.**

  
\_\_\_\_\_  
Tim Rosener, Mayor

9-17-2024  
\_\_\_\_\_  
Date

Attest:

  
\_\_\_\_\_  
Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Standke	<u>✓</u>	_____
Giles	<u>✓</u>	_____
Scott	<u>✓</u>	_____
Mays	<u>✓</u>	_____
Brouse	<u>✓</u>	_____
Young	<u>✓</u>	_____
Rosener	<u>✓</u>	_____

#### **1.04.010 - Definitions**

1.04.010 "Vacant." The office of the city manager is vacant when the manager either is no longer employed as manager or is permanently unable to fulfill their duties.

#### **1.04.090 City manager absence.**

A. The city manager is hereby authorized to delegate in writing the authority of the city manager pro tem to the assistant city manager or a qualified director when manager plans to be unavailable to fulfill their duties. The designated city manager pro tem has the authority and duties of city manager, except they may appoint or remove employees only with council approval.

B. Notwithstanding section A, if city manager has an unplanned absence, the assistant city manager shall serve as city manager pro tem, except they may appoint or remove employees only with council approval.

C. If the city manager's office becomes vacant and before the council meets to appoint a city manager pro tem, the assistant city manager will temporarily act as city manager pro tem, except they may appoint or remove employees only with council approval.

#### **1.10.030. - Authority.**

1.10.030(D)(4),

4. Delegate, in writing, the signature authority described in the above subsection (2) and the purchasing powers described in the above subsection (3). In the absence of a written delegation to the contrary, and in the absence of the city manager, the signature authority described in the above subsection (2) and the purchasing powers described in the above subsection (3) are delegated in order as follows:

- a. Assistant City Manager;
- b. Public works director;
- c. Finance director;
- d. Community services director;
- e. Police chief;
- f. City attorney.