



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** NOVEMBER 5, 2019

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** RICHARD D. JONES, CITY ATTORNEY

**SUBJECT:** INTRODUCTION OF ORDINANCE TO AMEND CHAPTER 2.09 OF THE MUNICIPAL CODE TO PROVIDE FOR SIGNATURE AUTHORITY

---

### **SUMMARY**

The proposed ordinance amendment will allow the City Council, when it approves a contract or other instrument, to also authorize not only the City Manager, but also any department head to sign on behalf of the City.

### **RECOMMENDATION**

Introduce Ordinance No. XXXX for first reading by title only and waive further reading of the Ordinance.

ORDINANCE NO. XXXX – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING CHAPTER 2.09 (CITY MANAGER) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) TO PROVIDE FOR SIGNATURE AUTHORITY

### **PRIORITY POLICY STATEMENT**

This item matches the following Priority Policy Statement:

- Fiscal and Organizational Stability.

### **FISCAL IMPACT**

None.

### **DISCUSSION**

California Government Code Section 40602 provides that the Mayor shall sign (a) all warrants drawn on the city treasurer, (b) all written contracts and conveyances made or

entered into by the city and (c) all instruments requiring the city seal. Section 40602 goes on to provide that by ordinance the City Council can authorize a city officer other than the Mayor to sign the documents. All documents, in which the City Council has not authorized another officer to sign, will be signed by the Mayor.

With the high volume of transactional documents that are required to run the City and provide public services, it would be expeditious to approve an ordinance to allow an officer of the City other than the Mayor to sign the documents. Currently the City Council authorizes the City Manager to sign documents under Section 2.09.200 (Additional duties) when it awards a contract. The proposed amendment would also allow departments heads to be delegated the authority to sign such documents.

Attachment:

- Attachment 1 – Ordinance No. XXXX