

PERSONNEL COMMITTEE

AS AMENDED  
REPLACEMENT

08-060-0

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTIONS 2-2, 2-2.1, 2-2.2, 2-2.4, 2-12 AND 2-17; REPEALING SECTIONS 2-3, 2-4, 2-5, 2-6, 2-7, 2-8, 2-9, 2-10, 2-11, 2-13 AND 2-14; RENUMBERING SECTIONS 2-12, 2-15, 2-16, 2-17, 2-18.1 and 2-18.2 OF CHAPTER 2 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO CITY ADMINISTRATION.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 2-2 of the Duluth City Code, 1959, as amended, be amended to read as follows:

Sec. 2-2. Distribution of city affairs among departments; enumeration of departments.

In accordance with the provisions of the Home Rule Charter of the city, as amended, the administration of the city's affairs ~~is~~ shall hereby be distributed among ~~eight~~ no more than nine departments including, but not limited to, ~~as follows:~~

- ~~\_\_\_\_\_ (a) Department of parks and recreation;~~
- ~~\_\_\_\_\_ (b) Department of finance;~~
- ~~\_\_\_\_\_ (c) Department of public works and utilities;~~
- ~~\_\_\_\_\_ (d) Department of administrative services;~~
- ~~\_\_\_\_\_ (e) Department of libraries;~~
- (f)(a) Fire department; and
- (g)(b) Police department;
- ~~\_\_\_\_\_ (h) Department of planning and development.~~

The following city functions shall be distributed among departments:

- (a) All parks and recreational activities of the city;
- (b) Operation and maintenance of the system of public libraries;

(c) All areas of planning, zoning, job training and business development;

(d) All matters relating to the physical properties of the city;

(e) All areas of human resource management;

(f) All areas of information system management;

(g) All matters relating to finance, including budget, audit, assessment, treasury and purchasing;

(h) All matters related to city council record keeping;

(i) All matters relating to the engineering operations, moveable bridge operations, and operation of the water, gas, sewer and stormwater utilities of the city and for all matters relating to the steam utility of the city requiring action by the city;

(j) The extinguishment of fires, the saving of life and property from fire, the performance of various miscellaneous public services of an emergency nature, the inspection and abatement of fire hazards, and the conducting of an educational fire prevention program;

(k) The enforcement and maintenance of law and order, the investigation of crimes, the preparation of evidence for the prosecution of criminal cases, the prevention and control of juvenile delinquency, the prevention of crime, the control of traffic, and the conducting of a traffic education program.

The appropriate department director(s), under the general supervision of the chief administrative officer, shall supervise the following officers of the city regarding the proper management of their respective offices:

(a) Treasurer. The treasurer shall be the custodian of all city funds, whether they be in cash, bank, deposits or securities

duly purchased for investment; keep proper records of all receipts and disbursements in a manner recommended by the auditor; act as paymaster for all city payrolls; receive, record, collect and account for all special assessments in accordance with the provisions of the City Charter, the ordinances of the city and any applicable law; prepare and distribute proper statements and maintain records sufficient to enable interested parties to determine the current status of any property description in the city as to any outstanding assessment against such property; make a daily report of all receipts and disbursements to the auditor in sufficient detail as will enable the auditor to maintain an accurate record of the city's various funds and accounts; at the close of each month prepare and present to the auditor a report summarizing the receipts and disbursements as to fund and account, with a statement of balances in every bank acting as a depository for city funds; and who shall upon request of the director or chief administrative officer make special reports from time to time;

(b) Auditor. The auditor shall examine and audit the accounts of all officers and departments; prescribe the form of accounts and reports to be rendered to him/her; certify according to law all contracts, agreements or other obligations for the expenditure of public funds entered into by any official of the city government, and no such contract, agreement or other obligation shall be valid until so certified by him/her; prepare statements and give such other assistance in the preparation of the budget as may be required of him/her by the chief administrative officer; keep all general accounts of the city government and of the respective departments; and be charged with the custody of the official bonds

of city employees and with the custody of all deeds, contracts, judgments, notes, debts and insurance policies;

(c) Assessor. The assessor shall be responsible for the valuations of all property within the city; and prepare all assessment rolls for special improvements in accordance with costs submitted by the city engineer. Such rolls when so prepared shall be submitted to the treasurer for collection upon certification by the city council.

(d) City clerk. The city clerk shall be responsible for the recording, filing, indexing and safekeeping of all proceedings of the council; record in full, uniformly and permanently, all ordinances and authenticate the same; supervise the publication of all ordinances in the official paper designated by the city council and such other official notices as may be his/her responsibility to so do; supervise elections and keep and maintain all election records and have custody of all property used in connection with elections; issue all permits and licenses except those which are required otherwise to be issued by a particular department or office; notify the appointing authority of the impending expiration of the term of office of a member of any board or commission (said notice to be given at least 30 days before such expiration); and be the custodian of the official seal of the city.

Section 2. That Section 2-2.1 of the Duluth City Code, 1959, as amended, be amended to read as follows:

Sec. 2-2.1. Qualifications of department heads.

All department heads appointed by the ~~administrative assistant~~ chief administrative officer shall possess the following minimum employment qualifications:

(a) Experience and education:

(1) ~~Five~~ Seven years of responsible managerial or administrative experience including supervisory experience, preferably in the field of work of the department to be director; ~~or~~ and

(2) Graduation from college with ~~major work~~ a four-year degree or an advanced degree in public administration, business administration, other management related ~~work~~ field, or a field of study appropriate to the department to be directed, ~~plus three years of responsible managerial or administrative experience~~. An advanced degree in a management or related field may be counted as one year of experience;

(b) Knowledge and skill requirements:

(1) Extensive knowledge of effective management ~~science techniques~~ and supervisory practices;

(2) Knowledge of ~~budgeting methodology~~ principles and practices of budget development and administration;

(3) Knowledge of ~~administrative practices~~ principles and practices of personnel administration;

(4) ~~Knowledge of correct supervisory practices~~; and

(5) ~~Extensive~~ Knowledge of the professional disciplines to be managed;

(c) Skills and abilities:

(1) ~~Ability to~~ Skill in planning, developing, operating and evaluating a comprehensive management program;

(2) Ability to establish and develop effective working relationships with public and private officials and others;

(3) Ability to exercise good judgment and accept personal responsibilities;

(4) ~~Ability to speak at community meetings~~ Skill in communicating logically, persuasively and accurately both orally and in writing to groups and one-on-one;

~~(5) Ability to write narrative reports;~~ and

~~(6)~~ (5) Ability to interpret budgetary and other financial reports.

Section 3. That Section 2-2.2 of the Duluth City Code, 1959, as amended, be amended to read as follows:

Sec. 2-2.2. Qualifications of the deputy chief of police.

The deputy chief of police shall possess the following minimum employment qualifications:

(a) Experience and education:

(1) Ten years of experience as a sworn officer with the Duluth police department, of which five years shall be at a supervisory level, preferably as a lieutenant or above (either a bachelor's degree in a management or criminal justice field can be substituted for one year of supervisory experience, or a master's degree in a management or criminal justice field can be substituted for two years of supervisory experience);

(b) Knowledge and skill requirements:

(1) Knowledge of police administration theories, principles, methods and practices;

(2) Knowledge of state and federal laws and local ordinances pertaining to criminal investigation and indictment;

(3) Knowledge of effective management and supervisory practices;

(4) Knowledge of effective public relations techniques;

(5) Knowledge of ~~personnel administrative~~ principles and practices of personnel administration;

~~(6) Knowledge of management science;~~

(c) Abilities:

(1) Ability to deal with people courteously and effectively;

(2) Ability to establish and maintain effective working relationships with other agencies, within the criminal justice system, members of the communications media, and the public;

(3) Ability to plan, ~~and~~ supervise, ~~and~~ administer and evaluate activities of the police department;

(4) Ability to communicate effectively orally and in writing ~~and speaking.~~

Section 4. That Section 2-2.4 of the Duluth City Code, 1959, as amended, be amended to read as follows:

Sec. 2-2.4. Qualifications of the equal opportunity representative.

The equal opportunity representative shall possess the following minimum employment qualifications:

~~A combination of education/experience which demonstrates proficiency in the following knowledge, skills and abilities: A~~ bachelor's degree in public or business administration, human resources management, social science or a related field; plus two years of increasingly responsible experience in equal opportunity, affirmative action, human resources or related field.

(a) Knowledge of regulations and laws related to equal employment opportunity, affirmative action, pay equity discrimination and harassment;

(b) Ability to read and interpret government documents, laws, contracts and other related information;

(c) Ability to communicate effectively in writing and speaking, including the ability to speak before large audiences;

(d) Ability to maintain confidentiality;

(e) Ability to work cooperatively with community groups representing ~~women, minorities and persons with disabilities~~ members of a protected class;

(f) Ability to collect, assemble and interpret data, and to make recommendations based on findings;

(g) Ability to maintain effective working relationships with other staff members, the public and elected officials.

(h) Basic knowledge of legal contract principles;

(i) Knowledge of effective supervisory principles and practices;

(j) Knowledge of problem-solving and conflict resolution techniques;

(k) Knowledge of interviewing methods and of investigation techniques and procedures.

Section 5. That sections 2-3, 2-4, 2-5, 2-6, 2-7, 2-8, 2-9, 2-10 and 2-11 of the Duluth City Code, 1959, as amended, be repealed in their entirety.

Section 6. That Section 2-12 of the Duluth City Code, 1959, as amended, be renumbered Section 2-3 and amended to read as follows:

Sec. ~~2-12~~ 2-3. Administrative officers; authority to contract.

The ~~administrative assistant~~ chief administrative officer or his/her designee is hereby authorized to contract and pay for any medical examination for any person who is employed by the city, or who is an applicant for employment by the city, for the purpose of determining any such person's suitability for such employment. Any such contract need not be in writing, and shall not obligate the city for more than \$5,000. The ~~administrative assistant~~ chief

administrative officer or his/her designee shall reasonably attempt to obtain any such contract at the least cost, consistent with the character and quality of the examination needed and consistent with the urgency of such need.

The building official is hereby authorized to contract and pay for professional engineering services necessary to the enforcement of the various building and housing codes under his/her jurisdiction in an amount not to exceed \$3,000 per year.

Section 7. That Sections 2-13 and 2-14 of the Duluth City Code, 1959, as amended, be repealed in their entirety.

Section 8. That Sections 2-15 and 2-16 of the Duluth City Code, 1959, as amended, be renumbered Sections 2-4 and 2-5, respectively.

Section 9. That Section 2-17 of the Duluth City Code, 1959, as amended, be renumbered Section 2-6 and be amended to read as follows:

Sec. ~~2-17~~ 2-6. Library operations and services; fees.

The responsible department ~~of libraries~~ may charge user fees, rental fees and penalties in conjunction with the operation of the public library system including, but not limited to, penalties for overdue materials, rental fees for library meeting rooms and the use of library equipment, and nonresident user fees. Types of fees charged and the amounts of the fees shall be set by council resolution. The department ~~of libraries~~ may, in the collection of fees, utilize procedures set forth in the Revenue Recapture Act, Minnesota Statutes Chapter 270A, as a claimant agency.

Section 10. That Section 2-18.1 of the Duluth City Code, 1959, as amended, be renumbered Section 2-7.

Section 11. That Section 2-18.2 of the Duluth City Code, 1959, as amended, be renumbered Section 2-7.1.

Section 12. That this ordinance shall take effect 30 days after its passage and publication.

Approved:

Approved for presentation to council:

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Chief Administrative Officer

Approved as to form:

Approved:

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Auditor

ATTY LWD:blj 7/23/2008

STATEMENT OF PURPOSE: This ordinance has been revised to provide administrative flexibility in the structural organization of city functions. It will allow the current and future administrations to structure/restructure work functions among departments in the most effective and efficient manner dependent on current circumstances. In addition, the qualifications for department directors and deputy police chief have been revised to reflect current needs.