

To: Newly Elected Mayor of the City of Sacramento
From: Eduardo E. Blount
Re: Governing Structure of the City of Sacramento
Date: February 18, 2008

The governing structure of the City of Sacramento is based on the City Council –Manager Form of government. This memorandum outlines the power distribution between the mayor, city council and the city manager of Sacramento.

FORMAL POWER OF MAYOR

Article IV of the Sacramento City Charter outlines the functions of the mayor. Subsection 42 states the mayor will be elected from the city at large. The table below illustrates the mayor functions.

Duties of Mayor Addressed in City Charter Article IV	
§40(b)(1)	Official head of city
§40(b)(2)	Primary, but not exclusive, responsibility of interpreting policies/programs
§40(b)(3)	The right to make recommendations to the city council on matter that require council decisions
§40(b)(4)	Voting on city council; does not possess veto power
§40(b)(5)	Member of the city council
§40(b)(6)	May propose ordinances and resolutions to be considered by city council
§40(b)(7)	Authority to appoint/remove members of boards, commissions and advisory agencies
§40(b)(8)	Shall have other powers and duties as provided in the charter

The mayor functions as the “official” head of the city; however, most of the mayor power seems to emanate from being a member of the city council. The usual executive powers the mayor possesses in terms of administrative duties seen in strong-mayor cities have been given to the city manager. The mayor seems to serve as a glorified city council member having the ability to appoint some members of commissions, appoint a staff (stated in article VI, subsection 74) and utilize limited powers to provide the “official” leadership to the city. Article IX subsection 163 provides the right of the people to recall any elected official after six months in office.

FORMAL POWER OF THE CITY COUNCIL

Article III of the city charter outlines the authority and responsibility of the city council. Subsection 21 states the composition of the city council will consist of nine members; the mayor and eight council members. Subsection 30 outlines the rules, quorum and voting for the council. Subsection 30(c) states the city council will only act on ordinance, resolution or motion. A vote of five council members is necessary to pass any ordinance, resolution or motion. The city council possesses the authority to adopt budget recommendations from the city manager for proposed expenditures and appropriations (article IX subsection 111).

The powers of the city council are mostly legislative; however, the council possesses the authority to appoint the city manager (Article V subsection 60), and the appointment of the city clerk, city attorney, city treasurer and other offices as it deems necessary (article VI subsection 70). One power the council may have over the city manager is the advise and consent of appointment department administrators. The city charter does not specifically state this power; however, it may fall under the fact that the city manager serves at the pleasure of the city council.

FORMAL POWER OF THE CITY MANAGER

Article V addresses the appointment, removal and functions of the city manager. Subsection 60 states the city council will appoint a city manager selected on the basis of executive and administrative qualifications. The city manager shall be appointed and serve at the pleasure of the city council. Functions of the city manager as addressed in Article V subsection 61 are outlined in the table below.

	Duties of City Manager Addressed in City Charter Article V
§61(a)	Ensure all laws and ordinances are enforced
§61(b)	Administer and exercise supervision over all offices, departments, and services
§61(c)	Advise city council with respect to officials not under jurisdiction of city manager
§61(d)	To appoint, remove, and discipline all heads or directors of departments and all subordinate officers and employees (except otherwise noted in charter)
§61(e)	Make recommendation to mayor and city council regarding operations of the city
§61(f)	Will attend all public meetings and has the right to participate in discussion, but cannot vote.
§61(g)	Enforce terms of contracts, franchises, lease or permits for the city
§61(h)	Execute all contracts, franchises, lease or permits for the city
§61 (i)	Keep city council fully advised of the operations and financial needs of the city
§61 (j)	Prepare the annual budget
§61(K)	To performs other duties as noted in the charter

The city manager is the chief executive of the city, as stated in Article V subsection 61. Serving at the will of the city council the city manager is solely responsible for the supervision and administration of the city government. Notably, the city manager guides the fiscal administration of the city and appoints most of the department heads of the city.

Two additional sections of the city charter outline the powers of the city manager. First, subsection 62 addresses the non-interference clause of the city charter. Two important parts comprise this clause. First, no member of the city council shall attempt to coerce the city manager regarding the removal of any city officer or employee made by the city manager. Second, the city council shall deal directly with the city manager in respect to the part of the city government under the supervision of the city government.

Second, subsection 63 lays out the requirements for removal of the city manager. Removal can only occur with a vote of six members of the city council. If removal proceedings are acted upon during the first 12 months of city manager tenure, removal can only occur if incompetence, malfeasance, misfeasance or neglect of duty is determined. During removal proceedings during the first 12 months, the city manager has the right to ask for written charges and a public hearing before removal becomes effective.

SUMMARY OF AUTHORITY

The governance of the City of Sacramento is divided between serving the will of the people and ensuring the will is effectively managed. The mayor and the city council, being the elected officials, serve the will of the people. They manage legislative matters of the city and make appointments for the proper administration of the city. Serving at the pleasure of the city council, the city manager possesses significant administrative authority over the operations of the city government.

SOURCE

City of Sacramento. (2007). *City of Sacramento City Charter*. Retrieve February 17, 2008 from <http://qcode.us/codes/sacramento/>