

ORDINANCE NO. 326
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY
AMENDING THE DUTES OF THE CITY TREASURER (BRADBURY
MUNICIPAL CODE ARTICLE II CHAPTER 3 SECTION 2301)

THE CITY COUNCIL OF THE CITY OF BRADBURY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The Bradbury City Council considered the subject matter hereof as part of its October 16, 2012 Regular Meeting and finds, determines and declares as follows:

A. It is in the best interest of the City to amend the duties of the City Treasurer for purposes of generating more continuity with the State Government Code.

B. In order to update the duties to the Treasurer it is necessary to amend Bradbury Municipal Code Article II, Chapter 3, Section 2301.

SECTION 2: Effective December 20, 2012, the following Sections of the Bradbury Municipal Code are amended to read as follows:

ARTICLE II - ADMINISTRATION
CHAPTER 3 - Other officers and employees

2301. City Treasurer.

(A) The City Treasurer shall be appointed by the City Council to perform the duties prescribed by law. Starting in April 2008 and every two years thereafter, the City Treasurer shall be appointed for a term of two years. If a vacancy occurs other than by expiration of a term, such vacancy shall be filled by appointment by the City Council for the remainder of the unexpired term. In the event that an appointment is not made, the City Treasurer then in office shall continue to hold office until his or her successor is appointed and sworn. Notwithstanding any other provisions of this Section, the City Treasurer shall be subject to removal at any time, with or without cause, by motion of the City Council adopted by at least three (3) affirmative votes.

(B) As per California State Government Code the City Treasurer's Principal Statutory Duties include:

1. Receive and safely keep all monies coming into the treasury (GC \$41001);
2. Comply with all laws governing the depositing and securing of public funds (\$GC41002);

3. Pay money only on warrants signed by legally designated persons (GC \$41003);
4. Submit a monthly written report and accounting of receipts, disbursements, and fund balances to the City Clerk and the City Council (GC \$41004);
5. Perform such duties relating to the collection of city taxes and license fees as are prescribed by ordinance (GC \$41005).
6. Render to the City Council an annual statement of investment policy and quarterly reports.

(C) In addition to the duties prescribed by law as stated above, the City Treasurer shall:

1. Review demands and warrants for approval by the City Council making a specific comparison between the receipts and invoices and the warrants.
2. Prepare, review and sign an interoffice memorandum to the Mayor and Members of the City Council stating that the demands and warrants have been reviewed by the City Treasurer prior to the presentation of the demands and warrants to the City Council for approval.
3. Serve in an independent capacity to check the City's internal financial control procedures by verifying cash balances on hand at the end of each month, and by reviewing the monthly financial reports of receipts, disbursement and fund balances.
4. Serve as an alternative source of review of expenses, receipts and disbursements to permit a thorough separation of functions, and to serve in such capacity in cases when it would be difficult or impossible to obtain separation of functions between the person authorizing and receiving payment.
5. Provide an annual report for the City Council regarding its investments. The report may include the following information:
 - (a) Verification that the City is investing according to the guidelines provided in the City investment policy.
 - (b) A list of recommendations regarding the City's investments to ensure that the City receives the best return consistent with the requirements of state law.
6. Review the monthly investment report.

(D) City staff and the City Finance Director will assist the city Treasurer in fulfilling the responsibilities required herein.

SECTION 3: If any section, subsection, subdivision, sentence, clause, phrase, or

portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4: The City Clerk shall certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the office of the City Clerk.

SECTION 5: This Ordinance will become effective on the thirty-first (31st) day following its adoption.

PASSED, APPROVED, AND ADOPTED this 20th day of November, 2012.

Bruce Lathrop
MAYOR

ATTEST:

I, Claudia Saldana, City Clerk of the City of Bradbury, do hereby certify that the foregoing ordinance, being Ordinance No. 326, was duly passed by the City Council of the City of Bradbury, signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of the City Council held on the 20th day of November, 2012, that it was duly posted and that the same was passed and adopted by the following vote:

AYES: Mayor Lathrop, Mayor Pro-Tem Pycz, Councilmembers Barakat, Hale, Lewis

NAYS: None

ABSENT: None

Claudia Saldana
CITY CLERK

APPROVED AS TO FORM:

Cary Reisman
CITY ATTORNEY