

RESOLUTION NO. 23-904-04

A RESOLUTION OF CITY OF JOHN DAY AUTHORIZING THE MAYOR (AND HIS OR HER DESIGNEE(S)) TO PERFORM CERTAIN CITY MANAGER DUTIES AND RESPONSIBILITIES.

WHEREAS, Chapter V, Section 22 of the City of John Day (“City”) city charter vests certain managerial and administrative authority in the city manager; and

WHEREAS, Chapter V, Section 22 of the city charter provides that the council may appoint and delegate the powers and duties of the city manager to a pro term when the office of city manager becomes vacant; and

WHEREAS, the city manager position became vacant on December 15, 2022; and

WHEREAS, City retained an interim city manager for the period commencing February 24, 2023 and ending June 27, 2023; and

WHEREAS, due to the current vacancy, the city council finds it necessary and appropriate to delegate and authorize the mayor (and his or her designee(s)) to perform certain city manager duties and responsibilities on a temporary, limited basis.

NOW, THEREFORE, the City of John Day resolves as follows:

1. Findings. The above-stated findings contained in this Resolution No. 23-904-04 (this “Resolution”) are hereby adopted.
2. Delegation; Authorization. The council hereby delegates and authorizes Mayor Heather Rookstool (and her designee(s)) to perform those city manager administrative and managerial duties and responsibilities identified in the attached Exhibit A, subject to applicable federal, state, and local laws, regulations, and ordinances. The mayor’s limited authority granted under this Resolution will remain in full force and effect until the earlier of (a) her vacancy, removal from office, or term expiration, or (b) the council’s decision to revoke the authority by council resolution.
3. Miscellaneous. For purposes of this Resolution, the singular includes the plural and the plural includes the singular; the word “or” is not exclusive and the words “include,” “includes,” and “including” are not limiting. Any reference to a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended. The provisions of this Resolution are severable. If any section, subsection, sentence, clause, and/or portion of this Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Resolution. This Resolution may be corrected by order of the council to cure editorial and/or clerical errors. This Resolution will be in full force and effect from and after its approval and adoption. This Resolution replaces and supersedes any prior and/or contrary resolution, order, and/or motion concerning the subject matter of this Resolution.

[end of resolution – the signature page immediately follows]

ADOPTED by the City Council of the City of John Day and signed by the Mayor on this ____ day of July, 2023.

Heather Rookstool, Mayor

ATTEST:

Anna Bass, City Recorder

Exhibit A
Duties and Responsibilities

Subject to the terms and conditions contained in this Resolution, the council authorizes, approves, directs, and delegates the following city manager related duties, responsibilities, and authority to Mayor Heather Rookstool:

1. Ensure that all City ordinances and resolutions are properly enforced.
2. Supervise, manage, and control all City personnel in their service to City, including, without limitation, hiring, firing, and/or instituting appropriate disciplinary action if necessary or appropriate.
3. Ensure that all City franchises, leases, contracts, permits, and privileges are fully observed and properly enforced.
4. Properly administer City's budget. Review and balance City's books and accounts. Subject to applicable federal, state, and local laws, regulations, and ordinances, including, without limitation, City's municipal code, ensure that City's ordinary and necessary accounts payable are timely and properly paid.
5. Provide leadership and direction in such areas as major projects and long-range capital programs.
6. Facilitate the development of City plans, regulations, and ordinances.