

3.03. City attorney.

The city attorney must be admitted to the practice of law in the state, and shall be the legal advisor to and attorney for the city. The city attorney shall serve at the will of the commission. The city attorney shall prosecute and defend all suits, complaints, and controversies for and on behalf of the city, unless otherwise directed by the commission, and shall review all contracts, bonds and other instruments in writing in which the city is to be a party, and shall endorse on each approval as to form and legality.

3.04. Clerk of the commission.

The commission may employ a clerk of the commission who shall keep records and perform such other duties as are prescribed by this act or the commission. The clerk of the commission shall serve at the will of the commission.

3.05. City internal auditor.

(1) The commission may appoint a city internal auditor who shall serve at the will of the commission. The city internal auditor:

- (a) Shall perform financial and compliance audits.
- (b) Shall assist the commission in all its accountability functions.
- (c) Shall perform compliance audits on the implementation of the city's human relations and equal opportunity ordinances, policies, and programs pertaining to the activities of the city within all departments of the city in accordance with schedules prescribed by the commission.
- (d) Shall perform all other duties assigned by the commission.

(2) All financial and compliance audits and other reports of the city internal auditor shall be filed in the office of the clerk of the commission.

(Ord. No. 020024, § 1, 7-8-02)

3.06. General manager for utilities.

(1) *Appointment; administrative head of municipal utilities; qualifications; terms.* The commission shall appoint a general manager for utilities ("general manager") who shall be responsible to the commission. The general manager shall be responsible for the efficient administration of the Utility System. The general manager for utilities shall serve at the will of the commission.

(2) *Powers and duties generally.* The general manager:

- (a) Shall be responsible for and have exclusive management jurisdiction and control over operating and financial affairs of the Utility System including, but not limited to, the planning, development, production, purchase, sale, exchange, interchange, transmission and distribution of all electricity; the planning, development, purchase, sale, exchange, interchange, transmission and distribution of all natural gas; the planning, development, supply, treatment, transmission, distribution and sale of all potable water; and the planning, development, collection, treatment, disposal and billing of all wastewater now

or hereafter provided by the city;

- (b) Shall submit to the commission for its consideration a yearly budget for the operation of the Utility System;
- (c) Shall be the purchasing agent for all equipment, materials, supplies and services necessary for operating and maintaining the Utility System subject to policies promulgated by the commission;
- (d) Shall propose ordinances to designate the job titles of subordinates that are to be considered directors of department;
- (e) Shall appoint and, except as otherwise provided in this charter, remove all directors of departments at will;
- (f) Shall recommend to the commission all measures necessary and expedient for the proper governance and management of the Utility System;
- (g) Shall keep the commission fully advised as to the management, governance and needs of the Utility System;
- (h) Shall perform all other duties prescribed by law, this charter, ordinance, or direction of the commission.

3.07. Audits and examinations of administrative departments.

In the absence of state law requiring the city to conduct an annual financial audit, the commission shall adopt an ordinance requiring an annual financial audit of the accounts and records of the city to be completed by an independent certified public accountant within 12 months after the end of each fiscal year.

3.08. Equal opportunity director.

The commission shall appoint an equal opportunity director who shall serve at the will of the city commission. The equal opportunity director:

- (1) Shall investigate complaints of discrimination, harassment, retaliation, and other related matters, and propose remedial action, as prescribed by the city's human relations and equal opportunity ordinances. No city employee shall suffer retaliation for filing a complaint or testifying, assisting, or participating in any investigation under these ordinances, and such complaints shall be held confidential to the extent allowed by federal and state law.
- (2) Shall make reports, including an annual report, to the charter officers and the commission, as appropriate, as to the activities of the year and the need, if any, to revise the city's human relations and equal opportunity ordinances, policies, and programs pertaining to, but not limited to, equal opportunity, affirmative action, local minority business and local small business enterprise procurement program, fair housing, unlawful harassment, and accessibility to the city's programs, services, and activities.
- (3) Shall propose policies for the implementation of comprehensive equal opportunity and diversity programs and adherence to equal opportunity laws, policies, procedures, and related matters.
- (4) Shall develop, prepare, and monitor the city's affirmative action plan.
- (5) Shall develop training, conduct workshops, and propose strategies and initiatives related to diversity and equal opportunity and related matters in employment,