

REQUESTS FOR RESEARCH OR INFORMATION

PURPOSE

Like most California cities, the City of Newport Beach is a City Council-City Manager form of government. The City Council appoints a City Manager to implement policy, to ensure laws are enforced, to direct the daily operations of city government, and to prepare and monitor the municipal budget. Because Council Policy is implemented on a daily basis through City staff, it is critical that the relationship between the City Council and City staff be well understood by all parties so that policies and programs may be implemented successfully.

Charter Section 406 (Interference in Administrative Service) reinforces this relationship – it reads as follows:

Neither the City Council nor any of its members shall interfere with the execution by the City Manager of his or her powers and duties, or order, directly or indirectly, the appointment by the City Manager or by any of the department heads in the administrative service of the City, of any person to an office or employment or his or her removal therefrom. Except for the purpose of inquiry, the City Council and its members shall deal with the administrative service under the City Manager solely through the City Manager and neither the City Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately.

The purpose of this Council Policy is to further guide the implementation of Charter Section 406 so that the long tradition of positive relationships between members of the City Council and City staff is maintained.

POLICY

- A. General Interactions with City Staff: The City Manager, City Attorney, and City Clerk are appointed directly by the City Council to provide executive, administrative and legal services. In many cases, the City Manager encourages direct contact with department directors within this Policy's guidelines, thus enabling the Council Member to get appropriate information quickly and easily. When interacting with City staff, Council Members should keep in mind the work of City staff on current projects, assignments and City Council priorities before requesting action or detailed information because these requests may take staff time away from this work.
- B. Requests for Information or Research:
 - 1. For new issues, actions, or research proposed by a Council Member which require approval by the City Council, Council Members will follow Council Policy A-6.

2. For issues or actions that have been previously approved by the City Council, or which do not require City Council approval, Council Members will, depending on the nature of the request, route the request for information or research through the City Manager, City Attorney, or City Clerk. It shall be the responsibility of the City Manager, City Attorney, or City Clerk to promptly respond as to their recommended disposition of the request. Upon authorization by the City Manager, City Attorney, or City Clerk, the Council Member may communicate directly with other city staff members (such as department directors) or City consultants.
3. Council Members' contact with City staff or City consultants, other than City Council appointees, is limited to asking questions and obtaining information and not giving direction or assignments.
4. If a Council Member's request is expected to take more than thirty (30) minutes (or in the case of a request from the Mayor, two hours) to research, gather information, report on or otherwise respond to any inquiry, the City Manager, City Attorney, or City Clerk shall ask that the Council Member or Mayor place the request on the agenda for formal Council action per Council Policy A-6 before the staff spends time or resources on the request.

Adopted May 14, 2013