



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 3 Ordinance/Resolution # 16-217

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of May 16, 2016
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL

LEGISLATIVE

ADMINISTRATIVE

TITLE: A RESOLUTION RESCINDING THE CITY OF LAS CRUCES 2015 PERSONNEL MANUAL AND SUBSEQUENT AMENDMENTS IN THEIR ENTIRETY.

PURPOSE(S) OF ACTION:

Rescind previous resolutions.

COUNCIL DISTRICT: ALL		
<u>Drafter/Staff Contact:</u> David P. Dollahon	<u>Department/Section:</u> Administration/Office of the City Manager	<u>Phone:</u> 541-2078
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On April 18, 2016, the City Council adopted Ordinance No. 2779, whereby the Las Cruces Municipal Code, 1997, as amended (LCMC), repealing and replacing Chapter 22 (Personnel) in its entirety. This action amended the personnel provisions of the LCMC to make the City Manager directly responsible for administration of the City of Las Cruces personnel system, including the adoption of a personnel manual. The amended LCMC made the personnel chapter consistent with the mandates and duties obligated to the City Manager from the City's charter.

In order to facilitate the City Manager's ability to adopt a personnel manual, the City of Las Cruces 2015 Personnel Manual and previous amendments adopted by City Council resolutions must be rescinded by another resolution to that effect. Resolution No. 15-138 (adopted on February 3, 2015), Resolution No. 14-195 (adopted on June 2, 2014), Resolution No. 13-108 (adopted on January 22, 2013), Resolution No. 09-294 (adopted on June 1, 2009) and Resolution No. 05-051 (adopted August 2, 2004) were previously adopted and were related to amendments to and/or the adoption of the current personnel manual. For the reasons outlined above, this resolution proposes to repeal said resolutions in their entirety.

The City Manager intends to adopt a replacement personnel manual by adoption of a City Manager Policy, which is a current and historical practice of the current and previous City Managers. The resolution is conditioned upon that the City of Las Cruces 2015 Personnel

(Continue on additional sheets as required)

Manual and any amendments serves as the interim City Manager Policy until a permanent City Manager Policy is adopted.

SUPPORT INFORMATION:

1. Resolution.

SOURCE OF FUNDING:

Is this action already budgeted? N/A	Yes	<input type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue? N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY ____.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the resolution to repeal Resolution No. 15-138, Resolution No. 14-195, Resolution No. 13-108, Resolution No. 09-294 and Resolution No. 05-051 which will allow the City Manager to adopt a personnel manual based on revisions to the LCMC under Ordinance No. 2779.
2. Vote "No"; this will not approve the resolution nor repeal resolutions related to the personnel manual.
3. Vote "Modify"; this will require specific direction from City Council to staff.
4. Vote to "Table"; this will require direction from City Council to staff on how to proceed.

(Continue on additional sheets as required)

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. Ordinance No. 2779.
2. Resolution No. 15-138.
3. Resolution No. 14-195.
4. Resolution No. 13-108.
5. Resolution No. 09-294.
6. Resolution No. 05-051.



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COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of May 16, 2016
(Adoption Date)

TITLE:

A RESOLUTION RESCINDING THE CITY OF LAS CRUCES 2015 PERSONNEL MANUAL AND SUBSEQUENT AMENDMENTS IN THEIR ENTIRETY.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter	<i>[Signature]</i>	X-2078	3-28-2016
Department Director			
Management & Budget Manager			
Assistant City Manager /CAO	<i>[Signature]</i>	541-2107 541-2078	4-14-2016 4-13-2016
Assistant City Manager/COO	<i>[Signature]</i>		4-15-16
City Attorney	<i>[Signature]</i>	#XT 2128	R April 2016
City Clerk	<i>[Signature]</i>	X2115	5-6-16

RESOLUTION NO. 16-217**A RESOLUTION RESCINDING THE CITY OF LAS CRUCES 2015 PERSONNEL MANUAL AND SUBSEQUENT AMENDMENTS IN THEIR ENTIRETY.**

The City Council is informed that:

WHEREAS, the City of Las Cruces has adopted and/or amended the personnel manual over the years through various resolutions adopted by the City Council; and

WHEREAS, on April 18, 2016, the City Council adopted Ordinance No. 2779 whereby the Las Cruces Municipal Code, 1997, as amended, Chapter 22, (Personnel), was repealed and replaced in its entirety; and

WHEREAS, Ordinance No. 2779 called for the City Manager to be directly responsible for administration of the City personnel system, including the creation and adoption of a personnel manual; and

WHEREAS, previous editions of the personnel manual had been adopted and/or amended by Resolution No. 15-138, Resolution No. 14-195, Resolution No. 13-108, Resolution No. 09-294 and Resolution No. 05-051; and

WHEREAS, this resolution is required in order to rescind said previous resolutions to allow for the City Manager to adopt a personnel manual in a form that he/she dictates; and

WHEREAS, the City Manager intends to adopt a personnel manual by adoption of a City Manager Policy, which is an established and continuing practice by the current and previous City Managers.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the City of Las Cruces 2015 Personnel Manual and all subsequent

amendments, including Resolution No. 15-138, Resolution No. 14-195, Resolution No. 13-108, Resolution No. 09-294 and Resolution No. 05-051 are hereby rescinded in their entirety.

(II)

THAT the City of Las Cruces 2015 Personnel Manual and its amendments will be followed as an interim City Manager Policy until a permanent City Manager Policy is adopted.

(III)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 20__.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima:	_____
Councillor Gandara:	_____
Councillor Smith:	_____
Councillor Pedroza:	_____
Councillor Eakman:	_____
Councillor Sorg:	_____
Councillor Levatino:	_____

APPROVED AS TO FORM:



City Attorney