

ORDINANCE NO. _____

AN ORDINANCE REPEALING AND REPLACING SECTION 30.02 OF THE WEST ST. PAUL CITY CODE RELATING TO THE ADMINISTRATIVE CODE

The City of West St. Paul does ordain:

SECTION I. Authority. Minnesota Statutes, sections 415.02, 415.021, and 599.13 (collectively the "Act") and the West St. Paul City Charter, sections 3.04 and 3.05 authorize the City of West St. Paul (the "City") to adopt and codify ordinances. The Act also provides that any ordinance included in a new city code, but not previously published, is sufficiently published if a substantial quantity of the code is printed for general distribution to the public.

SECTION II. Background. Section 6.03 of West St. Paul's Charter requires the Council, in conjunction with the City Manager, to prepare a complete administrative code for the City and enact it in the form of an ordinance, which may be amended from time to time by ordinances.

SECTION III. Amendment. Section 30.02 of the West St. Paul City Code is hereby repealed and replaced in its entirety as follows:

§30.02 ADMINISTRATIVE CODE

(A) Purpose.

The purpose of this section is to establish the structure, delegation of authority, administrative responsibilities, and organizational framework necessary for the efficient and effective administration of City affairs consistent with the Charter, ordinances, and applicable law.

(B) Authority and Hierarchy.

(1) The hierarchy of governing documents shall be as follows:

- (a) City Charter;
- (b) Ordinances, including this Administrative Code;
- (c) City Council-adopted policies;
- (d) City Manager-adopted administrative policies;
- (e) Departmental policies and procedures; and
- (f) Internal rules and operational workflows.

(2) Lower-level documents must be consistent with higher-level authority. In the event of conflict, the higher-level authority prevails.

(3) The City Council may reserve authority to itself through ordinance or formally adopted policy.

(4) Authority not specifically reserved to the City Council by Charter, state law, ordinance, or Council-adopted policy is vested in the City Manager.

(C) Departments.

(1) The following departments are established for the administration of City affairs:

(a) Administrative Services Department, headed by the Assistant City Manager;

(b) Finance Department, headed by the Finance Director;

(c) Community Development Department, headed by the Community Development Director;

(d) Police Department, headed by the Police Chief;

(e) Parks, Recreation, Environment and Sustainability Department, headed by the Parks, Recreation, Environment and Sustainability Director;

(f) Public Works and Engineering Department, headed by the Public Works Director/City Engineer; and

(g) Fire Department, administered by the South Metro Fire Department Chief pursuant to applicable joint powers agreements or governance structure.

(2) The City Manager is the chief administrative officer of the City, and is responsible to the Council for the supervision of all departments and divisions of City administration except where otherwise provided by law or Charter. The Manager may organize, manage, and direct the internal structure, functions, programs, and operations within each department, and may reassign programs, services, responsibilities, and personnel within or between departments, except where a program or function has been expressly established or fixed by ordinance, Council-adopted policy, or the adopted budget.

(3) Creation or elimination of departments requires City Council action.

(4) Pursuant to City Charter, the City Manager must designate a City Clerk and a City Treasurer to perform the duties of those positions as required in the City Charter and as required by State Law, Ordinance or City Council policy. The City Manager

may assign other duties to these positions, assign these positions to report to others or assign direct reports to these positions as permitted in this ordinance.

(D) Delegation of Authority.

(1) The City Manager shall have authority over the administration of City affairs, including the management of personnel, operations, financial administration, contracting within authorized limits, and organization of City functions within the department levels.

(2) The City Manager may delegate administrative authority to department heads or other employees as appropriate. Department and division heads are the administrative officers of the City. They are responsible for the efficient administration of their respective departments and divisions and shall initiate, with the approval of the Manager, whatever practices, programs and procedures are necessary to fulfill that responsibility.

(3) Delegated authority may be modified or rescinded by the City Manager at any time, consistent with Charter, ordinance, and Council-adopted policy.

(E) Personnel Administration.

(1) The City Manager or their designee shall maintain and update a Personnel Policy Manual establishing employment practices, conduct expectations, benefits administration, leave policies, hiring and separation procedures, workplace safety requirements, and other provisions necessary for the administration of the City's workforce.

(2) Substantial amendments or complete replacement to the Personnel Policy Manual shall be presented to the City Council for ratification or confirmation. Substantial amendments include changes that:

(a) alter employee benefits or compensation administration practices;

(b) modify rights, responsibilities, or obligations of employees or the City;

(c) establish new categories of leave or materially change existing leave provisions;

(d) materially change disciplinary processes or appeal procedures; or

(e) otherwise significantly affect terms or conditions of employment or the City's administrative obligations.

(3) The City Manager, in consultation with the City Attorney, shall determine whether an amendment is substantial.

(4) The City Manager may make administrative or non-substantive revisions to the Personnel Policy Manual without City Council ratification.

(5) The City Manager, or designee, shall negotiate collective bargaining agreements on behalf of the City. Agreements require approval by the City Council. The City Manager may execute Memoranda of Understanding or Agreement when such documents implement or clarify existing labor agreements or fall within parameters approved by the City Council.

(6) The City Council shall adopt and amend the job classification system and compensation structure. Within that system and the adopted budget, the City Manager may hire, promote, reassign, transfer, and place employees within approved pay ranges, and may adjust individual compensation consistent with the approved structure and budget.

(7) Unless expressly restricted by the adopted budget or Council policy, the City Council does not approve individual staffing counts or FTE allocations. The City Manager may create, eliminate, or repurpose positions within the adopted budget.

(8) The City Manager may approve individualized employment agreements for recruitment, retention, or organizational needs, provided such agreements remain within the adopted budget, do not conflict with Charter, ordinance, or collective bargaining agreements and offer terms permissible under law and policy.

(9) The City Manager shall have authority over all personnel transactions, including hiring, promotion, reassignment, discipline, demotion, layoff, and separation, including execution of separation agreements that do not involve any monetary amounts in excess of city manager approved limits except where restricted by law, the Charter, or Council-adopted policy.

(F) Financial Management.

(1) The City Council adopts the annual budget and appropriates resources at the fund level, unless otherwise required by law. The City Council may establish policies or directives through the adopted budget, including allocations, restrictions, or instructions contained within the budget document. Such directives have the force of Council policy.

(2) The City Manager shall administer the adopted budget and may allocate and reallocate resources within each legally appropriated fund, consistent with Council policy and the adopted budget.

(3) The City Manager may transfer appropriated amounts within a fund, including between programs, services, operations, contracts, and non-personnel line items, provided the total appropriation for the fund is not exceeded.

(4) The City Manager may not transfer funds from discretionary or non-personnel appropriations into personnel line items without prior approval of the City Council. Transfers out of personnel line items are permitted unless restricted by law or Council policy.

(5) Transfers of appropriations between funds require City Council approval unless explicitly authorized by Council-adopted financial policy or state law.

(6) Upon adoption of the Capital Improvement Plan, the City Manager is authorized to expend funds for planning and design activities for capital projects included in the approved plan up to two years in advance of scheduled construction, consistent with appropriated funds and applicable policy.

(7) The City Manager shall have the authority to apply for any grant, for any amount. The City Manager may approve acceptance of any grant where matching funds required are less than or equal to the City Manager's purchasing authority.

(8) The City Council shall adopt financial governance policies. The City Manager shall adopt administrative financial policies and procedures implementing such policies and applicable law.

(G) Contracting and Purchasing.

(1) Contracting and purchasing authority shall be exercised consistent with the Charter, state law, the adopted budget, and Council-adopted procurement policies.

(2) For purposes of this section:

(a) "Guaranteed obligation" means any portion of a contract under which the City is unconditionally committed to pay, including minimum fees or retainers, base payments, non-cancelable commitments, amounts due regardless of service usage, or any obligation the City cannot terminate without penalty or liability.

(b) "Non-guaranteed contract" means a contract under which the City incurs no minimum obligation and is liable only for services or units actually ordered or authorized.

(3) The City Manager may execute contracts, amendments, change orders, purchase orders, and agreements when the total guaranteed obligation does not exceed the City Manager's approval authority established by Charter or Council policy, and the contract complies with law, policy, and the adopted budget.

(4) The City Manager may execute non-guaranteed contracts regardless of their maximum potential value, provided expenditures under such contracts remain within appropriated funds and the City Manager's expenditure authority.

(5) The City Manager may approve change orders within the City Manager's contracting authority. Change orders exceeding that authority require City Council approval.

(H) Risk Management.

(1) The City Manager is responsible for administering the City's risk management program, including insurance coverage, claims administration, safety and loss control, and risk mitigation activities.

(2) The City Manager shall secure and maintain appropriate insurance coverage and manage compliance with program requirements.

(3) The City Manager may settle claims within the City Manager's purchasing and contracting authority established by the Charter and Council-adopted procurement policies, upon review and approval by the City Attorney as to form and legality. Claims exceeding that authority require City Council approval.

(4) Litigation decisions shall be made by the City Manager upon advice of the City Attorney unless City Council approval is required for settlements exceeding the City Manager's authority.

(5) Departments shall implement safety and loss control policies established by the City Manager or as required by city code, state or federal law.

SECTION IV. This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

SECTION V. Summary Publication. Pursuant to Minnesota Statutes §412.191, subdivision 4, which allows summary publication of lengthy ordinances, the City Council publishes the following summary.

This ordinance repeals and replaces Section 33.02 of the City Code to adopt an updated Administrative Code. The ordinance clearly defines and limits the administrative authority of the City Manager and staff, while reserving policy-making and oversight authority to the City Council as provided by state law and the City Charter. It establishes how authority is allocated, exercised, and constrained within City government so that responsibilities are transparent and accountable.

The ordinance supplements and is consistent with Minnesota statutes and the City Charter. It identifies City departments, specifies when Council approval is required, and clarifies administrative authority related to personnel, budgeting, contracting, and risk management. These provisions reflect and codify existing practices rather than creating new authority.

The purpose of the ordinance is to clearly communicate how the City is governed and administered, ensuring that Council, staff, and the public understand the roles, limits, and responsibilities of each.

The full ordinance is available for public inspection at City Hall and on the City's website.

Passed in regular session of City Council on the ___ day of _____, 2026

CITY OF WEST ST. PAUL

By: _____

David Napier, Mayor

ATTEST: _____

Nicole Tillander, City Clerk