

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 360
94TH GENERAL ASSEMBLY

Reported from the Committee on Economic Development, Tourism and Local Government, March 1, 2007, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1476S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 78.610, RSMo, and to enact in lieu thereof one new section relating to city managers, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 78.610, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 78.610, to read as follows:

78.610. The city manager [must be a resident of the city at the time of his appointment and] shall devote his **or her** entire time to the duties of his **or her** office. He shall be the administrative head of the government subject to the direction and supervision of the council and shall hold his office at the pleasure of the council, or may be employed for a term not to exceed one year. He shall receive an adequate salary to be fixed by the council which shall not be diminished during the service of any incumbent without his consent. **The council shall have the discretion to require the city manager to reside in the city as a condition of employment.** Before entering upon the duties of his **or her** office the city manager shall take the official oath required by law and shall execute a bond in favor of the city for the faithful performance of his **or her** duties and such sum shall be determined by the city council. It shall be his **or her** duty:

- (1) To make all appointments to offices and positions provided for in section 78.600;
- (2) To see that the laws and ordinances are enforced;
- (3) To exercise control of all departments and divisions that may hereafter be created by the council;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 (4) To see that all terms and conditions imposed in favor of the city or its
20 inhabitants in any public utility franchises are faithfully kept and performed, and
21 upon information of any violation thereof to take such steps as will be necessary
22 to stop or prevent the further violation of the same;

23 (5) To attend all meetings of the council with the privilege of taking part
24 in the discussions but having no vote;

25 (6) To recommend to the council for adoption such measures as he **or she**
26 may deem necessary or expedient;

27 (7) To prepare and submit the annual budget and to keep the city council
28 fully advised as to the financial conditions and needs of the city and to perform
29 such other duties as may be prescribed by these sections or be required of him **or**
30 **her** by any ordinance or resolution of the council.

Section B. Because of the need for effective and efficient city management,
2 section A of this act is deemed necessary for the immediate preservation of the
3 public health, welfare, peace and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and section A of this act
5 shall be in full force and effect upon its passage and approval.

Bill ✓

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