

**ORDINANCE NO. 24-2401**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 2955.1 (BUDGET TRANSFERS) OF CHAPTER 9.5 (FISCAL ADMINISTRATION) OF ARTICLE II (ADMINISTRATION) THE CARSON MUNICIPAL CODE TO: (1) REMOVE THE \$25,000 LIMIT ON THE CITY MANAGER’S AUTHORITY TO APPROVE INTRADEPARTMENTAL BUDGET TRANSFERS, EXCEPT FOR PERSONNEL-RELATED TRANSFERS; (2) AUTHORIZE THE DEPARTMENT DIRECTORS TO APPROVE INTRADEPARTMENTAL BUDGET TRANSFERS WITHIN THEIR RESPECTIVE DEPARTMENTS, EXCEPT FOR PERSONNEL-RELATED TRANSFERS AND SUBJECT TO RESTRICTION AS MAY BE DEEMED NECESSARY BY THE CITY MANAGER; AND (3) REQUIRE MONTHLY REPORTS TO CITY COUNCIL OF ALL CITY MANAGER OR DEPARTMENT DIRECTOR-APPROVED INTRADEPARTMENTAL BUDGET TRANSFERS**

**WHEREAS**, Section 2955.1 (Budget Transfers) of the Carson Municipal Code (“CMC”) Section 2707 provides as follows:

“Interdepartmental Budget Transfers. Any budget transfer in any amount between City departments shall require City Council approval.

Intradepartmental Budget Transfers. Any budget transfer within the same City department in an amount of up to \$25,000, as a single transfer or as aggregate transfers within the same fiscal year, may be approved by the City Manager. The City Manager, at his or her discretion, may request City Council approval for any intradepartmental budget transfer of \$25,000 or less.

Any budget transfer within the same City department in an amount over \$25,000, as a single transfer or aggregate transfers within the same fiscal year, shall require City Council approval.

‘Budget transfer’ shall mean transfers of moneys between individual funds within the budget. Budget transfers shall not alter the City’s budget.”

**WHEREAS**, removing the existing \$25,000 limit on the City Manager’s intradepartmental budget transfer authority would promote efficiency of City operations, because intradepartmental budget transfers in amounts over \$25,000 are needed frequently and sometimes urgently by the City, and currently they require City Council approval. Authorizing the City Manager to approve such intradepartmental budget transfers would decrease the time necessary for such approvals to be granted from the time the need is identified, but transfers involving personnel-related funds or expenditures, such as salaries or benefits, should be excluded from such increased authority in order to ensure City’s compliance with applicable labor and employment-related policies and requirements; and

**WHEREAS**, authorizing Department Directors to approve intradepartmental budget transfers for their respective Departments would further improve the efficiency of City operations

and would be appropriate in light of Department Directors’ primary responsibility for managing their respective Departments, except that (1) the City Manager should have authority to restrict such Department Director authority as deemed necessary in the City Manager’s discretion, and (2) transfers involving personnel-related funds or expenditures, such as salaries or benefits, should be excluded from any Department Director authority in order to ensure City’s compliance with applicable labor and employment-related policies and requirements; and

**WHEREAS**, requiring the City Manager to make monthly reports to the City Council of any City Manager or Director-approved intradepartmental budget transfers would effectively combat any actual or perceived transparency concerns that could otherwise be implicated by such increased City Manager or Director authority, and would enable the City Council to remain aware of the approved transfers so as to maintain oversight and control over further transfers should any concerns arise; and

**WHEREAS**, the City Council hereby sees fit to amend CMC Section 2955.1 to effectuate the aforementioned changes.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA DOES ORDAIN AS FOLLOWS:**

**SECTION 1. RECITALS.** The foregoing recitals are true and correct, and are incorporated herein by this reference.

**SECTION 2. AMENDMENT.** Section 2955.1 (Budget Transfers) of Chapter 9.5 (Fiscal Administration) of Article II (Administration) of the Carson Municipal Code is hereby amended to read in its entirety as follows (additions shown in *bold italics*, deletions in ~~strikethrough~~):

**“2955.1 (Budget Transfers).**

“Interdepartmental Budget Transfers. Any budget transfer in any amount between City departments shall require City Council approval.

Intradepartmental Budget Transfers. Any budget transfer within the same City department ~~in an amount of up to \$25,000, as a single transfer or as aggregate transfers within the same fiscal year,~~ may be approved by the City Manager, *except that any intradepartmental budget transfer involving personnel-related funds or expenditures, such as salaries or benefits, shall require City Council approval.* The City Manager, at his or her discretion, may request City Council approval for any intradepartmental budget transfer ~~of \$25,000 or less.~~

*Department Directors may also approve intradepartmental budget transfers within their respective Departments on terms prescribed by the City Manager (subject to compliance with this section and applicable law), except that: (i) Department Directors shall not be permitted to approve any intradepartmental*

*budget transfers involving personnel-related funds or expenditures, such as salaries or benefits; and (ii) the City Manager shall have authority to restrict (including by removing) the intradepartmental budget transfer authority of one or more Department Directors as deemed necessary in the City Manager’s sole discretion.*

*Once per month during a regular City Council meeting, a list of all intradepartmental budget transfers approved under City Manager authority, including any Department Director-approved transfers, shall be presented to the City Council.*

~~Any budget transfer within the same City department in an amount over \$25,000, as a single transfer or aggregate transfers within the same fiscal year, shall require City Council approval.~~

‘Budget transfer’ shall mean transfers of moneys between individual funds within the budget. Budget transfers shall not alter the City’s budget.”

**SECTION 3. SEVERABILITY.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect thirty (30) days after its adoption.

**SECTION 5. CERTIFICATION.** The City Clerk shall certify to the adoption of this ordinance, and shall cause the same to be posted and codified in the manner required by law.

**PASSED, APPROVED and ADOPTED** at a regular meeting of the City Council on this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Lula Davis-Holmes, Mayor

ATTEST:

\_\_\_\_\_  
Dr. Khaleah K. Bradshaw, City Clerk

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EXHIBIT NO. 1

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APPROVED AS TO FORM:

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Sunny K. Soltani, City Attorney