



Legislation Details (With Text)

File #: 15-14654 **Version:** 1 **Name:**
Type: Policy Item **Status:** Agenda Ready
File created: 11/19/2020 **In control:** City Council Business Meeting
On agenda: 1/25/2021 **Final action:**
Title: Align City Administrative Guidance with the City Charter for the Civil Service Board
Attachments: 1. Resolution_Rule IX

Date	Ver.	Action By	Action	Result
1/25/2021	1	City Council Business Meeting	Approve	
1/25/2021	1	City Council Business Meeting	Approve	Pass
1/25/2021	1	City Council Business Meeting	Approve	Pass

Align City Administrative Guidance with the City Charter for the Civil Service Board

Action:

Adopt a resolution to repeal Rule IX to align city administrative guidance regarding promotional processes with the City Charter provisions for the Civil Service Board and to clarify that adopted human resources policies, standards, and guidelines supersede any prior administrative versions.

Staff Resource(s):

Patrick Baker, City Attorney’s Office
Matt Brown, City Attorney’s Office

Explanation:

- The Civil Service Board was created by an act of the North Carolina General Assembly in 1965 and is a part of the City Charter.
- City Charter Section 4.61(u) vests exclusive authority in the Chief of the Charlotte-Mecklenburg Police Department and the Chief of the Charlotte Fire Department “to make all promotions of officers of their respective departments, subject to majority approval of the Civil Service Board.”
- Rule IX, enacted by Council Resolution in 1973 and amended in 1992, seems to amend Section 4.61(u) of the City Charter by vesting exclusive authority to manage and direct certain aspects of the Charlotte-Mecklenburg Police Department’s and Charlotte Fire Department’s promotional processes to the city’s Human Resources Director and the Civil Service Board.
- To the extent the provisions of Rule IX, an act of Council, are inconsistent or in conflict with the City Charter, an act of the North Carolina General Assembly, specifically Section 4.61(u)’s grant of exclusive authority to the Chiefs of the Charlotte-Mecklenburg Police Department and Charlotte Fire Department and the Civil Service Board, Rule IX would be beyond the authority of Council.
- A repeal of Rule IX will resolve the conflict between Rule IX and Section 4.61(u) of the City Charter related to the promotional processes of the Charlotte-Mecklenburg Police Department and the Charlotte Fire Department.

Attachment(s)

Resolution