

CITY OF STOCKTON AUDIT COMMITTEE INVESTIGATIVE REPORT

Dissolution of the Diversity, Equity & Inclusion (DEI) Office and Potential Misuse of Public Funds

Authorized by: Vice Mayor Jason Lee, Chair, Stockton City Council Audit Committee
Date: January 4, 2026

CITY OF STOCKTON AUDIT COMMITTEE INVESTIGATIVE REPORT

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Authorized by: Vice Mayor Jason Lee, Chair, Stockton City Council Audit Committee
Date: December 10, 2025

I. Executive Summary

This report presents the findings of the Audit Committee’s investigation, conducted pursuant to Section 406 of the Stockton City Charter, into the dissolution of the City’s Diversity, Equity & Inclusion (DEI) Office, the reassignment and demotion of the former DEI Manager, and potential unauthorized reallocation of public funds in violation of Charter Section 1907.

The Committee finds that although the **2022 Council Resolution Declaring Racism a Public Health Crisis** outlined the City’s intent to advance equity and established a **DEI Committee**, the resolution **did not direct the City Manager to create a DEI Manager position**, nor did it contain any catch-all authority language empowering the City Manager to “take appropriate and necessary actions to carry out the purpose and intent of this resolution.”

Despite this, in later administrative actions and budget cycles, the City Manager’s Office implemented and funded a DEI Manager position. The Committee concludes that the **dismantling of this council approved DEI Program Director position and management of the city’s DEI efforts**—including the reassignment of the position—occurred **without Council communication**, lacked transparency, and may have involved fiscal actions inconsistent with Charter requirements. Furthermore, after this activity was brought to the city manager’s attention, there was a concerted effort to evade the facts with unconfirmed research.

Further, the Mayor’s refusal to enforce a subpoena issued to the former Interim City Manager obstructed lawful oversight and impaired the Committee’s ability to conduct a complete, neutral fact-finding inquiry.

II. Historical and Policy Context

In 2022, the City Council unanimously adopted a resolution declaring racism a public health crisis. The resolution expressed a clear policy direction: establishing a **DEI Committee** to guide

equity-related work. It did **not** mandate the establishment of an executive-level DEI Manager or DEI Office, nor did it delegate broad implementation authority to the City Manager.

In subsequent years, however, the City Manager’s Office independently created and budgeted a **DEI Program Director** role within its structure. This position carried both symbolic and functional significance, serving as the executive-level point of leadership for equity initiatives across City operations.

III. Legal Authority

A. Charter Section 406 – Investigatory Power

Provides City Council and its committees the authority to investigate City operations and to compel documents and witnesses through subpoena.

B. Charter Section 1907 – Budget Transfers and Appropriations

Prohibits transfers between funds or departments without Council approval. Unauthorized reallocations may constitute misuse of public funds.

IV. Background on the Matter

A. Origins of Stockton’s DEI Efforts

The DEI Program Director role—while not explicitly authorized in the 2022 resolution—became an integral part of the City’s internal and community-facing equity strategies through Council-approved budget allocations in later years.

B. Administrative Dissolution of DEI Program Director

In mid-2025, former Interim City Manager Steve Colangelo dissolved the DEI Office and reassigned **DEI Program Director Preya Nixon** to a lower-level role in Human Resources. While the Interim City Manager had the authority to reassign Ms. Nixon to Human Resources, the funding to cover the position required an appropriation by council and that did not occur. This transfer occurred with the threat of termination of Ms. Nixon, without Council notification, without a written reorganization plan, and without supporting data or analysis.

A public explanation described the move as “data-driven,” but testimony and documentation confirmed that **no such data existed** and that the statement was drafted by the Public Information Office rather than policy staff or HR.

C. National Context

A January 2025 federal Executive Order dismantling federal DEI programs created significant national debate. While several California cities reaffirmed their DEI commitments, Stockton

became the only known California municipality to dissolve its executive-level DEI structure during this period.

V. Witness Testimony and Analytical Summary

All testimony below follows the required standard:

- **Direct quotes** reflect verbatim statements from the witness.
- **Summaries** are clearly labeled and *not* placed in quotation marks.

1. IT Oversight and Website Content

Witnesses: Jamil Niazi (IT Director); Connie Cochran (former PIO)

Summary of testimony: Both witnesses stated that IT does not control City website content; the PIO maintains administrative authority. Ms. Cochran informed the committee of the vendor that manages administrative access to the city website. The vendor and its logs confirmed no DEI content was removed from the website.

2. Policy Rationale and Public Messaging

Witness: Chad Reed, Deputy City Manager

Summary of testimony: Reed explained that no data or analysis supported transferring DEI functions into HR. He stated that the PIO authored the public messaging characterizing the move as “data driven.”

3. Human Resources Oversight and Internal Controls

Witness: Rosemary Rivas, HR Director

Summary of testimony: Rivas stated HR did not recommend the DEI reassignment and was not involved in any organizational planning. She also reported that the Interim City Manager directed HR to waive minimum qualifications for an unrelated position, raising internal control concerns.

4. Fiscal Compliance

Summary of testimony: Several witnesses indicated budgeted DEI funds later appeared in HR accounts without required Council approval, suggesting potential Charter Section 1907 violations.

V-A. Testimony of Preya Nixon – Former DEI Program Director

1. Role and Mandate

“My role was to embed equity into every city department and ensure accountability to the Council’s resolution.”

2. Notice of Reassignment

“I was told the office was being absorbed into HR but there was no written plan, no budget memo, no data analysis.”

She testified she was offered a lower classification and informed that declining could result in separation.

3. Public Messaging

“The release said it was a ‘data-driven integration,’ but no one ever asked me for data.”

4. Workplace Treatment

“After I asked where the DEI funds went, I was removed from leadership meetings and email groups.”

5. Fiscal Observations

“Roughly \$197,000 originally budgeted to the DEI Office later appeared under HR without Council action.”

6. Broader Impact

“Stockton was positioned to lead California in equity work. Removing DEI from executive leadership told our community inclusion is optional.”

7. Committee Assessment

Nixon’s testimony was consistent, specific, and corroborated by both HR Director Rivas and Deputy City Manager Reed.

8. Supporting Testimony Regarding Concerns Raised

Summary of testimony:

- HR Director Rivas confirmed Nixon felt she was being treated unfairly.
- Deputy City Manager Reed testified: “She was upset and confused. She asked how her position could be dissolved without Council action. I didn’t have an answer.”
- HR staff confirmed Nixon sought guidance on her rights.

The Committee concludes Nixon raised concerns in good faith, and her reassignment proceeded despite warnings of potential procedural or ethical violations. Specifically, Ms. Nixon testified that the Interim City Manager referred to DEI as a “liability” which conflicted with council direction and a previously passed resolution.

VI. Oversight and Investigatory Non-Compliance

The Audit Committee issued a subpoena to former Interim City Manager Steve Colangelo pursuant to Charter §406. Mayor Christina Fugazi declined to enforce the subpoena. This was the mayor’s formal response to the request:

From: Christina Fugazi <Christina.Fugazi@stocktonca.gov>

Sent: Monday, November 17, 2025 1:14 PM

To: Katherine Roland <Katherine.Roland@stocktonca.gov>

Subject: Re: Audit Committee formal request to enforce subpoena - Steve Colangelo

Hi Katherine,

Thank you for forwarding the Audit Committee’s request.

After reviewing the matter, and in consultation with legal counsel, I do not believe it is in the best interest of the City of Stockton to compel the former Interim City Manager to appear under the circumstances presented. While I have authority to enforce a subpoena, that authority must be exercised only when it clearly advances a legitimate, unbiased, and legally sound purpose for the City.

Over the past several months there have been significant public statements, accusations, and media activity surrounding this issue, much of which has originated from a member of the Audit Committee. These ongoing actions have created a perception of retaliation rather than a neutral fact-finding inquiry. Enforcing a subpoena in an environment already affected by personal conflict and public commentary could expose the City to unnecessary legal risk and could undermine the integrity of any findings.

It is my responsibility to protect the City, its employees, and the public trust. Compelling testimony where the potential for bias, reputational harm, and retaliatory motive has already been raised would not serve that duty. For these reasons, I must respectfully decline the request to enforce the subpoena at this time.

Feel free to share my decision with the Committee.

Thanks,
Fugazi

Following the notification of the Mayor denying the Audit Committees unanimous vote requesting that she issue the subpoena to Mr. Colangelo I noticed that she stated, “After reviewing the matter, and in consultation with legal counsel, I do not believe it is in the best

interest of the City of Stockton to compel the former Interim City Manager to appear under the circumstances presented.” So, I sent an inquiry to the city attorney’s office on what her exact advice was. “The City Attorney confirmed that she was not consulted, leaving unclear who advised the mayor.

Committee Analysis:

The refusal to enforce a valid subpoena and soliciting outside counsel recommendations for official city business obstructed legitimate oversight, limited the Committee’s investigatory authority, and set a concerning precedent for transparency and accountability.

VII. Findings of Fact

1. The 2022 DEI Resolution intended to create a committee, not a DEI Program Director position, however the prior city manager created the DEI Program Director position, and it was presented to and adopted by the previous city council.
2. A DEI Program Director role was later administratively established, funded, and staffed without explicit Council direction.
3. The DEI Program Director position was dissolved without Council authorization.
4. The “data-driven” justification was unsupported.
5. Fiscal transfers occurred without required Council approval, potentially violating Charter §1907.
6. The mayor’s refusal to enforce a lawful subpoena obstructed oversight.
7. Government Code 37106. If any person duly subpoenaed neglects or refuses to obey a subpoena, or, appearing, refuses to testify or answer any questions which most of the legislative body decide proper and pertinent, the mayor shall report the fact to the judge of the superior court of the county.
8. Vendor audit logs confirm no DEI content was deleted from the city website.
9. Failure to comply with GC 37106 to properly enforce the subpoena of Mr. Colangelo.
10. Unauthorized Use of Outside Legal Counsel on Official City Business

Stockton City Charter §1303 – Designates the City Attorney as the legal advisor for the City and all officers, boards, and departments in matters related to official duties.

Stockton City Charter §1306 – Prohibits the retention or employment of outside legal counsel for City matters without approval of the City Council.

Stockton City Charter §408 – Requires the Mayor and Councilmembers to conduct City business through Charter officers and prohibits individual members from independently directing or managing City operations outside the Charter structure.

VIII. Conclusions

The Committee finds substantial evidence of procedural irregularities, administrative overreach, inconsistent public communication, and misuse of public funds. While the 2022 Resolution did not authorize creation of a DEI Program Director, its dissolution—after being budgeted and

administratively established—it was presented for Council review and received approval. Mr.

Colangelo without council input or confirmation, made an independent decision to deconstruct the DEI oversight of the city and unilaterally used reallocated the funding to a vendor contract outside the city of Stockton.

Corrective action and structural reforms are warranted.

IX. Recommendations to Council

1. Rebuild and Strengthen DEI Governance

Create job description for DEI Project Director to work within the City Manager's office.

2. Establish a Citywide citizen Commission on DEI to guide, monitor, and evaluate equity internal and external initiatives. The work of this commission will be managed by the DEI Program Director with council oversight.

3. Clarify Investigative Enforcement Authority

Amend the Charter to explicitly enable Council Majority authority to enforce subpoenas.

4. Include DEI Fund Transfers in the FY 2024–25 Independent Audit

5. Strengthen Fiscal Controls

Require written Council notice for fund transfers or expenditures under \$100,000.

6. Ensure Accuracy of Public Statements

Require documentation and factual verification for all public messaging on organizational changes.

7. Require Council approval to modify, disband, or in any other way change the position of the city council on Diversity, Equity, and Inclusion as a vision, policy, or program.

8. 60-Day Corrective Action Plan

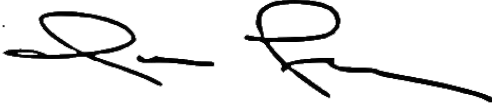
Direct the City Manager and City Attorney to submit a corrective compliance plan within 60 days. This would include a complete review of this matter and take any and all administrative actions to align our city policies and practices with our written rules. Improve hiring and transfer policy language, employment ambiguity as it relates to honesty policy governance, and ensure proper employment practices.

9. Direct Legislation Committee to explore Policy to address failures to comply with GC 37106.

10. Refer the potential violation of Government Code 37106, charter sections 1303 and 1306, and any other violation of the same listed herein to the state controller's office and Attorney General as another inquiry for consideration in the current audit and ongoing investigation.

Respectfully Submitted,

Jason Lee

A handwritten signature in black ink, appearing to read 'Jason Lee', with a stylized, cursive script.

Vice Mayor & Councilmember, District 6
Chair, City of Stockton Audit Committee

ATTACHMENTS

2022 Council Resolution Declaring Racism a Public Health Crisis – 2022-07-12-1504

Charter Section 406

Charter Section 1907

Press Release – 2025-06-19 StocktonDiversityJointStatement

Email from Mayor Fugazi - Re_ Audit Committee formal request to enforce subpoena - Steve Colangelo

California Government Code 37106

Charter Section 1303

Charter Section 1306

Charter Section 408

Resolution No. 2022-07-12-1504

STOCKTON CITY COUNCIL

RESOLUTION DECLARING RACISM AND INEQUITY A HUMAN RIGHTS AND PUBLIC HEALTH CRISIS AND REAFFIRMING THE CITY COUNCIL'S COMMITMENT TO ADVANCING DIVERSITY, EQUITY, AND INCLUSION IN THE CITY OF STOCKTON

Racism and other inequities cause persistent discrimination and disproportionate outcomes in many areas of life, including: housing, education, employment, and criminal justice; and

There are disproportionately higher rates of chronic disease, mortality, poverty, economic distress, and the adverse effects of health outcomes for racial minorities which are widely recognized and documented, yet continue to persist throughout the United States; and

The City of Stockton has been recognized as the most racially diverse city in the United States, composed of 42.7% Latinx, 21.5% Asian, 20.6% White (not Latinx), 11.2% African American, 0.7% Native American or Alaskan Native, 0.6% Pacific Islander or Native Hawaiian, and 11.8% two or more races; and

The City Council of the City of Stockton ("City Council") acknowledges societal inequities related to race, gender, and age that have resulted in vastly different living and social conditions and access to opportunities; and

Inclusion is the value and practice of ensuring that people feel they belong and that their inputs are valued by the whole (group, organization, society, system, etc.) particularly regarding decisions that affect their lives; and

The compounding effects of the COVID-19 pandemic and resulting economic disruption have exposed the gross inequities that exist in our society; and

The City Council seeks to lead and/or join efforts to reverse the effects of the inequitable policies, processes, and practices of the past, and recognizes it has a role to play in understanding and communicating the impacts that its decisions have on low income families, communities of color, and other disadvantaged communities and to engage the community in those decisions, now, therefore,

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:


1. The above recitals are true and correct and are incorporated into, and form the basis of, the affirmations and actions included in the adoption of this Resolution.
2. The City of Stockton condemns racism and inequities in all forms in the community and stands steadfast in its commitment to foster an inclusive, civil environment where every community member is treated with dignity and respect.
3. The City of Stockton stands in solidarity with those working toward a fair and just society, and with those calling for systemic change to eliminate all barriers that reduce opportunity and undermine the city's shared values and ability to thrive and affirm its commitment to meaningfully advance diversity, equity, and inclusion.
4. The City of Stockton affirms the importance of culturally inclusive practices, services, and programs that represent the diversity of our world and community and that accurately honor the contributions of historically marginalized communities.
5. The City of Stockton supports looking for, identifying, and capitalizing on opportunities to further advance equity through funding projects, programs, and incentives for development of areas identified as having underserved populations.
6. The City of Stockton commits to the promotion of diversity for race, age, and gender within its city commissions, committees, and boards.
7. The City of Stockton commits to adopting a system of reporting progress towards achieving the goals outlined in this resolution and communicating such to the greater community.
8. The City of Stockton commits to establishing and implementing principles of equity and the elimination of racial bias in law enforcement procedures, policies, and behaviors.
9. The City of Stockton commits to the creation of a committee to conduct and implement an internal evaluation of the city's charter, policies, and procedures to prioritize equity.
10. The City of Stockton commits to continuing its efforts to utilize hiring and recruitment efforts which incorporate diversity, equity, and inclusion in the workforce.
11. The City of Stockton commits to continuing its efforts to seek and allocate funding for small business development, housing, and community infrastructure that help reverse and repair harm to disadvantaged communities.

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12. The City of Stockton will continue to engage and collaborate with organizations that represent underserved and historically marginalized communities.

PASSED, APPROVED and ADOPTED: July 12, 2022.

ATTEST:



ELIZA R. GARZA, CMC
City Clerk of the City of Stockton





KEVIN J. LINCOLN II
Mayor of the City of Stockton

Section 406. Investigations.

The Council or any committee thereof duly authorized by the Council to do so, may investigate the financial transactions, and the official acts and conduct of any office or department of the City government. In conducting such investigations, the Council or any committee thereof shall have the authority to subpoena witnesses, administer oaths and require the production of evidence. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of any such subpoena or order shall be deemed contempt and shall be punishable as provided by the general laws of this State.

Section 1907. Appropriations.

At any public Council meeting after the adoption of The Annual Budget, the Council may take action to increase or decrease the operating budget by resolution amending the budget by a majority of affirmative votes of the members.

No part of any appropriation shall be transferred from one fund to another fund unless authorized by the City Council.

No member of the Council, officer, department or agency of the City, during any budget year, shall expend or incur any obligation to expend money not authorized by or in excess of the amounts appropriated in the budget.

Except as otherwise provided in this Charter or where the Council may have, by resolution, provided for the continuance of an appropriation beyond the end of the fiscal year, all appropriations approved by the City Council shall lapse at the end of the fiscal year to the extent they shall not have been expended or encumbered, except for appropriations for capital and grant projects which shall continue to their completion unless a different rule has been established by action of the Council.

(Amended Election 11/8/16 effective 12/3/16)



NEWS RELEASE

For Immediate Release:

Thursday, June 19, 2025

Contact:

Tony Mannor

City Manager's Office

(209) 937-8827 / (209) 868-0298

tony.mannor@stocktonca.gov

CITY OF STOCKTON ANNOUNCES STRATEGIC INTEGRATION OF DIVERSITY, EQUITY AND INCLUSION INITIATIVES

Evidence-Based Approach Embeds Equity Principles Throughout City Operations

STOCKTON, CA – The City of Stockton today announced a strategic evolution of its diversity, equity, and inclusion efforts, integrating diversity, equity and inclusion functions directly into Human Resources operations to deliver measurable outcomes for residents through all City departments. The decision, developed through extensive collaboration between Vice Mayor Jason Lee and the Interim City Manager's office, reflects best practices showing that embedded diversity, equity and inclusion approaches produce superior results compared to standalone programs.

"After a thorough review of outcomes data and extensive conversations with the Interim City Manager, I'm energized about this evidence-based direction," said Vice Mayor Jason Lee. "Our historically marginalized communities deserve more than good intentions; they deserve measurable progress. This integration creates the accountability and transparency our residents expect, with clearly defined goals and concrete outcomes they can see in hiring data, compensation practices, and equitable opportunities."

The new approach embeds equity considerations into every hiring decision, promotion, compensation review, and workplace policy across all city departments. This model, used by 56% of successful local governments according to MissionSquare Research, ensures diversity, equity and inclusion principles become integral to daily operations rather than operating in isolation.

"This strategic integration represents our commitment to moving from symbolic gestures to systematic change," said Interim City Manager Steve Colangelo. "Research consistently shows that the most successful diversity, equity and inclusion implementations happen when these principles are woven throughout core business operations rather than treated as add-on programs. We're not reducing our commitment. We're making it more systematic, more sustainable, and more accountable."

City of Stockton

News Release – Joint Statement on Diversity, Inclusion and Equity

Wednesday, June 19, 2025

Page 2 of 2

The strategic shift positions Stockton's Human Resources department, which already maintains systems for tracking hiring patterns, analyzing pay equity, and managing performance evaluations, to implement equity initiatives with maximum operational impact.

Vice Mayor Lee continued, “The heart and soul of Stockton are the people who live and work here. Our commitment to diversity, equity, and inclusion must be more than words — it must live in our policies, our practices, and in how we show up for the community we serve. I want to thank Interim City Manager Colangelo for responding to my concerns, working to expand our diversity, equity and inclusion programs, and striving to honor the spirit of the 2022 Council resolution. This is how we ensure Stockton reflects the strength and richness of all its people.”

The city expects this integrated model to deliver enhanced recruitment of diverse candidates, improved retention rates, and more equitable advancement opportunities across all departments. This subject has been added to the June 24th, 2025, council agenda for further acknowledgement.

For more information about City of Stockton events, contact the [City of Stockton Public Information Officer](#) or visit the City of Stockton website www.stocktonca.gov/newsroom

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**CHARTER SECTION 406 INVESTIGATION
SUBPOENA**

CITY OF STOCKTON,)
COUNCIL AUDIT COMMITTEE)
)
)
)

NOTICE OF CHARTER SECTION 406
INVESTIGATION SUBPOENA

TO: STEVE COLANGELO

YOU ARE ORDERED TO APPEAR as a witness at a Charter Section 406
Investigation Hearing at the date and time listed below:

DATE: October 20, 2025
TIME: 9:00 AM
ADDRESS: Council Chamber
425 N El Dorado St, 2nd Floor
Stockton CA 95202


The purpose of this investigation is to determine whether there was wrongdoing either with
regard to a policy or statutory violation regarding Diversity, Equity, and Inclusion

 X **YOU ARE ORDERED** to appear in person.

 YOU ARE ORDERED to appear in person and produce the
records or other evidence relevant to these proceedings.

If you have any questions about the date or time of your appearance, or if you
want to confirm that your presence is required, please contact the City Clerk, Katherine Roland
at (209) 937-7124 before the date on which you are to appear.

Dated:



Mayor

ATTESTED:



City Clerk



From: [Christina Fugazi](#)
To: [Katherine Roland](#)
Subject: Re: Audit Committee formal request to enforce subpoena - Steve Colangelo
Date: Monday, November 17, 2025 1:14:03 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[png-img-7c57059f-8a3b-49e1-9ee9-d4d43be18f61.png](#)

Hi Katherine,

Thank you for forwarding the Audit Committee's request.

After reviewing the matter, and in consultation with legal counsel, I do not believe it is in the best interest of the City of Stockton to compel the former Interim City Manager to appear under the circumstances presented. While I have authority to enforce a subpoena, that authority must be exercised only when it clearly advances a legitimate, unbiased, and legally sound purpose for the City.

Over the past several months there have been significant public statements, accusations, and media activity surrounding this issue, much of which has originated from a member of the Audit Committee. These ongoing actions have created a perception of retaliation rather than a neutral fact finding inquiry. Enforcing a subpoena in an environment already affected by personal conflict and public commentary could expose the City to unnecessary legal risk and could undermine the integrity of any findings.

It is my responsibility to protect the City, its employees, and the public trust. Compelling testimony where the potential for bias, reputational harm, and retaliatory motive has already been raised would not serve that duty. For these reasons, I must respectfully decline the request to enforce the subpoena at this time.

Feel free to share my decision with the Committee.

Thanks,
Fugazi



Christina Fugazi
Mayor of Stockton
City of Stockton
425 N. El Dorado Street,
Stockton, Ca. 95202
MayorFugazi@stocktonca.gov
Office [209.937.8499](tel:209.937.8499)

From: Katherine Roland <Katherine.Roland@stocktonca.gov>

Sent: Monday, November 17, 2025 9:56:00 AM

To: Christina Fugazi <Christina.Fugazi@stocktonca.gov>

Subject: Audit Committee formal request to enforce subpoena - Steve Colangelo

Good Morning Mayor,

At the Audit Committee meeting on November 12th, the Committee requested I send you a formal request to enforce the subpoena for Steve Colangelo to appear. They requested a response from you within one week from the date of this email, November 24, 2025.

Respectfully,



Boards and
Commissions
Volunteer today!

Apply

Katherine D. Roland, CMC, CPMC
City Clerk

City of Stockton, Office of the City Clerk
425 N. El Dorado Street, Stockton CA 95202
Office: 209.937.7124



California Government Code 37106.

If any person duly subpoenaed neglects or refuses to obey a subpoena, or, appearing, refuses to testify or answer any questions which a majority of the legislative body decide proper and pertinent, the mayor shall report the fact to the judge of the superior court of the county.

(Added by Stats. 1949, Ch. 79.)

Section 1303. Duties.

The City Attorney shall be the legal advisor of and attorney and counsel for the City and for all officers, boards and departments thereof in all matters relating to their official duties. The City Attorney shall conduct and carry on all suits, actions, and proceedings in behalf of or against the City, including prosecution on behalf of the people of all criminal cases arising from violations of the ordinances of the City; provided, however, that where there is a contractual duty on the part of an insurance carrier for the City to defend actions against the City, then the defense of said actions may be conducted as provided in said contract of insurance. The City Attorney shall prepare or approve as to form all contracts, bonds and other legal instruments to which the City is a party, and shall endorse on each the City Attorney's approval as to form and correctness thereof or evidence such approval as to form in separate writings to be filed and preserved with the records of the City Council.

(Amended Election 4/12/55 effective 5/12/55; Amended Election 10/12/71 effective 12/6/71; Amended Election 11/8/94 effective 5/22/95)

Section 1306. Retention of Outside Counsel.

The City Attorney shall not retain or employ outside counsel, except as hereinabove provided, without the approval of the City Council.

(Added Election 10/12/71 effective 12/6/71)

Section 408. Interference with City Manager.

Neither the Council nor any of its members nor the Mayor shall interfere with the execution by the City Manager of his or her powers and duties, nor in any manner dictate the appointment or removal of any City officers or employees whom the City Manager is empowered to appoint except as expressly provided in Charter Section 406. However, the Mayor and Councilmembers may express their views and fully and freely discuss with the City Manager anything pertaining to the appointment and removal of such officers and employees. Except for the purpose of inquiries and investigations under Charter Section 406, the Council, its members and the Mayor shall deal with City officers and employees who are subject to the direction and supervision of the City Manager, City Attorney, City Clerk or City Auditor, solely through the City Manager, City Attorney, City Clerk or City Auditor, respectively, and neither the Council nor its members nor the Mayor shall give orders to any of the subordinates of those appointees, either publicly or privately, except as otherwise provided in this Charter.