

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800

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CHARLES A. WATSON
LEGISLATIVE AGENT

June 20, 1977

Mr. James L. Sullivan
City Manager
City Hall
Cambridge, Massachusetts

Dear Sir:

I am in receipt of a request for an opinion relative to the legality of the ordinance establishing the position of Assistant City Manager for Fiscal Affairs in the City of Cambridge.

As you are aware the City Manager is the Chief Executive and Administrative Officer of the City and is required among other duties to keep the City Council fully advised of the City's financial condition and its future needs, to prepare and submit budgets, and to require submission by all departments of estimates of the amount necessary for their expenses. Moreover the City Manager is responsible for the overall financial planning of the City. These broad powers of the City Manager may validly be delegated to an Assistant, provided said powers do not extend beyond those mandated by statute or ordinance.

As you know, Ordinance No. 839, which created the position of Assistant City Manager for Fiscal Affairs acted to draw the Departments of Auditing, Assessors, Budget, and Personnel, Purchasing, and Treasury under a so-called Division of Finance. The purpose of this action was to streamline the processing of matters which frequently affect one or more of these departments, and in general to facilitate the financial planning and fiscal administration of the City.

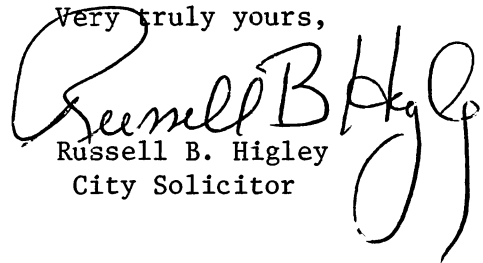
Although the duties of the City Auditor are regulated in part by statute, the position of Assistant City Manager for Fiscal Affairs does not interfere with such regulations. Ordinance No. 839 specifically states that "none of the preceding sections effect those powers which are the responsibility of the City Auditor by statute."

Mr. James L. Sullivan

June 20, 1977

Under these circumstances, I see no illegality in the establishment of an Assistant City Manager for Fiscal Affairs under the terms of Ordinance No. 839.

Very truly yours,


Russell B. Higley
City Solicitor

RBH:ae

14. 14. S-376
Comm. from Russell B. Higley, City Solicitor
re: to the legality of the ordinance estab-
lishing the position of Asst. City Manager
for Fiscal Affairs.

In City Council,
June 20, 1977

Placed on file