

SULTAN CITY COUNCIL

AGENDA ITEM COVER SHEET

Agenda Item #: Action A 8
Date: January 8, 2009
SUBJECT: Ordinance 1012-09 City Engineer
CONTACT PERSON: Laura Koenig, City Clerk

ISSUE:

The issue before the Council is Ordinance 1012-09 to change SMC 2.09 regarding the position of the City Engineer. This will amend section 2.09.020, Scope of Authority, section 2.09.030E, Duties to remove the references to the Community Development Director. Section 2.09.040, Salary, is amended to be consistent with Council policy.

SUMMARY STATEMENT:

In 2006, an amendment was made to SMC 2.09.020 to provide for the City Engineer to work under the direction of the Community Development Director. The City Engineer would normally work for the Public Works Department. In 2008, the Public Works Director presented a reorganize plan for the Department which include a proposal to combine the position of City Engineer and Public Works Director. During this review process, it was noted that the City Engineer was not currently a part of the Public Works Department.

The proposed amendment will not specify which department the City Engineer reports under. This is a cleanup to the code to allow the City to reorganize departments without the requirement for an amending ordinance.

RECOMMENDED ACTION:

Introduce Ordinance 1012-09 to change the scope of authority, duties and salary for the City Engineer.

FISCAL IMPACTS: None

Motion:

Move to introduce Ordinance 1012-09, City Engineer, for a first reading and pass it on to a second reading.

Attachments: A. Ordinance 1012-09 City Engineer
B. SMC 2.09 with changes marked

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1012-09**

**AN ORDINANCE OF THE CITY OF SULTAN,
WASHINGTON, AMENDING SMC 2.09.020, SCOPE OF
AUTHORITY, SMC 2.09.030E, DUTIES AND SMC
2.09.040, SALARY; PROVIDING FOR SEVERABILITY;
AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the Council has established the position of City Engineer and provided for scope of authority, duties and salary;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 2.09.020 of the Sultan Municipal Code is amended to read as follows:

2.09.020 Scope of Authority

The City Engineer shall perform or supervise the performance of the City Engineer's duties as designated by this code and by State statute

Section 2. Section 2.09.030 E of the Sultan Municipal Code is amended to read as follows:

E. Assist with technical issues related to development, planning, transportation and general city engineering topics;

Section 3. Section 2.09.040 of the Sultan Municipal Code is amended to read as follows:

2.09.040 Salary.

The city engineer shall receive such compensations as may be approved by the city council as established by the city council at the time salaries are set by ordinance, as provide by law.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-

emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF _____, 2008.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

ATTACHMENT B

REVISED CODE

Chapter 2.09 CITY ENGINEER

Sections:

- [2.09.010](#) Position created.
- [2.09.020](#) Scope of authority.
- [2.09.030](#) Duties.
- [2.09.040](#) Salary.
- [2.09.050](#) Residency.
- [2.09.060](#) Council member ineligible.

2.09.010 Position created.

There is hereby created the appointive position of city engineer, which position shall be filled by appointment by the mayor, subject to confirmation by a majority of the city council; said city engineer to serve at the pleasure of the mayor. (Ord. 816-03 § 1)

2.09.020 Scope of authority.

The city engineer shall perform or supervise the performance of the city engineer's duties as designated by this code and ~~by state statute. as assigned by contract. The city engineer shall act under the direction and authority of the director of community development who shall in turn report and act under the authority of the city administrator.~~ (Ord. 902-06 § 1; Ord. 816-03 § 1)

2.09.030 Duties.

The city engineer shall have the following specific duties, powers, and responsibilities. Under the direction and authority of the city administrator, the city engineer shall:

- A. Review and comment on developer submittals;
 - B. Assist other city staff with technical and engineering issues;
 - C. Meet with staff and developers on an as-needed basis;
 - D. Assist other city staff with grant applications;
 - E. Assist ~~the director of community development~~ with technical issues related to development, planning, transportation and general city engineering topics;
 - F. Review engineering submittals of developer's engineers or city consultants as requested;
 - G. Perform other engineering tasks as designated by city code or as otherwise assigned.
- (Ord. 902-06 § 2; Ord. 816-03 § 1)

2.09.040 Salary.

The city engineer shall receive such compensation as may be ~~fixed by contract~~ approved by the city council or as established by the city council at the time salaries are set by ordinance, as provided by law. (Ord. 816-03 § 1)

2.09.050 Residency.

The city engineer need not be a city resident. (Ord. 816-03 § 1)

2.09.060 Council member ineligible.

No person elected to membership on the city council shall, subsequent to such election, be eligible for the appointment to city engineer until one year has elapsed following the expiration of the last term for which he/she was elected. (Ord. 816-03 § 1)