

## **CHAPTER 16**

### **PUBLIC WORKS DEPARTMENT**

(AMENDED, Ordinance No. 2009-39, May 18, 2009)

1. **ESTABLISHED.** There is hereby created and established the Public Works Department which shall be so organized and administered as the City Manager shall from time to time direct, and which shall consist of the Public Works Director and such other officers and employees as the Council may from time to time authorize.

2. **DIRECTOR.** There is hereby created the office of Public Works Director, the occupant whereof shall be appointed, and may be removed, by the City Manager at will.

3. **APPOINTMENTS AND RULES.** The Public Works Director shall be the appointing officer of the occupants of all classified positions assigned to said Department and may make reasonable rules, regulations and directives not in conflict with law or ordinance to govern and administer the activities and carry out the duties and responsibilities thereof, subject to the direction and control of the City Manager.

4. **DUTIES AND RESPONSIBILITIES.** The Public Works Department shall perform such functions and duties, and with such divisions, as may be assigned from time to time by the City Manager.

5. **BOARD OF LOCAL IMPROVEMENTS.** In addition to the other duties of said office, said Director shall act as engineer of and for the Board of Local Improvements.

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6. **WATER FUND.** All revenue or other moneys received by the Public Works Department or any other Department of the City for the furnishing of water, whether from service fees, connection fees or otherwise, and from any source whatsoever, shall be segregated into and placed in a separate fund of the City, which fund shall be designated as the Water Fund and which shall be expended only for purposes directly relating to the water works, and no portion thereof shall be expended for the purpose of any other department or for any other purpose of the City, except that those costs which should be reasonably and properly charged to the water works may be expended from said Fund. (Amended, Ordinance 2017-08, February 6, 2017).

7. **DISCRETIONARY REPAIRS.** Within budget constraints determined by the City Council, the City Public Works Director, or his/her designee, shall have discretionary authority to select and adopt policies and plans for the care and maintenance of public infrastructure, including but not limited to streets, parking lots, sidewalks, boulevards, trees, and vegetation, public spaces, buildings, parks, sewers, and water infrastructure. In considering policies and/or plans for City infrastructure maintenance, the Public Works Director is authorized to use discretion in deciding whether and when to perform certain maintenance activities, and the manner in which they shall be conducted, by balancing the competing needs of limited City resources with varying degrees of need for maintenance, and shall use his/her best judgment as to which of competing maintenance needs will best serve the competing interests, and the general health, safety and welfare of the public. (Amended, Ordinance 2018-57, October 15, 2018).