

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTERS 2.20, 2.24, 13.04, 13.12, 13.24, 13.32, 13.34, 13.40, AND 13.44 OF THE MUNICIPAL CODE OF THE CITY OF SAN CLEMENTE TO ASSIGN AUTHORITIES TO THE NEW UTILITIES DIRECTOR POSITION

WHEREAS, effective July 1, 2017, the City Council approved a re-organization of the Public Works Department which created a new Utilities Department and re-classified a Deputy Public Works Director to Utilities Director; and

WHEREAS, the creation of a new Utilities Department and Utilities Director position require updates to the Design Immunity Policy No. 801-2 and various Municipal Code chapters to ensure that responsibilities and authorities specified in the Municipal Code reflect the new organization; and

WHEREAS, except for the design immunity delegation to the new Utilities Director, the updates to the Municipal Code do not provide additional authority beyond those previously approved by the City Council but instead only re-assign existing authorities between the Public Works Director/City Engineer and Utilities Director positions.

NOW, THEREFORE, the City Council of the City of San Clemente, California, hereby ordains as follows:

Section 1: Section 2.20.040 of the San Clemente Municipal Code is hereby replaced to read in its entirety as follows:

2.20.040. Approval of Plans and Designs

The Public Works Director/City Engineer and Utilities Director (or each of his/her designees provided that such designees hold a valid registration as a Professional Engineer in the State of California) is delegated the authority to exercise discretionary approval of plans, designs and any design amendments or addenda for public improvement or subdivision improvement projects. The plans and designs shall be signed by the Public Works Director/City Engineer or Utilities Director, or his/her designees. If this authority to exercise discretionary approval is not delegated by the Public Works Director/City Engineer or Utilities Director, then either must hold a valid registration as a Professional Engineer in the State of California to sign plans, designs and any design amendments or addenda for public improvement or subdivision improvement projects.

Section 2: Chapter 2.24, Appendix A, is modified to add the position of "Utilities Director" with Disclosure Category I.

Section 3: Chapter 13.04 is modified to replace the terms "City Engineer" and "Director of Public Works" throughout this chapter with the term "Utilities Director."

Section 4: Chapter 13.12 is modified to replace the terms "Public Works Director" and "Director of Public Works" throughout this chapter with the term "Utilities Director."

Section 5: Chapter 13.24 is modified to replace the term "City Engineer" throughout this chapter with the term "Utilities Director."

Section 6: Chapter 13.32 is modified to replace the terms "City Engineer" and "Director of Public Works" throughout this chapter with the term "Utilities Director."

Section 7: Chapter 13.34 is modified to replace the terms "City Engineer" and "Director of Public Works" throughout this chapter with the term "Utilities Director."

Section 8: Chapter 13.40 is modified to replace the term "City Engineer" throughout this chapter with the term "Utilities Director."

Section 9: Chapter 13.44 is modified to delete the term "City Engineer" throughout this chapter and to replace the term "Public Works Director" throughout this chapter with the term "Utilities Director."

Section 10: The foregoing is declarative of existing law.

Section 11: The City Clerk shall certify to the passage of this ordinance and cause the same to be published as required by law, and the same shall take effect as provided by law.

APPROVED AND ADOPTED this _____ day of November, 2017.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF SAN CLEMENTE)

I, **JOANNE BAADE**, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. _____ having been regularly introduced at the meeting of _____, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the _____ day of _____, _____, and said ordinance was adopted by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

APPROVED AS TO FORM:

CITY ATTORNEY