

## CHAPTER 2.28

HEADS OF DEPARTMENT AND OFFICERS

2.28.010 Heads of Department. The following Heads of Department positions are established; each of which shall have the duties, responsibilities and authority necessary for the performance of the position, to include, without limitation, the authority to appoint and promote and for cause remove or demote any employee who works for such department head: (Ord. 2003-04).

- A. Director of Finance/City Treasurer
- B. Director of Parks and Recreation
- C. Director of Public Works
- D. Director of Engineering Services/City Engineer
- E. Fire Chief
- F. Director of Planning and Building
- G. City Clerk/Director of Legislative Services

2.28.020 Appointment/Removal of Department Heads.

- A. The City Manager is authorized to appoint, remove, promote and demote all Heads of Department.
- B. All Heads of Department serve at the pleasure of the City Manager.

2.28.030 Compensation of Department Heads. The salaries, compensation, and benefits of Heads of Department shall be fixed and determined by resolution of the City Council.

2.28.040 Duty to Cooperate. It shall be the duty of all Heads of Department to cooperate with and assist the City Manager in administering the affairs of the City in an efficient, economic, and harmonious manner, so far as may be consistent with their duties as prescribed by law.

2.28.050 Director of Finance/City Treasurer. (Ord. 2003-04)

The Director of Finance/City Treasurer shall be appointed by the City Manager and serve under general direction of the City Manager. In addition to other and further duties or functions as the

City Manager may from time to time prescribe, the duties, responsibilities, and authority of the Director of Finance/City Treasurer shall be to:

- A. Perform the functions specified in this Code.
- B. Plan, organize, and direct, under general administrative direction, the programs and personnel of the Finance Department.
- C. Be responsible for the administration of contracts for services obtained from other public agencies, private contractors, and consultants relating to the Finance Department.
- D. Act as chief accounting officer for the City and assume the duties of City Treasurer. The financial and accounting duties imposed upon the City Clerk by the Government Code are hereby transferred to the Director of Finance.
- E. Act as Director Finance/City Treasurer for the San Dieguito Water District.
- F. Furnish a corporate bond in the amount of \$100,000 for the faithful performance of the duties imposed on the Director of Finance. The premium of such bond shall be a proper charge against the City.
- G. Administer laws and ordinances pertaining to taxes, licenses, and permits as directed.
- H. Cause current accounts to be kept of all funds, revenues, receipts, expenditures, and financial commitments of the City.
- I. Maintain a system of budgetary accounting for the recording of actual and estimated revenues and expenditures in such a manner as to show the financial position of each fund and department of the City at all times.
- J. Collect, receive, and deposit all moneys of the City and keep proper records thereof.
- K. Assist the City Manager in the preparation of the annual budget and certify to the accuracy of anticipated revenues to meet the proposed budget.
- L. Serve as the custodian of the City's permanent accounting records.
- M. Render advice and consultation to the City Manager and City Council in assigned program areas.
- N. Perform work as required.

2.28.060 Director of Parks and Recreation. The Director of Parks and Recreation shall be appointed by the City Manager and serve under general direction of the City Manager. In addition to other and further duties or functions as the City Manager may from time to time prescribe, the duties, responsibilities, and authority of the Director of Community Services shall be to: (Ord. 2003-04).

- A. Perform those functions specified in this Code.
- B. Plan, organize, and direct, under general administrative direction, the programs and personnel of the Parks and Recreation Department.
- C. Administer contracts for services obtained from other public agencies and private contractors and consultants.
- D. Render advice and consultation to the City Manager and City Council in assigned program areas of recreational services, cable television, animal control, and park and beach acquisition, development, and maintenance.
- E. Perform related work as required.

2.28.070 Director of Public Works. The Director of Public Works shall be appointed by the City Manager and serve under general direction of the City Manager. In addition to other and further duties or functions as the City Manager may from time to time prescribe, the duties of the Director of Public Works shall be to: (Ord. 2003-04).

- A. Perform those functions specified in this Code.
- B. Plan, organize, and direct, under general administrative direction, the programs and personnel of the Public Works Department.
- C. Administer contracts for services obtained from other public agencies, private contractors and consultants.
- D. Ensure the maintenance and repair of all streets, alleys, sidewalks, curbs, gutters, storm drains, street lights, and traffic control devices owned by the City of Encinitas.
- E. Render advice and consultation to the City Manager and City Council in assigned program areas.
- F. Maintain contacts with professional organizations of Public Works Directors.

- G. Perform related work as required.
- H. Serve as Director of Operations for the San Dieguito Water District.

2.28.080 Director of Engineering Services/City Engineer. The Director of Engineering Services/City Engineer shall be appointed by and serve under the general direction of the City Manager. In addition to other duties or functions as the City Manager may from time to time prescribe, the Director of Engineering Services/City Engineer shall: (Ord. 2003-04)

- A. Perform those functions specified in this code and by State law.
- B. Be a registered civil engineer as defined by the California Professional Engineers Act.
- C. Administer contracts for services obtained from other public agencies, private contractors and consultants.
- D. Ensure the maintenance and repair of all streets, alleys, sidewalks, curbs, gutters, storm drains, street lights, and traffic control devices owned by the City of Encinitas.
- E. Render advice and consultation to the City Manager and City Council in assigned program areas.
- F. Maintain contacts with professional organizations of Public Works Directors.
- G. Serve as District Engineer for the San Dieguito Water District.
- H. Perform related work as required.

2.28.085 Fire Chief. The Fire Chief shall be appointed by the City Manager and serve under the general direction of the City Manager. In addition to other and further duties or functions as the City Manager may from time to time prescribe, the duties of the Fire Chief shall be: (Ord. 2003-05).

- A. Perform those functions specified in this Code.
- B. Plan, organize, and direct, under general administrative direction, the programs of the Fire Department including but not limited to Fire Prevention, Fire Suppression, Investigation and Inspection, Emergency Medical Services, and Public Education.

- C. Administer contracts for services obtained from other public agencies, private contractors, and consultants relating to the Fire Department.
- D. Render advice and consultation to the City Manager and City Council in assigned areas.
- E. Maintain contacts with professional organizations of Fire Chiefs.
- F. Perform related work as required.

2.28.090 Director of Planning and Building. The Director of Planning and Building shall be appointed by the City Manager and serve under general direction of the City Manager. In addition to other and further duties or functions as the City Manager may from time to time prescribe, the duties of the Director of Planning and Building shall be to: (Ord. 2003-04)

- A. Perform those functions specified by State law and this Code.
- B. Plan, organize, and direct, under general administrative direction, the programs and personnel of the Planning and Building Department, to include Advanced Planning, Current Planning, Code Enforcement, and Building Permits and Inspections.
- C. Administer contracts for services obtained from other public agencies and private contractors and consultants.
- D. Render advice and consultation to the City Manager and City Council in assigned program areas.
- E. Perform related work as required.
- F. The Director or his designee shall make a final determination as authorized by the Code for the following applications: (Ord. 94-06)
  1. Coastal Development permits pursuant to Chapter 30.80 of this code.
  2. Minor Use Permits
  3. Minor Variances
  4. Tentative Parcel maps
  5. Waivers of Municipal Code Section 30.16.010 B-10
  6. Administrative Design Review
  7. Lot Line Adjustments
  8. Certificates of Compliance
  9. Extension requests
  10. Other applications and duties as required by this Code.

G. Procedure. Public Notification shall be provided as specified for each application type in Section 2.28.090F. For Coastal Development Permits, public notice procedures shall conform to the requirements in Chapter 30.80, "Coastal Development Permit", in addition to the requirements of this Section. Standard procedure shall consist of administrative review and written determination. The Director may elect to conduct a Public Hearing in order to gather information and/or resolve conflicts. Projects with significant issues or controversy shall be referred to the Planning Commission with a recommendation from the Director.

H. \*Appeal of Director Decision. All decisions of the Director shall be posted at City hall and shall become final fifteen days thereafter unless a timely appeal is filed to the City Council in accordance with provisions of this Code. (\*See Chapter 1.12.010 through 1.12.060).

2.28.095 City Clerk/Director of Legislative Services. The City Clerk/Director of Legislative Services shall be appointed by and serve under general direction of the City Manager. In addition to other and further duties or functions as the City Manager may from time to time prescribe, the duties, responsibilities and authority of the City Clerk/Director of Legislative Services shall be (Ord. 99-08):

A. Perform duties of the office as defined by California Statutes and the Municipal Code, and undertake all responsibilities associated with this function. Remain abreast of legislation which would affect City Clerk/Director of Legislative Services activities.

B. Direct, administer and coordinate the operation and activities of the City Clerk/Director of Legislative Services Department. Establish policies, standards and procedures to ensure the efficient administration of the department. Prepare an annual budget for the department.

C. Perform Council related coordination and Council clerical and secretarial support services. Prepare official correspondence and reports. Prepare certain non-technical resolutions, ordinances, proclamations and commendations. (Ord. 99-08).

D. Prepare Council agendas and packets. Attend all City Council meetings and keep minutes record of the action, indexing the same. Upon request, advise City Council regarding parliamentary procedures.

E. Act as City's Records Manager and administer the Records Management Program of the City. Maintain public records and official files. Perform research through City records. Respond to requests for production of records.

F. Serve as the City's Election Official and provide for the conduct of municipal elections. Act as the filing officer for all Fair Political Practices Commission reports. Monitor the City's Conflict of Interest Code and filings.

G. Act as keeper of the City Seal. Certify and attest to official documents. In accordance with Government Code Section 40814, administer oaths.

H. Maintain the Municipal Code, and distribute revised pages. Publish/post legal and official notices.

I. Respond to questions from the public by phone and in person.

J. Accept service on behalf of the City.

K. Receive and open bids for various departments.

L. Maintain contacts with professional organizations of City Clerks.

M. Serve as Board Secretary for the San Dieguito Water District, and the Encinitas Housing Authority. (Ord. 2003-04).

N. The City Clerk/Director of Legislative Services shall furnish a corporate surety bond in the amount of \$100,000 for the faithful performance of duties imposed. The premium for such bond shall be a proper charge against the City.

2.28.100 Officers. The following office is established which shall have the duties, responsibilities and authority necessary for the performance of the position in accordance with the Municipal Code and other applicable law: (Ord. 99-08).

City Attorney

2.28.110 Appointment/Removal of Officers.

A. The City Council is authorized to appoint, remove, promote and demote all Officers.

B. All Officers serve at the pleasure of the City Council.

2.28.120 Compensation of Officers. The salaries, compensation, and benefits of Officers shall be fixed and determined by resolution of the City Council.

2.28.130 Duty to Cooperate. It shall be the duty of all Officers to cooperate with and assist the City Manager in administering the affairs of the City in an efficient, economic, and harmonious manner, so far as may be consistent with their duties as prescribed by law.

2.28.150 City Attorney.

A. The City Council shall appoint a City Attorney and may appoint an Assistant City Attorney on such terms and conditions as the City Council deems appropriate.

B. The City Attorney and the Assistant City Attorney shall be members of the State Bar of California.

C. The City Attorney and any appointed Assistant City Attorney shall perform those duties directed by the City Council to include working with other attorneys designated as special counsel for the City on particular matters.