

ORDINANCE 20-\_\_

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING CH. 32, ART. IV, ENGINEERING DEPARTMENT OF THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

---

**WHEREAS**, the City of Port St Lucie, Florida (“City”) desires to update Chapter 32, Departments, Boards, and Commissions, Article IV, Engineering Department of the Port St Lucie Code of Ordinances (“Code”) to reflect the correct title of the Public Works Department, and to set forth the department’s responsibilities and the qualifications of the public works director.

**NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:**

**Section 1. Ratification of Recitals.** The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

**Section 2.** Title III, Administration, Chapter 32, Departments, Boards, and Commissions, Article IV, Engineering Department of the Code is amended as follows (~~strickthrough text~~ indicates deletions while underlined text indicates additions):

**ARTICLE IV. - ~~ENGINEERING DEPARTMENT~~ PUBLIC WORKS DEPARTMENT**

**Sec. 32.35. - Establishment of department.**

- (a) There is hereby established, pursuant to Charter §section 10.01, ~~an engineering department~~ a public works department.
- (b) The public works department shall be named and included in the annual city budget.
- (c) References to the engineering department within the code or other such documents shall mean the public works department.

**Sec. 32.36. - City engineer.**

- (a) The city manager shall hire or appoint a city engineer who shall have ~~the minimum qualifications and shall have the duties and responsibilities as set out below.~~ The city engineer shall be in charge of the engineering department, subject to the supervision of the city manager.
- (b) ~~The city engineer shall have, at minimum, a bachelor's degree in civil engineering, be a registered professional engineer in the state and have at least five years, or its equivalent,~~ of experience as a city or county engineer or first assistant engineer, or in a related field.

ORDINANCE 20-\_\_

~~The city engineer individual must demonstrate an ability to make acceptable budgetary estimates and decisions for any project within the scope of his the position's responsibilities and possess the adequate knowledge and skills in the planning and construction of infrastructure. use of engineering instruments and complex mathematical tables which are indispensable to any engineering project.~~

~~(e) The city engineer shall be paid a salary to be set by the city council in each year.~~

**Sec. 32.37. - Public works director.**

The city manager shall hire or appoint a public works director who shall have, at minimum, a bachelor's degree in civil engineering, be a registered professional engineer in the state, and have at least 10 years of experience in the field of public works or related field, 5 of which must be at a supervisory level. The individual must demonstrate an ability to make budgetary estimates and decisions within the scope of the position's responsibilities and possess adequate knowledge and skills in the maintenance of infrastructure. The public works director shall oversee the public works department, subject to the supervision of the city manager.

**~~Sec. 32.37. -- Department included in annual budget.~~**

~~The engineering department shall be named and included in the annual city budget.~~

**Sec. 32.38. - Responsibilities of department.**

(a) The engineering public works department shall have the following responsibilities:

- (a1) Plan and manage the, direct, and coordinate preparation of budgets, documents, reports, plans and specifications for capital improvement projects.;
- (b2) Initiate and coordinate, with appropriate departments, Prepare calls for bids on new construction or repair and replacement of projects, for and contracts for equipment, professional services, providers and contractors. installed equipment repair, and construction and heavy equipment for use by the department;
- (3) Manage the construction of capital improvement projects to ensure that the project meets budget and schedule requirements.
- (4) Participate in the planning of new commercial and residential subdivision developments.
- (5) Review, permit, and inspect single-family residential lots to ensure compliance with applicable land development regulations.

ORDINANCE 20-\_\_

- (6) Review, permit, and inspect commercial and residential subdivisions to ensure compliance with land development regulations.
- (7) Review, permit, and inspect the use of rights-of-way.
- (8) Review and process requests for road, lane, and sidewalk closures.
- (9) Manage the National Pollutant Discharge Elimination System program.
- ~~(e10)~~ ~~Perform duties of cartographer for projects under its supervision or in conjunction with consultants or work of city planner, as related to public improvement programs or comprehensive community plans~~ Provide a professional surveyor and mapper to review plats, provide surveys, and maintain the legal boundaries of the city.
- ~~(#11)~~ Establish and maintain an inventory of all public lands and improvements thereon to facilitate planning, budgeting, and scheduling of ~~periodic~~ maintenance work;
- ~~(e)~~ ~~Plan and coordinate inspections of new street construction or repair of city thoroughfares to insure compliance with city ordinances, of all public works facilities including maintenance of existing city accepted streets and parking lots;~~
- ~~(f)~~ Possess and develop knowledge of soil cement and lime rock base paving;
- ~~(g)~~ Possess broad scaled knowledge of drainage problems particularly relating to swales, drainage ditches, and storm drainage systems;
- ~~(h)~~ Plan and schedule the maintenance of all drainage facilities including all street swales, side lot ditches, drainage rights of way, canals and city owned waterways;
- ~~(i)~~ Supply contractors and the general public with information relating to engineering projects;
- ~~(j)~~ Maintain the ability to evaluate reports and recommendations made by city planner or special consultants related by city for specialized programs;
- ~~(k12)~~ Prepare and present information to residents, the city staff, and elected officials on various topics or projects. ~~reports involving all projects that are the responsibility of the department;~~
- ~~(#13)~~ Maintain Function as the liaison with appropriate municipal, county, state, and federal agencies, and attend committee meetings and/or serve on committees as a representative of the city.;

ORDINANCE 20-\_\_

- ~~(m14)~~ ~~Possess knowledge of and a~~ Advise appropriate city officers and employees of rules and regulations promulgated by county, state, and federal agencies impacting the operations and duties of the department.;
- ~~(m15)~~ Work in conjunction with and cooperate with the planning and zoning board of the city, the city council, the city manager and city department heads.
- (16) Plan, direct, coordinate, and manage the preparation of budgets, documents, reports, construction plans, and specifications for maintenance of the city's infrastructure.
- (17) Maintain safety training and the practice of safe work procedures for the department.
- (18) Maintain the city's infrastructure in a cost-effective manner.
- (19) Provide inspections, maintenance, and emergency repair of the city's stormwater management system including, but not limited to, swales, swale liners, ditches, canals, culvert pipes, detention areas, treatment areas, lakes, and control structures in accordance with any applicable law and/or city policy.
- (20) Provide inspections, maintenance, and emergency repair of the city's transportation systems including but not limited to roadway surfaces, sidewalks, street and pedestrian lights, signage, and traffic signals in accordance with any applicable law and/or city policy.
- (21) Provide inspections, maintenance, and replacement of the city's landscaping and irrigation systems in accordance with any applicable law and/or city policy.
- (22) Provide inspections, maintenance, repair, and replacement of the fleet and equipment required to maintain the city's infrastructure in accordance with any applicable law and/or city policy.
- (23) Provide inspections and preparations necessary to ready the city's stormwater management and roadway systems for emergency situations in accordance with any applicable law and/or city policy.
- (24) Other responsibilities that may be assigned by the city manager.
- (b) The foregoing outlines the areas of responsibility of the public works department and is not intended to create a lawful duty of care beyond that already established by law.

**Sec. 32.39. - Employees.**

ORDINANCE 20-\_\_

The ~~engineering public works director department and the city engineer~~ shall hire employees as are appropriate to that department as funds are appropriated for those purposes to carry out the responsibilities of the department as supported by the department’s budget.

**Section 3. Conflict.** If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

**Section 4. Severability.** The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

**Section 5. Codification.** The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

**Section 6. Effective Date.** This Ordinance shall become effective immediately upon final adoption on second reading.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2020.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Gregory J. Oravec, Mayor

ATTEST:

\_\_\_\_\_  
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James D. Stokes, City Attorney