

ORDINANCE 2011 - 06

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, AMENDING CHAPTER 2.06 OF
THE SUNNYSIDE MUNICIPAL CODE TO AMEND OFFICE AND DUTIES
OF CHIEF FINANCIAL OFFICER AND DEPUTY CITY MANAGER**

WHEREAS, the City Council adopted Ordinance 2010-31 establishing the positions of deputy city manager and chief financial officer on December 13, 2010, as Chapter 2.06 of the Sunnyside Municipal Code;

WHEREAS, the chief financial officer position encompasses duties of the position formerly designated as city finance director and the duties of the city treasurer;

WHEREAS, the amendment of Sunnyside Municipal Code Chapter 2.06 to clarify these roles and reflect this change in designation is in the best interests of residents of the City of Sunnyside and will promote the general health, safety and welfare;

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, as follows:**

Section 1. Sunnyside Municipal Code section 2.06.010 is hereby amended to read as follows:

2.06.010 Created.

The City Manager shall appoint a Chief Financial Officer who shall also serve as Deputy City Manager.

Section 2. Sunnyside Municipal Code section 2.06.020 is hereby amended to read as follows:

2.06.020 Duties.

A. The Chief Financial Officer shall be responsible for general supervision over the financial affairs of the City. The Chief Financial Officer shall be designated Finance Director and City Treasurer to perform in such capacity whenever the laws of the state or ordinances of the City make reference to such positions.

B. Whenever the City Manager is unable to personally perform the duties of the office of city manager due to disability or absence from the City, the Deputy City Manager shall serve as acting city manager, and shall supervise and be responsible for the effective management and administration of City affairs, and otherwise shall be empowered with all the powers of the city

manager, except the power to appoint and remove heads of City departments and divisions; provided, however, that whenever the City Manager's absence or disability appears to the City Council to be of continuing duration, the City Council may, in its discretion, appoint the Deputy City Manager or some other City employee to perform the duties of city manager.

C. In addition to those duties set forth in SMC 2.06.020(B), the Deputy City Manager shall perform any and all duties assigned by the City Manager. At his or her discretion, the City Manager may prepare a position description that lists the duties and responsibilities of the Deputy City Manager.

Section 3. A new Sunnyside Municipal Code section 2.06.030 is hereby adopted to read as follows:

2.06.030 Bond.

Before undertaking the duties of Finance Director and City Treasurer, the Chief Financial Officer shall qualify by furnishing a fidelity bond at the expense of the City in a sum to be set by the City Council.

Section 4. Sunnyside Municipal Code section 2.06.040 is hereby amended to read as follows:

2.06.040 Revocation.

The City Manager may, at his or her sole discretion, revoke an appointment as Chief Financial Officer/Deputy City Manager pursuant to RCW 35A.13.100 by providing written notice of the revocation to the appointee and the City Council.

Section 5. Except as amended herein, Title 2 of the Sunnyside Municipal Code shall remain unchanged.

Section 6. If a section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 7. This ordinance shall be effective five days after passage, approval and publication as required by law.

PASSED this 14th day of February, 2011.


JAMES A. RESTUCCI, MAYOR

ATTEST:



DEBORAH ESTRADA, CITY CLERK

APPROVED AS TO FORM:



Menke Jackson/Beyer Ehls & Harper, LLP
Attorneys at Law