



## MAYOR & COUNCIL COMMUNICATION

DATE: 2/05/2013  
CONSENT  
ITEM #: 10  
MOTION *as part of the Consent Agenda*

**AGENDA ITEM:** Appointment of Official City Engineer and City Attorney for 2013

**SUBMITTED BY:** Adam Bell, City Clerk

**THROUGH:** Dean Zuleger, City Administrator

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**SUMMARY AND ACTION REQUESTED:** The City Council is respectfully requested to appoint an official City Engineer and City Attorney. These officials are contracted for professional engineering and legal advice. These appointments are not specifically required by statute or ordinance, but are consistent with past practice. No specific motion is needed as this is recommended to be part of the overall approval of the *Consent Agenda*.

**BACKGROUND INFORMATION:** Mr. Jack Griffin of Focus Engineering currently serves as the Official City Engineer and primary provider of professional engineering services. He is supported by Mr. Ryan Stempki. Focus Engineering and the City have an ongoing agreement for professional services effective 7/19/2011. This appointment would be a continuation of that agreement.

Mr. Dave Snyder of Johnson & Turner currently serves as the Official City Attorney for both civil and criminal legal services. Mr. Snyder was last appointed on December 6, 2011. At the last appointment, Mr. Snyder indicated that he would continue his services under the same terms and conditions as the previous agreement from 4/13/2009. This appointment would be a continuation of that the previous agreement.

**STAFF REPORT:** The City did not solicit additional bids or conduct and RFP for Engineering Services. City Staff is satisfied with the Engineering Services provided by Focus Engineering, and the City Council has not directed formal action to consider an alternative engineering service provider.

However, should the City Council elect to direct for additional solicitation for engineering services, City staff would suggest appointing Mr. Jack Griffin of Focus Engineering as the Official City Engineer for 120 days to allow for preparation and execution of a formal Request for Proposal solicitation and rating process.

In 2010, the City Council consolidated all City legal services under a single contract. As such, no additional solicitation for legal services for 2013 is planned. City Staff is satisfied with the

legal services currently provided, and the City Council has not directed formal action to consider an alternative legal services provider.

However, should the City Council elect to direct for additional solicitation for municipal, civil or criminal legal services, City staff would suggest appointing Mr. Dave Snyder of Johnson & Turner as the City Attorney for all municipal, civil and criminal matters, for 120 days to allow for preparation and execution of a formal Request for Proposal solicitation and rating process.

**RECOMMENDATION:** Based upon the above background information and Staff Report, it is respectfully recommended that the City Council approve as part of tonight's *Consent Agenda* the appointment of Mr. Jack Griffin, of Focus Engineering, Inc., as the official City Engineer and principal provider of professional engineering services for 2013. In addition, Staff further recommends the appointment of Mr. Dave Snyder, of Johnson & Turner as the Official City Attorney for municipal, civil and criminal matters for 2013.

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda and further discuss and deliberate prior to taking action. While tabling this item is not recommended, the Council may elect to discuss and modify these recommendations, as desired and provide staff specific direction with how to proceed accordingly.

If removed from the Consent Agenda, the suggested motions are to:

***“Move to appoint Mr. Jack Griffin, of Focus Engineering, Inc., as the official City Engineer and principal provider of professional engineering services for 2013.”***

***“Move to appoint Mr. Dave Snyder of Johnson & Turner, P.A. as the official City Attorney and principal provider of both civil and criminal legal services for 2013.”***

**ATTACHMENTS:** None

**SUGGESTED ORDER OF BUSINESS (if removed from the Consent Agenda):**

- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates