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MEMO

TO: Sunfish Lake Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: May 29, 2019
RE: Resolution Authorizing City's Consulting Engineer to Order Routine Repairs and Customary Maintenance - June 4, 2019 Council Meeting; Agenda Item 8(b)

Section 1. Background. The Council asked for a resolution that specifies the authority of the City's consulting engineer to order routine repairs and customary maintenance with regard to the City's public roads and public stormwater control and drainage facilities.

The attached *Resolution Authorizing the City's Consulting Engineer to Order Routine Repairs and Customary Maintenance* provides:

1. The City's consulting engineer is hereby authorized to order routine repairs and customary maintenance with regard to the City's public roadways and the City's public stormwater control and drainage facilities and to contract on behalf of the City with third party vendors to perform such work subject to the following conditions:
 - The general nature of the work has to have been included within the City's adopted budget.
 - The cost of the work cannot exceed the budgeted amount as reasonably allocated by the City Engineer and the cost of the work cannot exceed \$25,000 per occurrence, whichever is less.
 - Invoices for the work shall be presented to the Council for approval at a subsequent Council meeting.
2. The authority hereby granted does not include the authority to order seal coating, crack sealing, street striping, street sweeping, snow plowing and bituminous resurfacing without first obtaining Council approval.

Section 2. Council Action. At the June 4, 2019 Council meeting, the Council will consider the attached Resolution Authorizing the City's Consulting Engineer to Order Routine Repairs and Customary Maintenance.

**CITY OF SUNFISH LAKE
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 19-_____

**RESOLUTION AUTHORIZING THE CITY'S CONSULTING ENGINEER TO ORDER
ROUTINE REPAIRS AND CUSTOMARY MAINTENANCE**

WHEREAS, the City's consulting engineer is charged with the responsibility of overseeing routine repairs and customary maintenance with regard to the City's public roadways and the City's public stormwater control and drainage facilities.

WHEREAS, the need for such repairs and maintenance can sometimes arise unexpectedly and necessitate a quick response.

WHEREAS, the Council meets once a month and the need for repairs and maintenance could arise during the interval between meetings.

WHEREAS, the City Council desires to authorize the City's consulting engineer, under certain circumstances, to order such repairs and maintenance.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF SUNFISH LAKE:**

1. The City's consulting engineer is hereby authorized to order routine repairs and customary maintenance with regard to the City's public roadways and the City's public stormwater control and drainage facilities and to contract on behalf of the City with third party vendors to perform such work subject to the following conditions:
 - The general nature of the work has to have been included within the City's adopted budget.
 - The cost of the work cannot exceed the budgeted amount as reasonably allocated by the City Engineer and the cost of the work cannot exceed \$25,000 per occurrence, whichever is less.
 - Invoices for the work shall be presented to the Council for approval at a subsequent Council meeting.
2. The authority hereby granted does not include the authority to order seal coating, crack sealing, street striping, street sweeping, snow plowing and bituminous resurfacing without first obtaining Council approval.

Passed and duly adopted by the City Council of Sunfish Lake this 4th day of June, 2019.

Dan O'Leary, Mayor

ATTEST:

Catherine Iago, City Clerk