

CITY OF SEBASTOPOL CITY COUNCIL

AGENDA ITEM REPORT FOR MEETING OF: March 18, 2025

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**To:** Honorable Mayor and City Councilmembers  
**From:** Mark Rincon, Public Works Director/City Engineer  
**Subject:** Ordinance Generally Amending the Sebastopol Municipal Code Referencing Public Works Superintendent to the Public Works Director

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**RECOMMENDATIONS:**

It is recommended that Council approve the second reading and adoption of the Ordinance.

**EXECUTIVE SUMMARY:**

The item before the City Council is the second reading and adoption of the Ordinance generally amending Titles 1 through 17 of the Sebastopol Municipal Code to change references to the Public Works Superintendent to the Public Works Director. References to the City Engineer throughout the Sebastopol Municipal Code will remain in place. This type of ordinance does not require a public hearing and may be approved by minute action.

**BACKGROUND AND DISCUSSION:**

On March 4, 2025, Council approved the introduction and first reading of the Ordinance to change references to the Public Works Superintendent to the Public Works Director. No changes or comments were made to the Ordinance.

**STAFF ANALYSIS:**

This action will generally change all references throughout the Sebastopol Municipal Code rather than call out each instance where the Public Works Superintendent is specifically referenced in the Code.

**COMMUNITY OUTREACH:**

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

As of the writing of this staff report, the City has not received any public comment. However, if staff receives public comments from interested parties following the publication and distribution of this staff report, such comments will be provided to the City Council as supplemental materials before or at the meeting.

**FISCAL IMPACT:**

There is no fiscal impact pertaining to the passage of this ordinance.

**OPTIONS:**

There is no other alternative to approving this ordinance because the Public Works Director position is in place, and the Public Works Superintendent position is no longer in existence.

**ATTACHMENT:**

Proposed Ordinance Amendment

APPROVALS:

Department Head Approval: Approval Date: 3/6/25

CEQA Determination (Planning):

Approval Date: N/A

Administrative Services (Financial)

Approval Date: N/A

Costs authorized in City Approved Budget:  Yes  No  N/A

Account Code (if applicable)

City Attorney Approval:

Approval Date: 2/18/25

City Manager Approval:

Approval Date: 3/6/25

ORDINANCE NUMBER \_\_\_\_\_

SECOND READING AND ADOPTION

AN ORDINANCE OF THE CITY OF SEBASTOPOL GENERALLY AMENDING THE SEBASTOPOL MUNICIPAL CODE TITLES 1 THROUGH 17 TO CHANGE REFERENCES TO THE PUBLIC WORKS SUPERINTENDENT TO THE PUBLIC WORKS DIRECTOR THROUGHOUT THE MUNICIPAL CODE

WHEREAS, with the retirement of the Public Works Superintendent on December 31, 2024, City Council approved a new position in its place entitled Public Works Director/City Engineer; and

WHEREAS, it is desired to generally amend the Sebastopol Municipal Code to reflect the personnel change from Public Works Superintendent to Public Works Director; and

WHEREAS, references to the City Engineer throughout the Sebastopol Municipal Code will remain in place.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DOES ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. References to the Public Works Superintendent in Titles 1 through 17 of the Municipal Code are hereby changed to Public Works Director. All references to the City Engineer throughout Titles 1 through 17 of the Municipal Code shall remain in place.

SECTION 3. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378(b)(5), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

SECTION 4. If any Person violates any provision of this Ordinance, he or she shall be liable to the Filing Officer at a minimum of ten (\$10) dollars per day of violation, in addition to any other legal remedies provided by law. This amount shall be deemed a penalty in accordance with Government Code Section 91013.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. A summary of this Ordinance shall be published in a newspaper published and circulated in the City of Sebastopol at least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the City Clerk. Within fifteen (15) days after adoption of the Ordinance, the summary with

the names of those City Council members voting for and against the Ordinance shall be published again, and the City Clerk shall post a certified copy of the full text of such adopted Ordinance.

SECTION 7. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

APPROVED FOR SECOND READING AND ADOPTION OF ORDINANCE at the Regular City Council Meeting of March 18, 2025.

VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: \_\_\_\_\_

Mayor Stephen Zollman

ATTEST: \_\_\_\_\_

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: \_\_\_\_\_

Alex Mog, City Attorney