



CITY OF SEBASTOPOL CITY COUNCIL

AGENDA ITEM REPORT FOR MEETING OF: August 26, 2025

=====

To: Honorable Mayor and City Councilmembers
From: City Attorney Alex Mog
Mary Gourley, Interim City Manager
Subject: Consideration of Request from Vice Mayor McLewis for Excused Absence

=====

RECOMMENDATION:

That the City Council approve the attached resolution authorizing excused absences for Vice Mayor McLewis due to medical reasons, consistent with Government Code Section 36513.

PROCESS OF AGENDA ITEM:

- a. Presentation of agenda item by the City Attorney
- b. Questions and discussion from Councilmembers
- c. Public comment period
- d. Council Discussion/Deliberation/Vote

EXECUTIVE SUMMARY:

Vice Mayor McLewis has been unable to attend recent meetings due to medical reasons. The Vice Mayor has requested that the City Council formally authorize these absences to preserve her ability to continue serving on the City Council during this period of medical recovery.

BACKGROUND:

Government Code Section 36513 provides that a councilmember's office becomes vacant if they are absent from regular council meetings for 60 consecutive days without permission from the City Council. The statute is intended to ensure that elected officials remain engaged in the performance of their duties, while also allowing the Council discretion to excuse absences when warranted.

DISCUSSION:

The approval of the resolution would:

- Formally acknowledge and authorize the absences of Vice Mayor McLewis from the July 15 and August 5 Council meetings due to medical reasons. The resolution will also excuse Vice Mayor McLewis from the September 2 and September 16 meeting in case she is unable to attend those meetings due to ongoing medical reasons. At the time this report was prepared, it is unknown whether Vice Mayor McLewis will need to miss those meetings.
- Ensure that the absences do not result in forfeiture of office under Government Code Section 36513.
- Support the Vice Mayor's continued service on the City Council during a period of necessary medical leave.

The Council has discretion under the law to excuse such absences. By adopting the resolution, the Council would be affirming its support for Vice Mayor McLewis and ensuring compliance with applicable statutory requirements.

STAFF (RESPONSIBLE DEPARTMENT) ANALYSIS:



The City Attorney has reviewed this matter and prepared the resolution to ensure compliance with Government Code Section 36513. Excusing absences due to medical reasons is a permissible and routine action for City Councils when circumstances prevent a councilmember from attending regular meetings. Approval of the resolution provides clarity, legal protection, and continuity of service for the City Council.

CITY COUNCIL GOALS/PRIORITIES/ AND OR GENERAL PLAN CONSISTENCY:

This agenda item represents the City Council goals/priorities as follows:

Goal 4 – High Performance Organization

This agenda item represents the City Council General Plan Consistency (if applicable):

N/A

FISCAL IMPACT:

There is no fiscal impact with this approval of the Resolution.

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 schedule meeting date. The City has also used social media to promote and advertise the City Council Meeting Agenda Items.

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

RESTATED RECOMMENDATION:

That the City Council approve the attached resolution authorizing excused absences for Vice Mayor McLewis due to medical reasons, consistent with Government Code Section 36513.

CITY COUNCIL OPTION(S):

The City Council could deny the request and provide direction to staff.

ATTACHMENT:

Resolution

APPROVALS:

Department Head Responsible for Agenda Item:

Approval Date: 8-21-2025

CEQA Determination (Community Development/Planning):

Approval Date: 8-21-2025

The action is not a project under the California Environmental Quality Act (CEQA).

Administrative Services (Financial):

Approval Date: N/A

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

Account Code:

City Attorney Approval

Approval Date: 8-21-2025

City Manager Approval:

Approval Date: 8-21-2025

**CITY OF SEBASTOPOL
RESOLUTION NO. 6692-2025**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL AUTHORIZING EXCUSED ABSENCES
FOR VICE MAYOR MCLEWIS DUE TO MEDICAL REASONS**

WHEREAS, Government Code Section 36513 provides that a councilmember's office becomes vacant if the councilmember is absent from regular City Council meetings for 60 consecutive days without the permission of the City Council; and

WHEREAS, Vice Mayor McLewis has been unable to attend certain regular City Council meetings due to medical reasons; and

WHEREAS, Vice Mayor McLewis may miss future Council meeting due for ongoing medical reasons; and

WHEREAS, the City Council wishes to acknowledge and excuse Vice Mayor McLewis's absences to ensure that she may continue to serve in her duly elected position during this period of medical recovery; and

WHEREAS, the City Council finds that excusing these absences is reasonable and in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sebastopol as follows:

- The City Council hereby authorizes and excuses the absences of Vice Mayor McLewis from regular City Council meetings on July 15, August 5, September 2, and September 16 due to medical reasons.
- These absences shall not be deemed to create a vacancy in office under Government Code Section 36513.
- Vice Mayor McLewis shall remain a duly serving member of the Sebastopol City Council throughout this excused period of absence.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the City Council on the 26th day of August, 2025.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City of Sebastopol City Council by the following vote:

VOTE:

Ayes:

Noes:

Absent:

Abstain:

APPROVED: _____

Mayor Stephen Zollman

ATTEST: _____

Mary Gourley, Interim City Manager/City Clerk, MMC

Approved as to Form: _____
Alex Mog, City Attorney