



CITY OF SEBASTOPOL CITY COUNCIL
AGENDA ITEM REPORT FOR MEETING OF: July 21, 2026

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To: Honorable Mayor and City Councilmembers
From: City Attorney Alex Mog
City Manager Mary Gourley
Department: City Management
Subject: Consideration of Approval of Waiving of First Reading and Introduction of Ordinance to Amend Sebastopol Municipal Code Section 2.12.100 (Power of Appointment, etc.)

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RECOMMENDATION(s):

Staff recommends that the City Council:

1. Waive the first reading and introduce the attached Ordinance amending Section 2.12.100 of the Sebastopol Municipal Code to grant the City Manager authority to appoint, remove, promote, and demote the City Clerk; and
2. Direct staff to return with the ordinance for second reading and adoption at a subsequent regular meeting.

PROCESS OF AGENDA ITEM:

- Presentation by staff
- Council questions and discussion
- Public hearing/comment
- Council deliberation and action

EXECUTIVE SUMMARY: This ordinance updates the City Manager’s appointment powers to include the City Clerk, consistent with the council-manager form of government and current operational needs. California Government Code § 36501 requires cities to have a City Clerk, but does not dictate the appointment method. Many general law cities place the Clerk under the City Manager.

The amendment is consistent with the council-manager form of government and does not alter the Clerk’s statutory duties (e.g., elections, records, Council clerk functions)

BACKGROUND: Under the City’s Municipal Code § 2.12.100, the City Manager currently possesses the authority to appoint, remove, promote, and demote any and all officers and employees of the City of Sebastopol, except the City Clerk, City Attorney, and City Treasurer.

This structure dates back to the establishment of the council-manager form of government in Sebastopol. However, operational realities have evolved. The City Clerk position has frequently operated in close coordination with the City Manager’s office, including instances where the roles of City Clerk and Assistant City Manager have been held by the same individual. Recent experience has demonstrated that centralized appointment authority under the City Manager promotes greater administrative efficiency and accountability while maintaining the City Clerk’s statutory duties under California Government Code §§ 36501 et seq. (e.g., serving as Clerk of the Council, maintaining official records, and administering elections).

The proposed ordinance removes the City Clerk from the list of exceptions in § 2.12.100, aligning the position more fully with the City Manager’s supervisory responsibilities as outlined in Chapter 2.12.

DISCUSSION:

Current Municipal Code § 2.12.100 excepts the City Clerk, City Attorney, and City Treasurer from the City Manager’s appointment authority. This amendment removes the exception for the City Clerk.

Other Cities are appointed as follows:

Cloverdale	City Manager
Cotati	City Manager
Healdsburg	City Manager
Petaluma	City Council
Rohnert Park	City Manager
Santa Rosa	City Manager
Sonoma	City Manager
Windsor	City Manager

STAFF ANALYSIS: The change promotes administrative efficiency and aligns with practices in similar cities. It does not affect the statutory duties of the City Clerk.

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

Restore public trust, improve public communications, and strengthen collaborative partnerships with outside agencies and service providers.

PUBLIC COMMENT:

As of the preparation of this staff report, no public comments have been received on this item. Any comments received after distribution of the report will be provided to the City Council as supplemental materials. Public comment will also be accepted during the meeting.

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.

FISCAL IMPACT:

There is no fiscal impact associated with this informational report.

RESTATED RECOMMENDATION:

That the City Council:

1. Waive the first reading and introduce the attached Ordinance amending Section 2.12.100 of the Sebastopol Municipal Code to grant the City Manager authority to appoint, remove, promote, and demote the City Clerk; and
2. Direct staff to return with the ordinance for second reading and adoption at a subsequent regular meeting.

CITY COUNCIL OPTIONS:

1. Deny the recommendation and retain authority to appoint, remove, promote, and demote the City Clerk to the City Council
2. Deny recommendation and provide direction to staff

ATTACHMENT(S):

Draft Ordinance

APPROVALS:

Department Head Approval:

Approval Date:

CEQA Determination (Planning):

Approval Date: NA

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

General Plan Goal (Planning):	Approval Date:
Administrative Services (Financial)	Approval Date:
<u>Costs authorized in City Approved Budget:</u> ☐ Yes ☐ No ☐ N/A	
Account Code (f applicable)	_____
City Attorney Approval:	Approval Date:
City Manager Approval:	Approval Date:

ORDINANCE NO. XXXX

FIRST READING AND INTRODUCTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL AMENDING SECTION 2.12.100 OF THE SEBASTOPOL MUNICIPAL CODE REGARDING THE POWER OF APPOINTMENT

THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council finds and declares as follows:

- A. The City operates under a council-manager form of government as established in the Municipal Code.
- B. Current § 2.12.100 grants the City Manager broad appointment authority with specific exceptions.
- C. Removing the City Clerk from the exceptions will promote administrative efficiency and consistency with operational practices.
- D. The amendment does not affect the statutory duties of the City Clerk under California Government Code.

Section 2. Amendment to Municipal Code. Section 2.12.100 of the Sebastopol Municipal Code is hereby amended to read as follows (redline shows changes):

It shall be the duty of the City Manager to, and he or she shall, appoint, remove, promote and demote any and all officers and employees of the City of Sebastopol except the City Attorney and City Treasurer, subject to personnel rules and regulations as adopted by the City Council.

Section 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

Section 4. Effective Date. This ordinance shall take effect thirty (30) days after its final passage and adoption.

APPROVED FOR FIRST READING AND INTRODUCTION by the City Council of the City of Sebastopol on July 21, 2026.

SCHEDULED FOR SECOND READING AND ADOPTION by the City Council at the August 4, 2026 City Council Meeting.

VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____

Mayor, Jill McLewis

ATTEST: _____
Mary Gourley, City Manager

APPROVED AS TO FORM: _____
Alex Mog, City Attorney