

ORDINANCE NO. 690

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AMENDING CALISTOGA MUNICIPAL CODE SECTION 2.10.040 ELIMINATING THE REQUIREMENT THAT THE DIRECTOR OF PUBLIC WORKS HOLD A CALIFORNIA CERTIFICATION OF REGISTRATION AS A CIVIL ENGINEER

The City Council of the City of Calistoga does hereby ordain as follows:

SECTION ONE:

WHEREAS, the Calistoga Municipal Code Section 2.10.040 A establishes the position of Director of Public Works and requires that the person hired to fill this position shall hold a California certification of registration as a civil engineer; and

WHEREAS, it is in the interest of the City to eliminate the requirement to have a civil engineering registration for the Director of Public Works due to the nature and work responsibilities of the position and to broaden the pool of potential candidates that could be eligible for this position; and

WHEREAS, this action has been determined to not be subject to the California Environmental Quality Act (CEQA) under Sections 15061(b)(3), 15301, 15303, 15305 and 15332 of the CEQA Guidelines; and

WHEREAS, the City Council held a public hearing on February 19, 2013 to consider and deliberate this municipal code amendment and the staff recommendation.

SECTION TWO:

Title 2 (Council, Administration and Personnel) Section 2.10.040 A of the Calistoga Municipal Code is hereby revised to read as follows:

A. Office. There is established the position of Director of Public Works, who shall be appointed by and report to the City Manager. The Director of Public Works shall also serve as the City Engineer and Superintendent of Streets, and references, if any, to those two positions throughout this code shall mean the Director of Public Works. If the Director of Public Works does not hold a California certification of registration as a civil engineer, then the City Manager may appoint another employee or consulting civil engineer as the City Engineer to perform the duties and responsibilities that necessitate such a certification of registration.

SECTION THREE:

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Calistoga hereby declares it would have passed and adopted this Ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION FOUR:

This ordinance shall take effect thirty (30) days after its passage and before expiration of fifteen (15) days after its passage, shall be published in accordance with law in a newspaper of general circulation published and circulated in the City of Calistoga.

THIS ORDINANCE was introduced with the first reading waived at the City of Calistoga City Council meeting on the **19th day of February 2013**, and was passed and adopted at a regular meeting of the Calistoga City Council on the **5th day of March 2013**, by the following vote:

AYES: Councilmembers Kraus, Barnes, Lopez-Ortega and
Vice Mayor Dunsford
NOES: None
ABSTAIN: None
ABSENT: Mayor Canning



MICHAEL DUNSFORD, Vice Mayor

ATTEST:


AMANDA DAVIS, Deputy City Clerk