

ORDINANCE 2026-###

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING SECTION 2.08.070 OF THE SAN PABLO MUNICIPAL CODE PERTAINING TO THE DUTIES OF THE PUBLIC WORKS DIRECTOR

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN PABLO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment of the Municipal Code. Section 2.08.070 of the San Pablo Municipal Code is hereby stricken in its entirety and replaced with the following:

2.08.070 Duties of Director of Public Works.

- A. The Director of Public Works shall serve as the administrative head of the Department of Public Works and shall advise the City Council and City Manager on matters relating to public works, infrastructure, construction, maintenance, engineering, and related municipal operations. The Director of Public Works shall also serve as the Superintendent of Streets, and references, if any, to that position throughout this Code shall mean the Director of Public Works.
- B. The Director of Public Works is not required to hold a certificate of registration as a civil engineer issued by the State of California. The Director may serve as the City Engineer if the Director possesses the qualifications and licensure required by applicable law. If the Director does not possess such qualifications or licensure, or if the City Manager otherwise determines it operationally appropriate, the City Manager may appoint or designate another qualified employee of the City or a consulting civil engineer licensed by the State of California to serve as City Engineer and to perform the duties and responsibilities of the City Engineer, as required by law and this Code.
- C. The Director of Public Works shall oversee the planning, design, construction, inspection, operation, maintenance, repair, and improvement of public works, public infrastructure, public rights-of-way, and related municipal facilities and systems of the City.
- D. The Director of Public Works shall administer, supervise, or cause to be performed all engineering, surveying, inspection, and related technical services required in connection with public works and improvements. Such services may be performed by City employees, consultants, contractors, or other qualified professionals as authorized by the City Manager and applicable law.

- E. The Director of Public Works shall have the authority to enforce approved plans, specifications, standards, permits, contracts, and applicable provisions of this Code relating to public works and improvements, whether performed under public or private contract.
- F. The Director of Public Works shall be responsible for the administration, maintenance, repair, operation, and management of all public streets, alleys, sidewalks, paths, rights-of-way, drainage facilities, and other public infrastructure or facilities under the jurisdiction of the City now existing or hereafter acquired, accepted, or opened.
- G. The Director of Public Works shall maintain, or cause to be maintained, appropriate records, maps, surveys, plans, specifications, and measurements relating to public works and municipal infrastructure activities of the City. Such records shall be retained and made available for public inspection in accordance with applicable law.

Section 2. Compliance with the California Environmental Quality Act (CEQA).

Approval of this Ordinance is not a “project” as defined by CEQA Guidelines Section 15378 because it is an administrative action that does not authorize any construction or other action; and, even if it is considered a project, it is exempt pursuant to Section 15061(b)(3) because it can be seen with certainty that there is no possibility that it will cause a significant effect on the environment.

Section 3. Severability.

If any sections, subsections, sentences, clauses, phrases or portions of this ordinance are for any reason held invalid or unconstitutional, 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 and each section, subsection, phrase or clause of this ordinance whether or not any one or more sections, subsections, phrases or clauses may be declared invalid or unconstitutional on their face or as applied.

Section 4. Effective Date and Publication.

This Ordinance shall become effective thirty (30) days following its adoption. The City Clerk's Office shall publish and post the Ordinance in accordance with California Government Code section 36933.

* * * * *

First read at a regular meeting of the City Council of the City of San Pablo on _____, 2026, and finally passed and adopted at a second meeting of the City Council held on _____, 2026, by the following votes:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

Dorothy Gantt, City Clerk

Elizabeth Pabon-Alvarado, Mayor