

RESOLUTION NO. 6435-2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL, CALIFORNIA, CALLING A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SEBASTOPOL ON NOVEMBER 8, 2022, FOR THE ELECTION OF MUNICIPAL OFFICERS (MEMBERS OF THE CITY COUNCIL) AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA CONSOLIDATE THE ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE, PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a Municipal Election shall be held on November 8, 2022, for the election of Municipal Officers; and

WHEREAS, the California Statewide General Election will be held on Tuesday, November 8, 2022; and

WHEREAS, Elections Code Section 10400 provides that the City Council may request that the County Board of Supervisors consolidate said General Municipal Election with the statewide general election; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General election and any other election held on the same day, in the same territory, or in territory that is in part the same, to be held on the same date; and that within the City, the precincts, polling places and election officers of the two elections be the same; and that the County Election Department of the County of Sonoma canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election; and

WHEREAS, the terms of three (3) members of the City Council will expire and the positions must be filled.

NOW, THEREFORE, BE IT RESOLVED THAT Pursuant to California Elections Code Section 10400, 10402, and 10403, it is in the best public interest to consolidate the Sebastopol General Municipal Election with the Statewide Election to be held on November 8, 2022; and

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT:

SECTION 1. Pursuant to the requirements of Section 10403 of the Elections Code, there is called and ordered to be held in the City of Sebastopol, on Tuesday, November 8, 2022, a General Municipal Election, and the Board of Supervisors of the County of Sonoma is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General election on Tuesday, November 8, 2022 for the purpose of the election of three (3) members of the City Council of the City of Sebastopol for the full term of four years.

SECTION 2. The County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. All other rules and regulations governed by the Elections Code for the conduct of the General Municipal Election on November 8, 2022, not specifically cited in this Resolution, shall be applicable to the Election.

SECTION 3. The Board of Supervisors is requested to issue instructions to the County Registrar of Voters/County

Election Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. The County Registrar of Voters/Elections of Sonoma County is authorized to specify the location for the tally of ballots and certify the results to the City Clerk of the City of Sebastopol.

SECTION 5. The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 7. The City of Sebastopol recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for such costs as listed in the Agreement Between the City of Sebastopol and the County Elections Department of the County of Sonoma.

SECTION 8. The City clerk is authorized and directed to compensate the County for the cost of conducting the General Municipal Election for the City.

SECTION 9. The consolidated election shall be held and conducted in the manner prescribed in Section 10418 of the Elections Code of the State of California.

SECTION 10. Pursuant to Section 10551 and 15651 of the Elections Code of the State of California, the method of determining the winner or winners in the event of a tie vote shall be by lot.

SECTION 11. The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Registrar of Voters of the County of Sonoma and enter this resolution into the book of original resolutions.

This resolution shall take effect immediately upon adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

IN COUNCIL DULY PASSED, APPROVED AND ADOPTED this 7th day of June 2022.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Sebastopol by the following roll call vote:

VOTE:

Ayes: Councilmembers Glass, Gurney, Rich, Vice Mayor Hinton and Mayor Slayter

Noes: None

Absent: None

Abstain: None

APPROVED:

Handwritten signatures in black ink, appearing to read "Paul Slayter".

Mayor Patrick Slayter

ATTEST: 

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:



Larry McLaughlin, City Attorney