

ADOPT ONLY IF HOLDING A SPECIAL ELECTION

RESOLUTION NO. (XX)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON AUGUST 26, 2025 FOR THE ELECTION OF ONE (1) COUNCILMEMBER TO FILL THE CURRENT AT-LARGE SEAT FOR THE REMAINDER OF A FOUR-YEAR TERM THAT WILL EXPIRE DECEMBER 2026, REQUESTING THAT THE SONOMA COUNTY BOARD OF SUPERVISORS CONSENT TO THE CONSOLIDATION BY THE SONOMA COUNTY REGISTRAR OF VOTERS OF THE SPECIAL MUNICIPAL ELECTION WITH ANY REGULARLY ESTABLISHED ELECTION TO BE HELD ON AUGUST 26, 2025, IF APPLICABLE, AND AUTHORIZING THE SONOMA COUNTY REGISTRAR OF VOTERS TO CONDUCT AND CANVASS THE ELECTION RESULTS FOR THE AUGUST 26, 2025 SPECIAL ELECTION

WHEREAS, a vacancy was created on the City of Cotati City Council on January 20, 2025, when former Councilmember Kathleen Rivers resigned her position; and

WHEREAS, the now-vacant Council seat is an at-large seat with a term that will expire December 2026; and

WHEREAS, Government Code Section 36512(b) address vacancies of elected officers of a general law city, and provides that a vacancy must be filled by the City Council either by 1) appointment by the Council within 60 days of the commencement of the vacancy, or 2) calling a special election within 60 days of the vacancy to fill the vacancy; and

WHEREAS, under the Elections Code, a special municipal election shall be held on the next regularly established election date not less than 114 days from the call of the special election and the next regularly established election date is August 26, 2025; and

WHEREAS, the City Council desires to call a special municipal election to be conducted on the regularly established election date of August 26, 2025 to fill the City Council vacancy; and

WHEREAS, Elections Code Section 10400 provides that the City Council may request that the County Board of Supervisors consolidate said Special Municipal Election with a regularly established election; and

WHEREAS, pursuant to the provisions of Sections 10400, 10402 and 10403 of the Elections Code of the State of California, it is in the best public interest of the City to consolidate the City of Cotati Special Municipal Election with any regularly established election to be held on August 26, 2025; and

WHEREAS, the cost of a Special Municipal Election will add to the normal costs of a General Municipal Election and these are costs that must be borne by the General Fund; and

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WHEREAS, Elections Code Section 12109 provides that the governing body of the City of Cotati shall give notice of the designation of a central counting place for the voted ballots of the Cotati Special Municipal Election; and

WHEREAS, the City Council has determined, pursuant to Section 15387(b)(5) of the California Environmental Quality Act Guidelines that approval of this resolution will not result in direct or indirect physical changes in the environment and therefore is not a project for purposes of CEQA.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Cotati does resolve, declare, determine and order as follows:

1. That the foregoing recitals are true and correct and are hereby adopted.
2. That the City Council of the City of Cotati hereby calls and orders a Special Municipal Election to be held in the City of Cotati on Tuesday, August 26, 2025 for the purpose of the election of one (1) City Councilmember to fill the remainder of an at-large seat that will expire on December of 2026.
3. That the Sonoma County Registrar of Voters is authorized to canvass the results of the Special Municipal Election. That the Sonoma County Registrar of Voters is authorized to specify the location for the tally of ballots and certify the results to the City Council of the City of Cotati. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used in the form and content required by law.
4. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections. The City Council acknowledges that and consolidated election will be conducted in the manner prescribed in Elections Code Section 10418.
5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Sonoma County Registrar of Voters and enter this resolution into the book of original resolutions.
6. That the City Manager and/or its designee is authorized and directed to compensate the County for the cost of conducting the Special Municipal Election for the City.
7. That notice of time and place of holding the special election is given that the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form and manner as required by law.

IT IS HEREBY CERTIFIED that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Cotati held on January 28, 2025, by the following vote, to wit:

Approved: _____

Mayor

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Attest: _____

Kevin Patterson, Deputy City Clerk

Approved as to form: _____

City Attorney