

RESOLUTION 24-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUSA CALLING A SPECIAL ELECTION TO FILL THE VACANCY IN THE OFFICE OF CITY COUNCIL AND MERGING THE SPECIAL ELECTION WITH THE REGULAR ELECTION OF NOVEMBER 2024

WHEREAS, in November 2022 Julie Garofalo was elected to the City Council for a four (4) year term, which expires in November 2026; and

WHEREAS, on December 19th, Council Member Garofalo announced her resignation from the City Council effective December 21st; and

WHEREAS, California Government Code Section 36512 (b) sets forth the procedure for filling vacancies in an elective office and provides that the City Council shall, within sixty (60) days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy; and

WHEREAS, California Government Code Section 36512 (b)(2) (A) If the vacancy occurs in the first half of a term of office and at least 130 days before the next general municipal election, the person appointed to fill the vacancy shall hold office until the next general municipal election that is scheduled 130 or more days after the date the council is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

WHEREAS, the City Council has determined that it is in the City's best interest to allow the voters of the City to elect the Council Member to replace Council Member Garofalo;

WHEREAS, the next general municipal election that is scheduled 130 or more days after this date is November 5, 2024. Thus, the special election for this vacancy will occur on November 5, 2024. The person elected will serve the remaining two years of the term.

WHEREAS, the City Council desires to defer to the voters of the City of Colusa for their choice of Council Member rather than to appoint a member to the City Council who would not necessarily reflect the positions of the electorate.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Colusa as follows:

1. Pursuant to the requirements of Government Code Section 36512, the City Council hereby calls a special election to fill the vacancy to the City Council; and
2. Since such special election cannot legally be held until the November 5, 2024 regularly established election date, the special election for this vacancy will be held on this day, and the person voted in will serve the remaining two years left on the term.

3 This Resolution shall take effect immediately after its passage.

Passed and adopted this 2nd day of January 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DANIEL VACA, MAYOR

ATTEST:

Shelly Kittle, City Clerk