

**RESOLUTION NO. 3690-21**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR  
CALLING AND GIVING NOTICE OF A  
SPECIAL MUNICIPAL ELECTION TO BE HELD ON  
APRIL 12, 2022**

**FOR THE ELECTION OF ONE (1) TOWN COUNCILMEMBER TO FILL THE  
CURRENT AT-LARGE SEAT FOR THE REMAINDER OF A FOUR-YEAR TERM  
THAT WILL EXPIRE DECEMBER 2022, 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  
APRIL 12, 2022, IF APPLICABLE, AND AUTHORIZING THE SONOMA COUNTY  
REGISTRAR OF VOTERS TO CONDUCT AND CANVASS THE ELECTION  
RESULTS FOR THE  
APRIL 12, 2022 SPECIAL ELECTION**

**WHEREAS**, a vacancy was created on the Town of Windsor Town Council on June 2, 2021 when former Vice Mayor Sam Salmon was appointed (as if he was elected) to fill the formerly vacant elected At-large Mayor seat; and

**WHEREAS**, the now-vacant Council seat is an at-large seat with a term that will expire December 2022; and

**WHEREAS**, Government Code Section 36512(b) addresses vacancies of elected officers of a general law city/town and provides that a vacancy must be filled by the Town 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 April 12, 2022; and

**WHEREAS**, the Town Council desires to call a special municipal election to be conducted on the regularly established election date of April 12, 2022 to fill the Town Council vacancy; and

**WHEREAS**, Elections Code Section 10400 provides that the Town 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 Town to consolidate the Town of Windsor Special Municipal Election with any regularly established election to be held on April 12, 2022; 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

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

**WHEREAS**, the Town 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** the Town Council of the Town of Windsor does resolve, declare, determine and order as follows:

1. That the foregoing recitals are true and correct and are hereby adopted.
2. That the Town Council of the Town of Windsor hereby calls and orders a Special Municipal Election to be held in the Town of Windsor on Tuesday, April 12, 2022 for the purpose of the election of one (1) Town Councilmember to fill the remainder of an at-large seat that will expire December of 2022.
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 Town Council of the Town of Windsor. 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 the polls for the Special Municipal Election shall be open at 7:00 a.m. on the day of the election and shall remain open continuously from that time until 8:00 p.m. on the same day when the polls shall be closed except as provided for in Section 14401 of the Elections Code.
5. 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 Town Council acknowledges that any consolidated election will be conducted in the manner prescribed in Elections Code Section 10418.
6. That the Town 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.
7. That the Town Manager and/or its designee is authorized and directed to compensate the County for the cost of conducting the Special Municipal Election for the Town.

8. That notice of time and place of holding the special election is given and the Town Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form and manner as required by law.

**PASSED, APPROVED, AND ADOPTED this 4th day of August 2021, by the following vote:**

**AYES: COUNCILMEMBERS FUDGE, LEMUS,  
VICE MAYOR REYNOZA AND MAYOR SALMON**  
**NOES: NONE**  
**ABSTAIN: NONE**  
**ABSENT: NONE**

  
**SAM SALMON, MAYOR**

**ATTEST:**

  
  
**MARIA DE LA O, TOWN CLERK**