

ORDINANCE NO. 2021 – 05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS AMENDING SECTION 1.08.010 OF CHAPTER 1.08 OF TITLE 1 OF THE WINTERS MUNICIPAL CODE CHANGING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE STATEWIDE DIRECT PRIMARY ELECTION DATE TO THE STATEWIDE GENERAL ELECTION DATE BEGINNING IN NOVEMBER 2022

WHEREAS, under Section 1.08.010 of the Winters Municipal Code, the City holds its general municipal election on the statewide direct primary election date; and

WHEREAS, prior to the enactment of SB 970 (Umberg, Chapter 111, Statutes of 2020), the statewide direct primary date was the first Tuesday after the first Monday in March in each even-numbered year; and

WHEREAS, SB 970 revised the statewide direct primary date to be the first Tuesday after the first Monday in June in even-numbered years in which there is no presidential primary and the first Tuesday after the first Monday in March in even-numbered years in which there is a presidential primary; and

WHEREAS, because the City's general municipal election date is based on the statewide direct primary election date, as a result of SB 970, three Councilmembers will be elected in June in even-numbered years in which there is no presidential primary, and two Councilmembers will now be elected in March in even-numbered years in which there is a presidential primary; and

WHEREAS, the City of Winters is the only city in Yolo County that still holds its general municipal election on the date of the statewide direct primary election; and

WHEREAS, Elections Code Sections 1301 and 10403.5 authorize the City to change the date of its general municipal election to coincide with the date of a statewide general election to increase or decrease any terms of office by not more than 12 months; and

WHEREAS, changing the date of the City's general municipal election to the statewide general election date would ensure that all Councilmembers are elected in November of each even-numbered year, reduce voter confusion over the general municipal election date, increase voter turnout, and result in cost savings to the City through consolidation of its election in November.

NOW, THEREFORE, the City Council of the City of Winters does ordain as follows:

SECTION 1: Pursuant to Elections Code section 10403.5(b), and in order to accomplish the change in the election date, the terms of all current incumbent City Councilmembers shall be increased by no more than 12 months as follows:

A. Those City Councilmembers whose terms of office would have, prior to the adoption of this Ordinance, expired in June 2022 shall instead continue in their offices until certifications of the results and administration of the oaths of office after the November 2022 City election; and

B. Those City Councilmembers whose terms of office would have, proper to the adoption of this Ordinance, expired in March 2024 shall instead continue in their offices until certifications of the results and administration of the oaths of office after the November 2024 City election.

SECTION 2: The City Council wishes to consolidate its elections with the statewide general election conducted by the County of Yolo on the first Tuesday after the first Monday in November of even-numbered years beginning in November 2022. Therefore, the City's June 2022 election is cancelled and the City shall hold its next general municipal election, and every election thereafter, on the first Tuesday after the first Monday in November of even-numbered years, commencing with the November 8, 2022 election.

SECTION 3: Amendment. Section 1.08.010 of the Winters Municipal Code is hereby amended to read as follows:

“1.08.010 General municipal election.

Pursuant to Section 1301(b) of the Elections Code, the general municipal election shall be held on the same day as the statewide general election.”

SECTION 4: Pursuant to Elections Code Sections 1301 and 10403.5, the City hereby requests the County of Yolo approve this Ordinance and allow for consolidation of the City's general municipal election with the statewide general election conducted by the County in each even-numbered year, beginning in November 2022.

SECTION 5: Pursuant to Elections Code Sections 1301 and 10403.5, this ordinance shall not become operative until approved by the Yolo County Board of Supervisors.

SECTION 6: Pursuant to Elections Code Section 10403.5(e), within 30 days after the Ordinance becomes operative, the City Elections Official shall cause a notice to be mailed to all registered voters, within the City, informing the voters of the change in the election date and that the terms of office of the elected City officeholders will be changed.

SECTION 7: The City Clerk shall forward a copy of the ordinance to the Yolo County Registrar of Voters and the Yolo County Board of Supervisors requesting approval by Board Resolution.

SECTION 8: Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall certify the adoption of this Ordinance and shall cause the same to be published in a newspaper in the manner required by law.

SECTION 9: Pursuant to Government Code section 36937, this Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Winters on this 21st day of December, 2021, by the following vote:

AYES: Council Member Anderson, Neu, Loren, Mayor Pro Tem Biasi, Mayor Cowan
NOES: None
ABSTAIN: None
ABSENT: None

CITY OF WINTERS



Wade Cowan, Mayor

ATTEST:



Kathleen Salguero Tropa, City Clerk