

**RESOLUTION NO. 23-003, SERIES 2023**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAVIS  
CALLING FOR THE HOLDING OF AN ALL-MAIL BALLOT  
SPECIAL MUNICIPAL ELECTION ON TUESDAY, MAY 2, 2023,  
FOR THE ELECTION OF ONE COUNCILMEMBER TO FILL A VACANCY  
IN DISTRICT 3 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE  
STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES**

WHEREAS, a vacancy in the office of Davis City Council – District 3 was created when Councilmember Lucas Frerichs was elected as Yolo County Supervisor – District 2 and sworn into office on January 3, 2023; and

WHEREAS, under Government Code 36512 the City Council must fill a vacancy on the City Council within sixty days from the commencement of the vacancy; and

WHEREAS, under Elections Code 4004 the City of Davis meets the definition and threshold of small city and is able to call an all-mail ballot election to fill a vacancy on City Council provided it passes a resolution authorizing mailed ballots for the election, the election is not held on the same date as any statewide primary or general election, the election is not consolidated with any other election, and the return of mailed ballots is conducted pursuant to Elections Code 3017; and

WHEREAS, the term of office in which the vacancy occurs ends in December, 2024.

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

SECTION 1. That pursuant to the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Davis, California, on Tuesday, May 2, 2023, a Special Municipal Election conducted by all-mail ballot for the purpose of electing one (1) Member of the City Council in District 3 for the term of office in which the vacancy was created which ends December, 2024.

SECTION 2. That in all particulars not recited in this Resolution, the election shall be conducted as provided by law for the holding of municipal elections.

SECTION 3. That the City Clerk is authorized, instructed and directed to coordinate with the Yolo County Clerk/Recorder/Assessor to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That Resolution No. 06-029 – Establishing the Requirement that a Candidate for City Office Pay for Processing Their Candidate Statement for City Elections, shall remain in full force and effect during the administration of this election.

SECTION 5. That notice of the time and place of holding the election is given and 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.

PASSED AND ADOPTED by the City Council of the City of Davis on this 3rd day of January, 2023, by the following vote:

AYES: Arnold, Chapman, Partida, Vaitla

NOES: None



Will Arnold  
Mayor

ATTEST:



Zoe S. Mirabile, CMC  
City Clerk