

**RESOLUTION NO.
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI SUPERSEDING
RESOLUTION NO. 2016-2 AND APPROVING A REVISED BAIL SCHEDULE FOR
VIOLATIONS OF THE COTATI MUNICIPAL CODE AND FOR PARKING
VIOLATIONS OF THE CALIFORNIA VEHICLE CODE**

WHEREAS, the Sonoma County Superior Court requires all cities to provide current bail schedules to correctly levy fines for violations of acity’s municipal code as well as parking violations under the California Vehicle Code; and

WHEREAS, in 2016, the City Council adopted Resolution No. 2016-2 establishing a Bail Schedule for all violations of the Cotati Municipal Code (“Code”); and

WHEREAS, on July 25, 2017, the City Council introduced an Ordinance amending Section 1.20.010 of the Code to permit all violations of the Code to be charged and prosecuted as a misdemeanor or an infraction (“Wobbler Ordinance”); and

WHEREAS, the City Council wishes to update the Bail Schedule for the City of Cotati to reflect the proposed Wobbler Ordinance, to add bail amounts for parking violations of the California Vehicle Code and to ensure that all violations of the Code, including offenses such as illegal fireworks, vehicles for hire, and public exposure, have corresponding bail amounts; and

WHEREAS, the City of Cotati updated existing parking violation fine amounts by reviewing other Sonoma County jurisdictions for the same violations, and proposing the updated fine to be the average of the other jurisdictions; and

WHEREAS, if there was not a comparable citation in other Sonoma County jurisdictions, the parking violation fine amounts were not changed; and

WHEREAS, parking violation fines have not been increased since 2007; and

WHEREAS, the proposed Bail Schedule is attached hereto as Exhibit A; and

WHEREAS, the action of adopting a new bail schedule does not constitute a project as defined by California Environmental Quality Act Guidelines Section 15378; therefore, no further environmental review is required.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF COTATI HEREBY:

1. Rescinds Resolution No. 2016-2.
2. Approves the revised Bail Schedule, attached hereto as Exhibit A
3. Directs the City Clerk to send a certified copy of this Resolution to the Clerk of the Court, criminal division, for approval by the presiding judge and, upon approval, will be used by the Court in processing infraction and misdemeanor citations issued for violations of the provisions of the Cotati Municipal Code and for vehicle parking violations of the California Vehicle Code.
4. This Resolution shall take effect upon the effective date of the Wobbler Ordinance.

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 the 22nd day of August, 2017, by the following vote, to wit:

Approved: _____
Mayor

Attest: _____
Lauren Berges, Deputy City Clerk

Approved as to form:

City Attorney

Attachments:

Exhibit A- Bail Schedule (XLSX)