

Jackson City Council
Minutes
Adjourned Regular Meeting of August 18, 2010

Connie Gonsalves, Mayor
Wayne Garibaldi, Vice-Mayor
Patrick Crew
Marilyn Lewis
Keith Sweet

Michael Daly, City Manager
Gisele Cangelosi, City Clerk

COUNCIL MEMBERS ABSENT:

Mayor Gonsalves called the meeting to order at 5:33 p.m.

1. CALL TO ORDER.

2. PUBLIC MATTERS NOT ON THE AGENDA.

None.

3. DISCUSSION ITEM.

City Manager Daly stated City Attorney Morris confirmed Councilmembers Patrick Crew and Connie Gonsalves had to recuse themselves and leave the room.

Councilmembers Patrick Crew and Connie Gonsalves recused themselves and left the council chamber. Vice-Mayor Garibaldi took over and chaired the meeting.

Consideration of Appointment of City Councilmembers and Cancellation of General Municipal Election scheduled for November 2, 2010.

City Manager Daly reported pursuant to Municipal Code Section 2.48.010, the City's General Municipal Election shall be held on the same day as, and consolidated with, the Statewide General Election. The Statewide General Election is held on the first Tuesday of November in even years. On July 9, 2010, the County Registrar of Voters, Sheldon Johnson, published a Notice of Election inviting candidacy and nomination papers for two City Council seats. The Nomination Period opened on Monday, July 12, 2010. At the close of the Nomination Period on August 6, 2010, only two candidates (the incumbents) had been nominated and qualified for the ballot.

If no one or only one person is nominated for each elective office, appointment to the elective office may be made as prescribed by Section 10229 of the California Elections Code. The City Clerk is required to submit a certification to the City Council that there are not more candidates than offices to be elected, which was completed and distributed on August 11, 2010. The certification sets forth the following courses of action that may be taken by the City Council:

1. Appoint to the office the person who has been nominated;
2. Appoint to the office any eligible voter if no one has been nominated;
3. Hold the election if either no one or only one person has been nominated.

The City Clerk is also required to publish a notice of these facts in a newspaper of general circulation. The notice was published in the *Amador Ledger-Dispatch* on August 13, 2010. After the fifth day

following the date of publication, the Council may, at a regular or special meeting, make the appointments or direct the election be held. The persons appointed shall qualify and take office and serve exactly as if elected at a municipal election for that office. As stated in the public notice, "the City Clerk shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made" if the Council chooses to cancel the election.

FINANCIAL IMPACT: Cancellation of the General Municipal Election would result in a cost savings to the City of Jackson of approximately \$3,500.

ALTERNATIVES: The following alternatives are provided for City Council consideration:

- Pass a motion to appoint to the office the person who has been nominated for each office and cancel the Consolidated General Municipal Election; or
- Do not take action and hold the Consolidated General Municipal Election on November 2, 2010.

Move by Councilmember Lewis, and seconded by Councilmember Sweet to pass a motion providing for the appointment of the two City Council nominees, Patrick Crew and Connie Gonsalves, to the two seats on the City Council that were to be elected on Tuesday, November 2, 2010 and canceling the Consolidated General Municipal Election.

Councilmembers Connie Gonsalves and Patrick Crew thanked the City Council for passing the motion to appoint them to the two seats on the City Council.

4. ADJOURNMENT

Adjourn: 5:38 p.m.

ATTEST:



Gisele L. Cangelosi, City Clerk

Date Approved: September 13, 2010