

Jackson City Council  
Minutes  
Special Meeting of August 22, 2012

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

Michael Daly, City Manager  
Gisele Cangelosi, City Clerk

**COUNCIL MEMBERS ABSENT:**

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Mayor Crew called the meeting to order at 6:00 p.m.

**1. CALL TO ORDER.**

**2. PUBLIC MATTERS NOT ON THE AGENDA.**

None.

**3. DISCUSSION ITEM.**

**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 13, 2012, the County Registrar of Voters, Sheldon Johnson, published a Notice of Election inviting candidacy and nomination papers for three City Council seats. The Nomination Period opened on Monday, July 16, 2012, only three candidates (the incumbents) had been nominated and qualified for the three seats up for election...

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 13, 2012. 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 17, 2012. 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 6, 2012.

City Manager Daly explained the action would call for three separate motions because there are three seats which has to be done by a 2/3 majority vote.

**Moved by Mayor Crew, and seconded by Councilmember Garibaldi and passed by a 4 to 1 vote (Councilmember Sweet abstained) a motion providing for the appointment of City Council nominee, Keith Sweet to one seat on the City Council that was to be elected on Tuesday, November 6, 2012 and canceling the Consolidated General Municipal Election.**

**Moved by Mayor Crew, and seconded by Vice-Mayor Gonsalves and passed by a 4 to 1 vote (Councilmember Lewis abstained) a motion providing for the appointment of City Council nominee, Marilyn Lewis Sweet to one seat on the City Council that was to be elected on Tuesday, November 6, 2012 and canceling the Consolidated General Municipal Election.**

**Moved by Mayor Crew, and seconded by Councilmember Lewis and passed by a 4 to 1 vote (Councilmember Garibaldi abstained) a motion providing for the appointment of City Council nominee, Wayne Garibaldi to one seat on the City Council that was to be elected on Tuesday, November 6, 2012 and canceling the Consolidated General Municipal Election.**

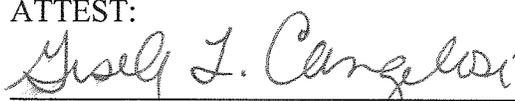
City Manager Daly explained the Oath of Office and City Clerk appointment will be administered at the December 10 City Council meeting after the Facts of the General Municipal Election of November 6, 2012 have been certified.

Councilmembers Wayne Garibaldi, Marilyn Lewis and Keith Sweet thanked the City Council for passing the motion to appoint them to the three seats on the City Council.

#### **4. ADJOURNMENT**

Adjourn: 6:15 p.m.

ATTEST:

  
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Gisele L. Cangelosi, City Clerk

Date Approved: August 27, 2012