

SPECIAL MEETING STARTS AT 9:00 A.M.

Mayor Eric Ryberg
Mayor Pro Temp Lori Fleck
Councilmember Mitch Trost
Councilmember Jaime Tarne

Monday, November 5, 2018

Etna City Hall
Council Chambers
442 Main Street
Etna, CA 96027

Availability of Public Records: All public records related to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at 442 Main Street, Etna, CA 96027 at the same time that the public records are distributed or made available to the members of the legislative body. All supporting documentation is available for public review in the Office of the City Clerk, located in the Etna City Hall, 442 Main Street, Etna, CA 96027 during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Thursday and 8:00 a.m. – 3:00 p.m., Friday.

Parties with a disability as provided by the Americans with Disabilities Act (ADA) who require special accommodations or aides in order to participate in the public meeting should make the request to the City Clerk at least 48 hours prior to the meeting.

CALL TO ORDER

FLAG SALUTE

ROLL CALL

ORAL COMMENTS FROM THE PUBLIC

This is the time set-aside for citizens to address the City Council on matters appearing on this agenda. Comments should be limited to matters within the jurisdiction of the City Council. By law, the City Council cannot take action on matters that are not on the agenda. The Mayor reserves the right to limit the duration of each speaker to three (3) minutes. Speakers may not cede their time.

CURRENT BUSINESS

1. Adoption of Resolution of the City Council authorizing appointment of Mitch Trost in lieu of election to a four-year term of councilmember ending in 2022 in accordance with California Elections Code Section 10229(a).

CLOSED SESSION – None

ADJORNMENT

Agenda Item

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DATE: November 5, 2018
TO: Etna City Council
FROM: Margaret E. Long, City Attorney
Sophia R. Meyer, Deputy City Attorney
SUBJECT: Appointment In Lieu of Election

RECOMMENDED ACTION:

- 1) Adoption of Resolution of the City Council authorizing appointment of Mitch Trost in lieu of election to a four-year term of councilmember ending in 2022 in accordance with California Elections Code Section 10229(a).

Motion: _____ / _____

FISCAL IMPACT: None.

BACKGROUND:

Pursuant to California Elections Code Section 10229(a), when the number of nominees for the Office of Etna City Council Member does not exceed the number of open offices to be filled, the City of Etna may, at a regular or special meeting, adopt one of the following courses of action:

- (1) Appoint to the office the person(s) nominated.
- (2) Appoint to the office an eligible elector if no one has been nominated.
- (3) Hold the election, if either no one or only one person has been nominated.

Publication of the Certificate of Facts submitted by the election official shall be for one day in any newspaper of general circulation as designated by the elections official.

The City of Etna has caused the attached Certificate of Facts to be published in the Siskiyou Daily News.

This appointment must take place prior to November 6, 2018.

The remaining vacant positions for Council and Treasurer will be filled pursuant Government Code section 36512(b). The appointment before Council today will create a quorum and allow Council to proceed with the remaining appointments following the November 6, 2018 election.

ALTERNATIVES INCLUDING FINANCIAL IMPLICATION:

- (1) Do not adopt a resolution approving the appointment in lieu of election and potentially incur \$12,000 cost to fund a special election to fill the vacant councilmember seat.

RESOLUTION NO. 2018-_____

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ETNA
WHICH APPOINTS MITCH TROST IN LIEU OF ELECTION
TO THE FOUR-YEAR TERM OF COUNCIL MEMBER ENDING IN 2022

WHEREAS, California Election Code Section 10229(a) allows the City of Etna to appoint Council Members in lieu of holding an election when the number of nominees does not exceed the number of open offices.

WHEREAS, the number of open Council Member offices is three (3) and the number of nominees is one (1); and

WHEREAS, the City Council expresses a desire to authorize the appointment the one nominee Mitch Trost to the four-year term of Council Member ending in 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Etna hereby appoints in lieu of election, Mitch Trost to the office of Council Member for a four-year term ending in 2022.

DULY PASSED AND ADOPTED this ____ day of ____, 2018 by the City Council of the City of Etna by motion, second (/), and the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

Eric Ryberg, Mayor
City Council
City of Etna
State of California

ATTEST:
Sarah Griggs
City Clerk

Margaret E. Long
City Attorney

By: _____

APPROVED AS TO FORM: