

Mt. Shasta City Council Special Meeting Agenda

Wednesday, August 24, 2022, 3:00 p.m.

Mt. Shasta City Hall
305 N. Mt. Shasta Blvd
Mt. Shasta, CA 96067

	1. Call to Order and Roll Call
	CITY COUNCIL BUSINESS
	<p>2. Appointment of Nominated Councilpersons and Cancellation of Election</p> <p><u>Background:</u> The City of Mt. Shasta (City) is scheduled to conduct a General Municipal Election on November 8, 2022 for the purpose of electing two Members of the City Council. As of the close of the nomination period on August 12, 2022, at 5:00 p.m., there were not more candidates than offices to be elected. If no more candidates file for office than there are offices to be filled and if there are no other offices or measures on the ballot, Elections Code Section 10229 allows the City Council to either (1) appoint to the office the person who has been nominated or (2) hold the election. If the Council wishes to appoint, it must be done by August 25, 2022, otherwise the election will be held.</p> <p><u>Report By:</u> Kathy Joyce, Deputy City Clerk</p> <p><u>Recommended Council Action:</u> Staff respectfully requests Council receive the City Clerk’s certification that there are no more candidates than offices to be filled, and adopt the Resolution providing for the appointment to the offices of the City that were to be elected on Tuesday, November 8, 2022.</p>
	<p>3. Adjourn</p> <p>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 City Hall located at 305 North Mt. Shasta Blvd., Mt. Shasta, CA at the same time the public records are distributed or made available to the members of the legislative body. Agenda related writings or documents provided to a majority of the legislative body after distribution of the Agenda packet will be available for public review within a separate binder at City Hall at the same time as they are made available to the members of the legislative body.</p> <p>The City of Mt. Shasta does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services. In compliance with the Americans with Disabilities Act, persons requiring accommodations for a disability at a public meeting should notify the City Clerk or Deputy City Clerk at least 48 hours prior to the meeting at (530) 926-7510 in order to allow the City sufficient time to make reasonable arrangements to accommodate participation in this meeting.</p>

City Council Agenda Item # 2
Staff Report

Meeting Date: August 24, 2022
To: Mayor and City Council
From: Kathy Joyce, Deputy City Clerk
Subject: Appointment of Nominated Councilpersons and Cancellation of Election

X	Regular
	Consent
	Closed
	Presentation

Recommendation:

Staff respectfully requests Council Receive the City Clerk’s certification that there are no more candidates than offices to be filled, and adopt the Resolution providing for the appointment to the offices of the City that were to be elected on Tuesday, November 8, 2022.

Background & Summary:

The City of Mt. Shasta (City) is scheduled to conduct a General Municipal Election on November 8, 2022 for the purpose of electing two Members of the City Council. The candidate filing period for the November election occurred from Monday, July 18, 2022, at 8:00 a.m. to Friday, August 12, 2022, at 5:00 p.m.

As of the close of the nomination period on August 12, 2022, at 5:00 p.m., there were not more candidates than offices to be elected. Incumbents Jeffrey Collings and John Redmond were the only candidates who were nominated and qualified for the November 2022 election.

If no more candidates file for office than there are offices to be filled and if there are no other offices or measures on the ballot, Elections Code Section 10229 allows the City Council to either (1) appoint to the office the person who has been nominated or (2) hold the election. If the Council wishes to appoint, it must be done by August 25, 2022, otherwise an election will be held.

The person(s) appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office.

A notice of these facts was published in the Redding Record Searchlight on August 19, 2022. If an appointment is made, the November election for the City will be canceled.

If the Council makes an appointment, the City Clerk shall not accept for filing any statements of write-in candidacy which are submitted after the appointments are made.

Financial Impact:

There will be a savings of approximately \$5,000 if the Council opts to appoint the nominated Council candidates.

Attachments:

Resolution CCR-22-XX

Certificate of Facts

Letter to Registrar of Voters

RESOLUTION CCR-22-~~XX~~

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MT. SHASTA
PROVIDING FOR THE APPOINTMENT OF NOMINATED CITY OFFICERS AS IF
ELECTED AT THE NOVEMBER 8, 2022 ELECTION
AND CANCELING THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION
IN MT. SHASTA**

WHEREAS, pursuant to Section 10229 of the Elections Code of the State of California; as of the close of the Nomination Period on August 12, 2022, there were not more candidates than offices to be elected in the General Municipal Election to be held on November 8, 2022 allowing one of the following courses of action to be taken by the Council:

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

WHEREAS, only the two incumbents were nominated for the two City Council seats to be filled on November 8, 2022; and

WHEREAS, there are no other City offices to be filled at the November 8, 2022 election and no City measure has qualified to be submitted to the voters at that election; and

WHEREAS, on August 17, 2022, the Deputy City Clerk delivered to the City Council the certificate required by Elections Code Section 10229, which is attached hereto as Exhibit A and hereby incorporated by reference as though fully set forth; and

WHEREAS, the City Clerk has, on August 19, 2022, posted and published the notice required by Elections Code Section 10229 in the *Redding Record Searchlight*; and

WHEREAS, the City Council has determined that by appointing the officers as permitted, the General Fund of the City of Mt. Shasta will save approximately \$5,000; and

WHEREAS, in accordance with Section 10229 of the Elections Code, the appointments are made by the 75th day before the election.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Mt. Shasta that:

SECTION 1. Pursuant to Elections Code 10229, the City Council hereby appoints the two persons nominated as follows to four-year terms as if they were elected at the November 8, 2022 General Municipal Election:

Jeffrey Collings, Councilmember
John Redmond, Councilmember

SECTION 2. The General Municipal Election scheduled to be held on Tuesday, November 8, 2022, is now canceled.

SECTION 3. The persons appointed shall qualify and take office and serve exactly as if elected at a municipal election of the office.

SECTION 4. The Deputy City Clerk is directed to transmit a certified copy of this resolution and all other necessary documents to the Siskiyou County Registrar of Voters.

SECTION 5. The Elections Official shall not accept for filing any statement for write-in candidacy after the appointments of the persons nominated to the office of City Councilmember have been made.

SECTION 6. This resolution shall become effective immediately upon adoption.

ADOPTED by the City Council of the City of Mt. Shasta at a special meeting held on the 24th day of August 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: August 24, 2022

Tessa Clure, Mayor Pro Tem

ATTEST:

Kathryn M. Joyce, Deputy City Clerk



**City of Mt. Shasta
CITY CLERK'S CERTIFICATE OF FACTS**

THE FOLLOWING IS A CERTIFICATE OF FACTS PURSUANT TO ELECTIONS CODE SECTION 10229:

- A. On June 13, 2022 the City Council of the City of Mt. Shasta adopted Resolution CCR-22-14 calling and giving notice of a general municipal election to be held on November 8, 2022 and requesting consolidation of this election with the statewide direct election, for the election of two Council Members to serve the full four-year term of office.
- B. The Deputy City Clerk of the City of Mt. Shasta posted the Notice of Election and the nomination period for two Council Members began on Monday, July 18, 2022 and closed on Friday, August 12, 2022 at 5:00 p.m.
- C. By close of the nomination period on Friday, August 12, 2022, only two candidates were nominated for City Council. The two candidates are Jeffrey Collings and John Redmond.
- D. Pursuant to Elections Code section 10229, as of the close of the nomination period on Friday, August 12, 2022 for the General Municipal Election, there are no more candidates than offices to be elected and one of the following courses of action 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.
- E. If by the 75th day before the municipal election, no person has been appointed to the office(s) pursuant to (1) or (2) above, the election shall be held.
- F. If the City Council makes an appointment pursuant to section 10229 of the Elections Code, the City Clerk shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made.
- G. If the City Council makes an appointment pursuant to section 10229 of the Elections Code, the person(s) appointed, if any, shall qualify and take office and serve exactly as if elected at the Municipal Election for the office. This would also result in the cancellation of the City's General Municipal Election to be held on November 8, 2022.
- H. A notice that there are not more candidates than offices to be elected shall be published in a newspaper of general circulation.

This matter will be considered by City Council of the City of Mt. Shasta at a special meeting to be held on August 24, 2022 at 3:00 p.m. at Mt. Shasta City Hall, 305 N. Mt. Shasta Blvd, Mt. Shasta CA 96067.

Dated this 16th day of August, 2022

Kathy Joyce, Deputy City Clerk



CITY OF MT. SHASTA

305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067
(530) 926-7510 • Telephone
(530) 926-0339 • Fax

August 24, 2022

Laura Bynum
Registrar of Voters
311 Fourth Street, Room 201
Yreka, CA 96097

RE: Cancellation of November 8, 2022 General Municipal Election

Dear Laura:

At the close of the nomination period for the November 8, 2022 election, there were not more candidates for Mt. Shasta City offices than seats to be filled.

On August 24, 2022, the Mt. Shasta City Council adopted Resolution CCR-22-~~XX~~ appointing the nominees and canceling the election.

A copy of Resolution CCR-22-~~XX~~ appointing Jeffrey Collings and John Redmond to the position of Councilmember and cancelling the November 8, 2022 election is enclosed. Please do not hesitate to contact me at (530) 926-7516 if you have any questions.

Sincerely,

Kathy Joyce
Deputy City Clerk