

MINUTES OF THE WILLOWS CITY COUNCIL
SPECIAL MEETING HELD August 25, 2016

1. Mayor Hansen called the meeting to order at 2:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Vice Mayor Yoder led the Pledge of Allegiance.
3. **ROLL CALL:**

Present: Council Members Mello, Domenighini, Williams, Yoder & Mayor Hansen.

Absent: None

At this time Mayor Hansen requested that Vice Mayor Yoder run the remainder of the meeting.

4. **Public Comment:** None. (No members of the public or the press were present in the audience).
5. **City Council Election November 8, 2016:**

Council discussion and consideration whether to continue with Municipal Election on November 8, 2016, where only 3 nominations have been received for three open Council positions or, alternatively, to adopt resolutions appointing three nominees to the open City Council positions, as permitted by California Elections Code.

The three Council positions subject to the November election are those of Council Members Larry Domenighini, Larry Mello and Mayor Gary Hansen. California Elections Code Section 10225(a) states that “if nomination papers for an incumbent officer of the city are not filed by or on the 88th day before the election...the voters shall have until the 83rd day before the election to nominate candidates other than the person who was the incumbent on the 88th day, for that incumbent’s elective office”. Because Incumbent Larry Domenighini did not file by or on the 88th day, the filing period was extended from August 12 to August 17, 2016.

At the close of nominations at 5:00 p.m. on August 17, 2016, the only nomination papers filed were those of Kerri Warren, Gary Hansen & Larry Mello.

Section 10229(a) of the California Elections Code indicates that when there is only one person who has been nominated for each office, the City Clerk shall notify the City Council and they may adopt one of the following courses of action:

1. Appoint to the office the person who has been nominated, or

2. Hold the election, if either no one, or only one person has been nominated.

Pursuant to Section 10229(b), Section 10229(a) shall not apply if, “at the regularly scheduled municipal election, more than one person has been nominated to another city office to be elected on a citywide basis or a city measure has qualified and is to be submitted to the voters at that municipal election”. In this instance, there are no other city offices up for election other than these 3 council positions, and there are no city measures on the ballot.

In order to preserve the Council options under the Elections Code, a legal notice was sent to the paper for publication on August 20, 2016, establishing a special meeting for August 25, 2016 at 2:00 p.m. in the Council Chambers. The purpose of this special meeting is to make the determination of whether to appoint or hold the election. The last occasion when this same situation arose was in the November 2006 election. At that time the Council chose to appoint the two nominated candidates Peter Towne and Heather Baker.

If the Council chooses to make the appointments there will be minimal to not cost. If the Council chooses to hold the election the cost would be somewhere between \$5,000 to \$10,000. It is staff’s recommendation that the Council appoint the 3 nominees to the City Council positions as permitted by California Elections Code.

Brief Council discussion ensued and all were in agreement that it would make the most sense fiscally to appoint in order to save the cost of holding the election and they also didn’t believe that it was likely that there would be any qualified write-in candidates.

The Council then took the following action(s):

1. **M/S – Williams / Domenighini** to adopt a resolution entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS PROVIDING FOR THE APPOINTMENT OF THE ONLY NOMINEES TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED TUESDAY, NOVEMBER 8, 2016, CANCELING THE GENERAL MUNICIPAL ELECTION CURENTLY SCHEDULED FOR NOVEMBER 8, 2016 AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF GLENN TO TAKE ALL STEPS REQUIRED TO REMOVE SAID ELECTION FROM THE CONSOLIDATED ELECTION SCHEDULED FOR THAT DATE” (Appointing Keri Warren). The motion unanimously passed 5/0.
2. Prior to the Council taking action on the second proposed resolution, Mayor Hansen announced that he is disqualifying himself from discussion or voting on this item and he exited the Council Chambers. **M/S - Domenighini / Williams** to adopt a resolution entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

WILLOWS PROVIDING FOR THE APPOINTMENT OF THE ONLY NOMINEES TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED TUESDAY, NOVEMBER 8, 2016, CANCELING THE GENERAL MUNICIPAL ELECTION CURENTLY SCHEDULED FOR NOVEMBER 8, 2016 AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF GLENN TO TAKE ALL STEPS REQUIRED TO REMOVE SAID ELECTION FROM THE CONSOLIDATED ELECTION SCHEDULED FOR THAT DATE” (Appointing Gary Hansen). The motion unanimously passed 4/0. Mayor Hansen then re-entered the Council Chamber.

3. Prior to the Council taking action on the third proposed resolution, Council Member Mello announced that he is disqualifying himself from discussion or voting on this item and he exited the Council Chambers. **M/S – Williams / Domenighini** to adopt a resolution entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS PROVIDING FOR THE APPOINTMENT OF THE ONLY NOMINEES TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED TUESDAY, NOVEMBER 8, 2016, CANCELING THE GENERAL MUNICIPAL ELECTION CURENTLY SCHEDULED FOR NOVEMBER 8, 2016 AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF GLENN TO TAKE ALL STEPS REQUIRED TO REMOVE SAID ELECTION FROM THE CONSOLIDATED ELECTION SCHEDULED FOR THAT DATE” (Appointing Larry Mello). The motion unanimously passed 4/0. Council Member Mello then re-entered the Council Chamber.

Prior to adjourning the meeting, Vice Mayor Yoder wanted it noted on the record that no members of the public or the press were in attendance at any time during this meeting to speak on behalf of this topic.

6. **Adjournment:** Vice Mayor Yoder adjourned the meeting at 2:15 p.m.

Dated: August 25, 2016

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider