

CALL AND NOTICE OF SPECIAL MEETING

PLEASE TAKE NOTICE that a special meeting of the City Council is to take place at City Hall, 340 Palos Verdes Drive West, Palos Verdes Estates, CA at 7:30 a.m. on Tuesday, December 21, 2010 for the purpose of considering a resolution providing for the appointment to the offices of this City that were to be elected on Tuesday, March 8, 2011. The agenda for the special meeting with the precise items of business to be transacted or discussed is set forth below.

Posted by City Clerk on December 15, 2010.

December 21, 2010
7:30 A.M.
Council Chambers of City Hall
340 Palos Verdes Dr. West
Palos Verdes Estates

AGENDA OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA

Copies of the staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the office of the City Clerk and are available for public inspection. If applicable, materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office during normal business hours. Any person having any question concerning any agenda item may call the City Clerk to make inquiry concerning the item. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk at 310-378-0383, at least 48 hours prior to the meeting to request a disability-related modification or accommodation.

The City Council welcomes and encourages public participation at the Council meetings; however, to allow for the orderly progression of business, each person wishing to comment or make a presentation shall be limited to three (3) minutes. Anyone wishing to address the City Council must fill out a green speaker's card available at the end of each row in the Chambers. The card permits the City to identify persons for purposes of City Council minute preparation. Please see specific agenda sections below for any other requirements related to meeting participation. The City Council, at the direction of the Mayor with concurrence of the Council, may modify the order of items shown on the agenda.

NEXT RESOLUTION NO. R11-01

NEXT ORDINANCE NO. 11-699

**CITY COUNCIL AGENDA
DECEMBER 21, 2010**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMUNICATIONS FROM THE PUBLIC

This portion of the agenda is reserved for comments from the public on items which are NOT on the agenda. Due to state law, no action can be taken by the Council this evening on matters presented under this section. If the Council determines action is warranted, the item may be referred to staff or placed on a future Council agenda.

NEW BUSINESS

1. Resolution R10-29 Providing for the Appointment to the Offices of this City that Were to be Elected on Tuesday, March 8, 2011

Recommendation: It is recommended that City Council adopt Resolution R10-29 appointing to the office the persons nominated for Member of the City Council (3) and cancel the election scheduled to be held Tuesday, March 8, 2011.

ADJOURNMENT TO WEDNESDAY, JANUARY 12, 2011, IN COUNCIL CHAMBERS OF CITY HALL FOR THE PURPOSE OF A REGULAR MEETING.

TO: JOSEPH HOEFGEN, CITY MANAGER

FROM: JUDY SMITH, ASSISTANT CITY MANAGER

SUBJECT: RESOLUTION R10-29; PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED ON TUESDAY MARCH 8, 2011

The Issue

Shall the City Council adopt Resolution R10-29 to appoint the persons nominated for Member of the City Council (3) and cancel the election previously scheduled to be held Tuesday, March 8, 2011?

Analysis and Findings

On October 12, 2010 at a regular City Council meeting, the Council adopted Resolution R10-20 calling for an election to be held in the City on Tuesday, March 8, 2011. A notice announcing that the City would conduct an election on Tuesday March 8, 2011 was posted on October 21st and published in the Peninsula News on October 21st and published in the Chinese Daily News on October 24, 2010 in accordance with provisions of the Election Code. Prior to these actions, the City announced in the October issue of the City newsletter, which is delivered to each home and business in the City, that the City would hold an election and provided information on the nomination period and how nomination papers could be obtained.

The nomination period for the March 8, 2011 election began Monday, November 15, 2010. As of the close of the nomination period on Friday, December 10, 2010, the number of persons nominated by qualified electors of the City was equal to the number of offices available. The persons nominated are:

Member of the City Council

Rosemary Humphrey
Ellen Perkins
John Rea

As required by Election Code Section 10299, the City posted and published a notice that there were not more candidates than offices to be elected and that the City Council would meet on Tuesday, December 21, 2010 to consider the options available to them.

In the current circumstances, where the number of candidates nominated is equal to the number of offices available, the applicable options available to the Council under the Election Code are to

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appoint those nominated and cancel the election by adopting the attached resolution OR to order that the election be held as scheduled.

There is significant expense in conducting an election. The City had budgeted \$27,500 to conduct the March 2011 election. The net cost to the City would have been less than that amount due to the fact the City of Los Angeles would have shared in part of eligible expenses since the Council agreed to consolidate our election with the City's election of members of the Community College District Board. The Notice of Insufficient Candidates has been provided to the City of Los Angeles and they will conduct their own election within Palos Verdes Estates, if the March 8, 2011 General Municipal election is canceled.

If the City Council adopts Resolution R10-29, the persons appointed will serve as if elected. The persons appointed will assume office in March, 2011 and the City Council will reorganize at that time.

Alternatives Available to the City Council

1. Adopt Resolution R10-29.
2. Decline to adopt the Resolution and order that the election be held.

Recommendation

It is recommended that the City Council adopt Resolution R10-29 appointing to the office the persons nominated for Member of the City Council (3) and cancel the election scheduled to be held Tuesday, March 8, 2011.

Fiscal Impact

The recommendation to cancel the election is provided to the Council because the cost to conduct an election, when none is required due to the number of candidates nominated, would result in an unnecessary expense to the residents.