

DATE SUBMITTED 8/15/24
 SUBMITTED BY A.O.
 DATE ACTION REQUIRED 8/21/24

COUNCIL ACTION
 PUBLIC HEARING REQUIRED
 RESOLUTION
 ORDINANCE 1ST READING
 ORDINANCE 2ND READING
 CITY CLERK'S INITIALS

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT:	DISCUSSION/ACTION: 1. Certification that there are not more candidates than offices to be elected for the November 5, 2024 General Municipal Election.		
DEPARTMENT INVOLVED: City Manager's Office			
BACKGROUND/SUMMARY: As of the close of the nomination period on August 9, 2024, both incumbents, Robert Amparano and Katie Burnworth, filed and qualified for the General Municipal Election. Per Election Code 10229, if by the 88th day, the number of persons who have been nominated for those offices does not exceed the number to be filled at that election, the elections official shall submit a certificate of these facts to the City Council and inform the governing body that it may, at a regular or special meeting held before the municipal election, adopt one of the following courses of action: 1. Appoint to the office the person who has been 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 for any elective office.			
FISCAL IMPACT: NOT TO EXCEED The total cost of the city's election in 2022 was \$12,671. The cost of an election is not based on the number of elected offices but on the total amount of registered voters in the city. If the 2024 election is held, the city can expect to pay between \$12,500-\$13,000. The total cost to cancel the election is a flat fee of \$300.00 to the Imperial County Registrar of Voters.	FINANCE INITIALS	<u>JMS</u>	
STAFF RECOMMENDATION: Staff recommends approval of the attached resolution as presented for the 2024 General Municipal Election.	DEPT. INITIALS	<u>[Signature]</u>	
MANAGER'S RECOMMENDATION: <u>approve</u>	CITY MANAGER'S INITIALS	<u>[Signature]</u>	
MOTION:			
SECONDED:	APPROVED	()	REJECTED
AYES:	DISAPPROVED	()	DEFERRED
NAYES:	REFERRED TO:		
ABSENT:			

RESOLUTION NO. 2024-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, STATE OF CALIFORNIA, PROVIDING FOR THE APPOINTMENTS TO THE OFFICES OF COUNCILMEMBER OF THE CITY THOSE THAT WERE NOMINATED TO BE ELECTED ON TUESDAY, NOVEMBER 5, 2024 AT THE GENERAL MUNICIPAL ELECTION

WHEREAS, on May 8, 2024 the City Council adopted Resolution No. 2024-22 calling for and giving notice of the General Municipal Election to be held on Tuesday, November 5, 2024, for the election of two City Council Members to serve the full four-year term of office;

WHEREAS, pursuant to California Elections Code section 10229, as of the close of the nomination period on Friday, August 9, 2024 for the General Municipal Election, there are not more candidates than offices to be elected. The persons so nominated by this date are P. Roberto Amparano, City Council Member and Katie Burnworth, City Council Member;

WHEREAS, § 10229 of the Elections Code requires the City’s Election Official to publish notice and submit a certificate of these facts to the City Council and inform the governing body that they may, at a regular or special meeting held before the municipal election, adopt one of the following courses of action:

1. Appoint to the office the persons who have been nominated.
2. Appoint to the office any eligible vote if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

WHEREAS, there are no other City offices to be filled and no City ballot measure has qualified for the General Municipal Election;

WHEREAS, on August 15, 2024, the City’s Election Official submitted a certificate of these facts to the City Council and published notice as required by California Elections Code section 10229;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Imperial as follows:

1. Pursuant to California Elections Code section 10229, the following persons are hereby appointed to the office for which they were nominated for the following terms:

NAME	OFFICE	TERM
P. Roberto Amparano	City Council Member	Four Years
Katie Burnworth	City Council Member	Four Years

2. The persons appointed by this Resolution, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office.

3. By adopting this Resolution and making the appointments in Section 1 above, the General Municipal Election to be held on November 5, 2024 is hereby cancelled.
4. By adopting this Resolution and making the appointments in Section 1 above, the elections official shall not accept for filing any statement of write-in candidacy that is submitted after the appointment is made.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Imperial, State of California, held on this 21st day of August, 2024.

ROBERT AMPARANO,
Mayor

ATTEST:

KRISTINA SHIELDS,
City Clerk

CERTIFICATION

I, Kristina Shields, City Clerk of the City of Imperial, California, hereby certify that the foregoing Resolution 2024-51 was duly adopted at a regular meeting of the City Council of said City at its meeting held on the 21st day of August, 2024 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this 21st day of August, 2024.

KRISTINA SHIELDS,
City Clerk

**CITY OF IMPERIAL
NOTICE THAT THERE ARE NOT MORE CANDIDATES
THAN OFFICES TO BE ELECTED FOR CITY COUNCIL**

NOTICE IS HEREBY GIVEN that on August 21, 2024 at 7:00 p.m. at the City of Imperial Council Chambers, the following action shall be considered pursuant to § 10229 of the Elections Code of the State of California. This action is related to the General Municipal Election in the City of Imperial to be held on Tuesday, November 5, 2024:

As of the close of the nomination period on August 9, 2024, there are not more candidates than offices to be elected. The persons so nominated by this date are:

P. Roberto Amparano	City Council Member
Katie Burnworth	City Council Member

That § 10229 of the Elections Code requires the City's Election Official to publish notice and submit a certificate of these facts to the City of Imperial Council and inform the City Council that it may, at a regular or special meeting held before the municipal election, adopt one of the following courses of action:

1. Appoint to the office the persons who have been nominated.
2. Appoint to the office any eligible vote if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

The City Council will meet on August 21, 2024 at 7:00 p.m. at the City Council Chambers located at 200 W. 9th Street in Imperial, to either make the appointments or direct an election to be held. The persons appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office.

If by the 75th day before the municipal election, no person has been appointed to the offices pursuant to (1) or (2) above, the election shall be held.

If the governing body of a city makes an appointment, the elections official shall not accept for filing any statement of write-in candidacy that is submitted after the appointment is made.

Dated: August 15, 2024

CIUDAD IMPERIAL
NOTIFICACIÓN DE QUE INSUFICIENTES CANDIDATOS SE HAN
REGISTRADO PARA EL CARGO

POR LA PRESENTE SE DA AVISO que el 21 de agosto de 2024 a las 7:00 p.m. en las Cámaras del Consejo Imperial de la Ciudad de California, se considerará la siguiente acción de conformidad con la § 10229 del Código Electoral del Estado de California. Esta acción se relaciona con las Elecciones Generales Municipales en la Ciudad de Imperial a celebrarse el martes 5 de noviembre de 2024:

Desde el cierre del período de nombramiento el 9 de agosto de 2024, no existen más candidatos, que cargos a elegir. Las personas nominadas son:

P. Roberto Amparano	Miembro del Concejo Municipal
Katie Burnworth	Miembro del Concejo Municipal

Esa § 10229 del Código Electoral requiere que el Oficial Electoral de la Ciudad publique un aviso y presente un certificado de estos hechos al Concejo de la Ciudad de Imperial e informe al Concejo Municipal que puede, en una reunión regular o especial celebrada antes de las elecciones municipales, adoptar uno de los siguientes cursos de acción:

1. Designar para el cargo a la personas que han sido nominadas.
2. Designar para el cargo a cualquier votante elegible si nadie ha sido nominado.
3. Llevar a cabo la eleccion si no se ha nominado a nadie o solamente a una persona.

El Concejo Municipal se reunirá el 21 de agosto de 2024 a las 7:00 p.m. en las Cámaras del Concejo Municipal ubicadas en 200 W. 9th Street en Imperial, para hacer los nombramientos o dirigir una elección que se llevará a cabo. Las personas designadas, si las hubiere, calificarán y asumirán el cargo y servirán exactamente como si hubieran sido elegidas en una elección municipal para el cargo.

Si para el día 75 antes de la elección municipal, ninguna persona ha sido nombrada para los cargos de conformidad con los puntos (1) o (2) anteriores, la elección se llevará a cabo.

Si el cuerpo gobernante de una ciudad hace un nombramiento, el funcionario electoral no aceptará la presentación de ninguna declaración de candidatura por escrito que se presente después de que se haga el nombramiento.

Fecha: 15 de agosto de 2024