

Council Meeting of  
July 10, 2012

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

Members of the City Council:

**SUBJECT: City Clerk – Adopt RESOLUTION installing appointed officers to City Council.**

**RECOMMENDATION**

Recommendation of the City Clerk that City Council adopt a **RESOLUTION** installing the officers appointed to the City Council by Resolution No. 2012-30 on March 20, 2012 for a full four-year term of 2012-2016.

**ANALYSIS / BACKGROUND**

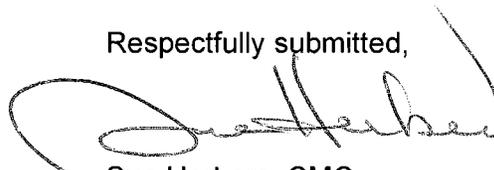
At the close of the nomination period for the March 9, 2012 General Municipal Election at 5:00 p.m. on Friday, March 9, 2012 there were no more candidates than offices to be elected. A written certification of that fact was presented to the Mayor and City Council immediately following the close of nominations and a notice that there are not more candidates than offices to be elected was published in the Daily Breeze on Wednesday, March 14, 2012 according to California Elections Code §10229.

Three incumbent councilmembers were nominated for the three open positions and the City Council adopted Resolution 2012-30 on March 20, 2012 appointing those individuals to the positions saving the City the cost of an election.

According to California Elections Code §10229 - "The person appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election'. As a resolution calling out the results of elections is normally entered into the records of the City, the attached resolution is presented for adoption.

The City Clerk has prepared Certificates of Election for presentation to each individual.

Respectfully submitted,



Sue Herbers, CMC  
City Clerk

Noted:



LEROY J. JACKSON  
CITY MANAGER

Attachments:

- A. RESOLUTION 2012-60
- B. Resolution 2012-30
- C. Excerpt of minutes of City Council meeting of March 20, 2012.

**RESOLUTION NO. 2012 – 60**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE, CALIFORNIA, APPROVING  
THE INSTALLATION OF NEWLY ELECTED OFFICERS**

**WHEREAS**, the City Council of the City of Torrance, pursuant to § 10229 of the Elections Code of the State of California, appointed by Resolution 2012-30, adopted on March 20, 2012, to the office of City Council the following individuals:

NAME	OFFICE	TERM
Gene Barnett	Member of the City Council	2012 - 2016
Susan M. Rhilinger	Member of the City Council	2012 - 2016
Pat Furey	Member of the City Council	2012 - 2016

and;

**WHEREAS**, § 10229 of the Elections Code provides that the persons appointed shall qualify and the official will serve exactly as if elected at a municipal election for the office, and;

**NOW, THEREFORE**, the City Council of the City of Torrance, California, does resolve, declare, determine and order as follows:

SECTION 1. The following persons are hereby installed:

NAME	OFFICE	TERM
Gene Barnett	Member of the City Council	2012 - 2016
Susan M. Rhilinger	Member of the City Council	2012 - 2016
Pat Furey	Member of the City Council	2012 - 2016

SECTION 2. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions of the City and shall make a minute of the passage and adoption thereof in records of the proceedings of the City Council of the City, in the minutes of the meeting at which the same is passed and adopted.

PASSED, APPROVED and ADOPTED on July 10, 2012.

APPROVED AS TO FORM:  
JOHN L. FELLOWS III, City Attorney

\_\_\_\_\_  
Mayor Frank Scotto  
ATTEST:

by \_\_\_\_\_  
Patrick Q. Sullivan, Assistant City Attorney

\_\_\_\_\_  
Sue Herbers, CMC  
City Clerk



**RESOLUTION NO. 2012-30**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED ON TUESDAY, JUNE 5, 2012 AND CANCELLING THE 2012 GENERAL MUNICIPAL ELECTION.**

WHEREAS, pursuant to § 10229 of the Elections Code of the State of California, as of the close of the nomination period on March 9, 2012, at 5:00 p.m. there are not more candidates than offices to be elected and that § 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the persons who have 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.

WHEREAS, a notice was published on March 13, 2012 in a newspaper of general circulation pursuant to law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to § 10229 of the Elections Code of the State of California, the following action is being taken:

The following persons are being appointed to the offices to which they were nominated:

NAME	OFFICE	TERM
Gene Barnett	Member of the City Council	2012-2016
Pat Furey	Member of the City Council	2012-2016
Susan M. Rhilinger	Member of the City Council	2012-2016

SECTION 2. The election scheduled to be held on Tuesday, June 5, 2012, is now cancelled.

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

SECTION 4. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

INTRODUCED, APPROVED AND ADOPTED, this 20th day of March 2012.

APPROVED AS TO FORM:  
JOHN L. FELLOWS III, City Attorney

\_\_\_\_\_  
/s/ Frank Scotto  
Mayor Frank Scotto  
ATTEST:

by \_\_\_\_\_  
/s/ Patrick Q. Sullivan  
Patrick Q. Sullivan, Assistant City Attorney

\_\_\_\_\_  
/s/ Sue Herbers  
Sue Herbers, CMC  
City Clerk

**TORRANCE CITY COUNCIL RESOLUTION NO. 2012-30**

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES        )     ss  
CITY OF TORRANCE                )

I, Sue Herbers, City Clerk of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Torrance at a regular meeting of said Council held on the 20th day of March, 2012 by the following roll call vote:

AYES:	COUNCILMEMBERS	Barnett, Brewer, Furey, Rhilinger, Sutherland, and Mayor Scotto.
NOES:	COUNCILMEMBERS	None.
ABSTAIN:	COUNCILMEMBERS	None.
ABSENT:	COUNCILMEMBERS	Numark.

Date: March 21, 2012

/s/ Sue Herbers  
Sue Herbers, CMC  
City Clerk of the City of Torrance

**EXCERPT OF MINUTES** Minutes Approved

March 20, 2012

**MINUTES OF AN ADJOURNED REGULAR  
MEETING OF THE TORRANCE CITY COUNCIL****ROLL CALL**

Present: Councilmembers Barnett, Brewer, Furey, Rhilinger, Sutherland, and Mayor Scotto.

Absent: Councilmember Numark.

**12. ADMINISTRATIVE MATTERS****12A. CANCELLATION OF 2012 GENERAL MUNICIPAL ELECTION AND  
RESOLUTION FOR APPOINTMENT TO OFFICES****Recommendation**

Recommendation of the City Clerk that City Council act on the City Clerk's certification that there are not more candidates than-- offices to be elected by:

- 1) Appointing to office those persons nominated and adopt a Resolution providing for the appointment to the offices of the City of Torrance that were to be elected on Tuesday, June 5, 2012 and cancelling the 2012 General Municipal Election; or
- 2) Giving direction to the City Clerk to continue preparation for placing the election on the June 5, 2012 ballot.

City Clerk Herbers advised that the California Elections Code allows for the persons nominated to be appointed when there are no more candidates than offices to be elected. She noted that by canceling the June 5, 2012 election the City would save approximately \$194,000, which was the estimate given by L.A. County.

City Attorney Fellows confirmed that the three councilmembers nominated for re-election may vote on this item because legal staff has determined that it would not be a conflict of interest.

Councilmember Sutherland expressed support for canceling the election, noting that a recent El Camino College election greatly exceeded the cost estimate provided by L.A. County so the savings could be even more than \$194,000.

**MOTION:** Councilmember Sutherland moved to concur with the staff recommendation. The motion was seconded by Councilmember Brewer and passed by unanimous vote (absent Councilmember Numark).

**RESOLUTION NO. 2012-30**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED ON TUESDAY, JUNE 5, 2012 AND CANCELLING THE 2012 GENERAL MUNICIPAL ELECTION

**MOTION:** Councilmember Brewer moved to adopt Resolution No. 2012-30. The motion was seconded by Councilmember Sutherland and passed by unanimous vote (absent Councilmember Numark).

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