

**RESOLUTION NO. 13993**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THIS CITY THAT WERE TO BE ELECTED ON TUESDAY, NOVEMBER 3, 2015 AND CANCELLING THE CITY ELECTION ON THAT DATE**

**WHEREAS**, pursuant to Section 10229 of the Elections Code of the State of California, the City Clerk has certified that as of the close of the nomination period on August 7, 2015, there are not more candidates than offices to be elected at the General Municipal Election for the City of San Rafael scheduled for November 3, 2015; and

**WHEREAS**, Section 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 person who has been nominated;
2. Appoint to the office any eligible voter if no one has been nominated; or
3. Hold the election if either no one or only one person has been nominated; and

**WHEREAS**, a notice of the foregoing facts was published on Tuesday, August 11, 2015, in a newspaper of general circulation pursuant to law.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1. Pursuant to Section 10229 of the Elections Code of the State of California, the following persons are hereby appointed to the offices to which they were nominated:

<u>NAME</u>	<u>OFFICE</u>	<u>TERM</u>
Gary O. Phillips	Mayor	Four Years 12/15 – 12/19
John A. Gamblin	Member of the City Council	Four Years 12/15 – 12/19
Andrew C. McCullough	Member of the City Council	Four Years 12/15 – 12/19
Robert F. Epstein	Part-Time City Attorney	Four Years 12/15 – 12-19
Esther Beirne	City Clerk and Assessor	Four Years 12/15 – 12/19

Section 2. The General Municipal Election for the City of San Rafael scheduled to be held on Tuesday, November 3, 2015, is now cancelled.

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

Section 4. The City Clerk shall certify to the passage and adoption of this resolution.

I, ESTHER BEIRNE, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael held on Monday, the 17<sup>th</sup> day of August, 2015, by the following four separate votes, to wit:

1. As to the appointment of Robert F. Epstein as Part-Time City Attorney for the Four Years 12/15 – 12/19, and Esther Beirne as City Clerk and Assessor for the Four Years 12/15 – 12/19:

AYES: COUNCILMEMBERS: Colin, Gamblin, McCullough & Mayor Phillips

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Bushey

2. As to the appointment of John A. Gamblin as Member of the City Council for the Four Years 12/15 – 12/19:

AYES: COUNCILMEMBERS: Colin, McCullough & Mayor Phillips

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Bushey

ABSTAIN: COUNCILMEMBERS: Gamblin

3. As to the appointment of Andrew C. McCullough as Member of the City Council for the Four Years 12/15 – 12/19:

AYES: COUNCILMEMBERS: Colin, Gamblin and Mayor Phillips

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Bushey

ABSTAIN: COUNCILMEMBERS: McCullough

4. As to the appointment of Gary O. Phillips as Mayor for the Four Years 12/15 – 12/19:

AYES: COUNCILMEMBERS: Colin, Gamblin & McCullough

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Bushey

ABSTAIN: COUNCILMEMBERS: Mayor Phillips

*Esther C. Beirne .*

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ESTHER C. BEIRNE, City Clerk