

ORDINANCE # 2012-04

AN ORDINANCE OF THE CITY OF AMERICAN CANYON AMENDING CHAPTER 2.02 ENTITLED "MAYOR" BY MODIFYING SECTION 2.02.030 OF THE AMERICAN CANYON MUNICIPAL CODE INCREASING THE MAYOR'S TERM OF OFFICE FROM TWO YEARS TO FOUR YEARS EFFECTIVE NOVEMBER 2012

WHEREAS, on November 6, 2012, the resident voters of the City of American Canyon ("City") considered Measure G providing for a change in the mayor's term of office from two years to four years; and,

WHEREAS, the approval of Measure G would require the four year term to commence on November 7, 2012; and,

WHEREAS, the City Council desires to further implement by Ordinance the provisions of Measure G in the manner provided herein; and,

WHEREAS, this Ordinance is not subject to environmental review under the California Environmental Quality Act of 1970, as amended ("CEQA"), because the submittal of a proposal to a vote of the people of the state or a particular community is not a "project" for purposes of CEQA pursuant to CEQA State Guidelines section 15378(a).

THE PEOPLE OF THE CITY OF AMERICAN DO ORDAIN AS FOLLOWS:

SECTION I

Chapter 2.02 of the American Canyon Municipal Code entitled "Mayor" is hereby amended by modifying section 2.02.030 to read as follows:

"2.02.030 Term of office, the mayor.

The mayor shall be elected to a term of four years. The candidate receiving the highest number of votes cast for all candidates for the office at the election shall be declared elected. The mayor shall continue in office until no later than the fourth Tuesday after the date of the General Municipal Election, and until their successors are elected and qualified."

SECTION II

The qualified voters of the City of American Canyon reserve the right to change the mayor's term herein enacted and imposed by this Ordinance. The City Council may modify this Ordinance without a vote of the people but not to increase or decrease the term of the mayor.

SECTION III

This Ordinance has been submitted to a vote of the people at the City's 2012 General Municipal Election and shall become valid and binding if confirmed by the election official that a majority of the voters voting thereon vote in its favor at said election and shall be effective on the date following the election. If the provisions of Elections Code sections 9217 and 9222 are duly repealed or amended, or interpreted by the courts so that a vote of the people is not required for enactment of this Ordinance, then this Ordinance shall take effect as provided for all other City ordinances and may be amended in the same manner as all other City ordinances.

SECTION IV

If any section, subsection, part, clause, sentence or phrase of this Ordinance or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, the validity of the remaining portions of this Ordinance, the application thereof, and the general taxes imposed shall not be affected thereby but shall remain in full force and effect, it being the intention of the voters to adopt each and every section, subsection, part, clause, sentence or phrase regardless of whether any other section, subsection, part, clause, sentence or phrase or the application thereof is held to be invalid or unconstitutional.

SECTION V

This Ordinance shall be in full force and shall take effect as provided by law.

SECTION VI

The mayor shall sign this Ordinance and the City Clerk shall attest and certify to the passage and adoption of this Ordinance if a majority of the voters voting in the City's General Municipal Election, approve the proposition asking whether the voters approve this Ordinance.

Following the approval of Measure G, the foregoing ordinance was **PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of American Canyon, State of California held on the 4th day of December, 2012.

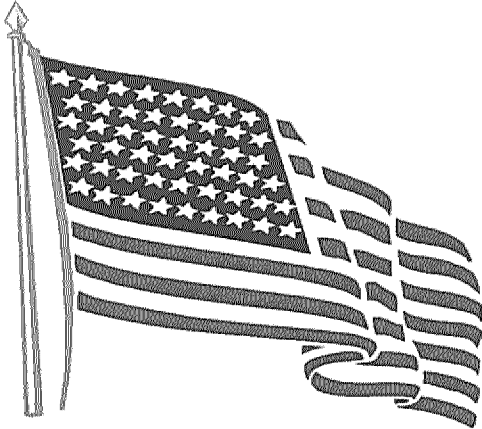

Leon Garcia, Mayor

ATTEST:


Rebekah Barr, MMC, City Clerk

APPROVED AS TO FORM:


William D. Ross, City Attorney



STATEMENT OF VOTES CAST

NOVEMBER 6, 2012 GENERAL ELECTION

CANVASS AND STATEMENT OF VOTE

CITY OF AMERICAN CANYON - MEASURE G

I HEREBY CERTIFY THAT ON NOVEMBER 27, 2012 THE OFFICIAL CANVASS WAS COMPLETED FOR THE GENERAL ELECTION HELD ON NOVEMBER 6, 2012 IN THE COUNTY OF NAPA. THE TOTAL NUMBER OF VOTES CAST IN THE RESPECTIVE PRECINCTS IS ATTACHED AND THE TOTALS AS SHOWN ARE TRUE AND CORRECT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THIS 27TH DAY OF NOVEMBER, 2012.

JOHN TUTEUR
REGISTRAR OF VOTERS

A handwritten signature in cursive script, reading "John Tuteur", written over a horizontal line. The signature is written in black ink and is positioned below the printed name and title.

NAPA COUNTY Statement of Vote
NAP_20121106_E

140039	NON-PARTISAN MEASURE G														
	Registration	Ballots Cast	Turnout (%)		YES	NO									
561141 0160	10	0	0.00		0	0									
561141 - Vote by Mail	10	7	70.00		1	6									
561340 0161	1440	367	25.49		143	175									
561340 - Vote by Mail	1440	781	54.24		407	328									
561341 0162	33	0	0.00		0	0									
561341 - Vote by Mail	33	25	75.76		14	9									
561342 0163	1174	275	23.42		123	123									
561342 - Vote by Mail	1174	610	51.96		347	243									
561343 0164	1727	408	23.62		177	205									
561343 - Vote by Mail	1727	820	47.48		372	405									
561345 0165	2108	540	25.62		263	234									
561345 - Vote by Mail	2108	938	44.50		486	389									
561347 0166	2574	542	21.06		256	244									
561347 - Vote by Mail	2574	1339	52.02		715	535									
561348 0167	225	0	0.00		0	0									
561348 - Vote by Mail	225	152	67.56		74	65									
Precinct Totals	9291	2132	22.95		962	961									
Vote by Mail Totals	9291	4672	50.29		2416	1960									
Grand Totals	9291	6804	73.23		3378	2961									
CALIFORNIA	9291	6804	73.23		3378	2961									
5th CONGRESSIONAL DISTRICT	9291	6804	73.23		3378	2961									
3rd SENATE DISTRICT	9291	6804	73.23		3378	2961									
4th ASSEMBLY DISTRICT	9291	6804	73.23		3378	2961									
2nd DIST. BOARD OF EQUALIZATION	9291	6804	73.23		3378	2961									
5th SUPERVISOR DISTRICT	9291	6804	73.23		3378	2961									
1st APPELLATE	9291	6804	73.23		3378	2961									
NAPA COUNTY	9291	6804	73.23		3378	2961									
AMERICAN CANYON	9291	6804	73.23		3378	2961									