

Minutes of the special meeting of October 23, 1995 held at 7:00 p.m. in the Council Chambers.

**MEMBERS PRESENT**

Mayor Bedoya and Council Members

Raymond H. Shuey  
Earl Cooper  
Oralia C. Contreras  
Henry Beltran  
Albert Carroll, Jr.  
Lon Montgomery

**ALSO PRESENT**

City Manager  
City Attorney

Carlos V. Palma  
Frank L. Ross

**CANVASS OF VOTES - 1995 PRIMARY ELECTION**

Frank Ross, City Attorney, addressed the question asked of him on what would happen if the Council refuses to accept the canvass of the votes as presented by the City Clerk. He said if you didn't get sued and forced to accept the tally, you would have to have another election. He stated that canvassing the vote is just a ministerial act; you have no discretion or power to investigate whether the election was done properly nor the power to nullify a vote or any particular group of votes. He said what you have to do according to the law is accept the numbers that are given to you by the City Clerk and certify that those are in fact the numbers that resulted from the election process. He said by doing that you do not certify that every vote cast was properly cast and you do not sanctify the election in the sense that you prevent someone from holding an election contest. In fact, he stated, you have to do the canvass before anyone has the right to do an election contest; an election contest must be filed within five days after the canvassing of the election.

Linda Tyler, City Clerk read the results of the Primary Election of October 10, 1995 as follows:

FOR THE OFFICE OF MAYOR:

Cooper 640  
Morales 602

FOR THE OFFICE OF COUNCILMEMBER:

Beltran 742  
Federico 639  
Guy 452  
Karlin 593  
Rogers 787

PROPOSITIONS	YES	NO
101	782	429
102	875	318
103	638	523
104	705	447
105	867	295
106	602	559
107	826	327
108	748	395

BOND QUESTIONS	FOR THE BONDS	AGAINST THE BONDS
QUESTION 1	763	391
QUESTION 2	790	377

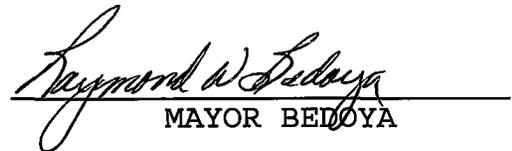
Vice Mayor Beltran moved to accept the canvass of the vote. Councilwoman Contreras seconded the motion. Motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Council, Councilwoman Contreras moved to adjourn. Councilman Cooper seconded the motion. Motion carried unanimously.

Meeting adjourned at 7:15 p.m.

  
 Linda M. Tyler, CMC  
 City Clerk

  
 MAYOR BEDOYA

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City council of the City of Avondale held on the 23 day of October, 1995. I further certify that the meeting was duly called and held and that

a quorum was present.

Dated this 24th day of October, 1995.

seal

  
\_\_\_\_\_  
City Clerk

Any qualified individual with a disability may request a reasonable accommodation by contacting the City Clerk at 932-2400 at least 48 hours prior to the council meeting.