

RESOLUTION NO. 2022 - 51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, PROVIDING FOR THE APPOINTMENT TO THE OFFICE OF THIS CITY THAT WERE TO BE ELECTED ON TUESDAY, NOVEMBER 8, 2022 IN DISTRICT 5

WHEREAS, pursuant to § 10229 of the Elections Code of the State of California, as of the close of the nomination period on August 12, 2022, in District 5, 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 person who has been nominated.
2. Hold the election if either no one or only one person has been nominated.

WHEREAS, the City Clerk's certification that there were not more candidates than offices to be elected in District 5 was submitted to the City Council and is attached as Exhibit A; and

WHEREAS, a notice was published on August 18, 2022 in a newspaper of general circulation pursuant to law and is attached as Exhibit B.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILDOMAR, 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:

In **District 5** the following person is being appointed to the office to which she was nominated, and is considered to be the same as being elected, pursuant to § 10229(a)(3) of the Elections Code.

NAME	OFFICE	TERM
Ashlee DePhillippo	Member of the City Council	Full 4 Year Term

SECTION 2. The election scheduled to be held in District 5 on Tuesday, November 8, 2022, is now canceled.

SECTION 3. The person 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.

PASSED, APPROVED AND ADOPTED this 24th day of August, 2022.



Ben J. Benoit
Mayor

APPROVED AS TO FORM:


Thomas D. Jex
City Attorney

ATTEST:


Janet Morales, CMC
City Clerk





CITY CLERKS CERTIFICATION THAT THERE ARE NOT MORE CANDIDATES THAN OFFICES TO BE ELECTED

I, Janet Morales, City Clerk of the City of Wildomar, California, do hereby certify that pursuant to § 10229, Elections Code of the State of California, to the following facts relating to the General Municipal Election to be held on Tuesday, November 8, 2022:

In District 5, as of the close of the nomination period on August 12, 2022, there are not more candidates than offices to be elected.

The person so nominated is: Ashlee DePhillippo

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

A notice of these facts will be published on August 18, 2022, in a newspaper of general circulation in the city pursuant to § 6061 of the Government Code. After the fifth day following the date of publication, the City Council will meet to either make the appointment or direct an election to be held. The person 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 office pursuant to (1) or (2) above, the election shall be held.

If the City Council makes an appointment pursuant to § 10229, Elections Code, the City Clerk shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made.



Janet Morales, CMC
City Clerk
Date: August 15, 2022



NOTICE THAT THERE ARE NOT MORE CANDIDATES THAN OFFICES TO BE ELECTED AT THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION FOR THE CITY OF WILDOMAR

NOTICE IS HEREBY GIVEN that pursuant to § 10229 of the Elections Code of the State of California relating to the General Municipal Election in the City of Wildomar to be held on Tuesday, November 8, 2022:

In District 5, as of the close of the nomination period on August 12, 2022, there are not more candidates than offices to be elected.

The person so nominated is: Ashlee DePhillippo

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 person(s) who has/have been nominated.
2. Appoint to the office any eligible elector (voter) 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 24, 2022, at 5:30 p.m. at the City of Wildomar Council Chambers, 23873 Clinton Keith Road Suite 106, Wildomar, CA, to either make the appointment or direct an election to be held. The person 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 office pursuant to (1) or (2) above, the election shall be held.

If the City Council makes an appointment pursuant to § 10229, Elections Code, the City Clerk shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made.

A handwritten signature of Janet Morales in blue ink.

Janet Morales, CMC
City Clerk
Dated: August 15, 2022
The Press Enterprise: Published 8/18/22

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF WILDOMAR)

I, Janet Morales, City Clerk of the City of Wildomar, California, do hereby certify that the foregoing Resolution No. 2022 – 51 was duly adopted at a special meeting held on August 24, 2022, by the City Council of the City of Wildomar, California, by the following vote:

AYES: Moore, Nigg, Mayor Pro Tem Morabito, Mayor Benoit

NOES: None

ABSTAIN: DePhillippo

ABSENT: None

Janet Morales
Janet Morales, CMC
City Clerk
City of Wildomar

