

RESOLUTION NO. 2020 - 54

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 3, 2020 IN DISTRICT 2

WHEREAS, pursuant to § 10229 of the Elections Code of the State of California, as of the close of the nomination period on August 7, 2020, in District 2, 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 2 was submitted to the City Council and is attached as Exhibit A; and

WHEREAS, a notice was published on August 13, 2020 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 2** the following person is being appointed to the office to which he was nominated, and is considered to be the same as being elected, pursuant to § 10229(a)(3) of the Elections Code.

NAME	OFFICE	TERM
Dustin Nigg	Member of the City Council	Full 4 Year Term

SECTION 2. The election scheduled to be held in District 2 on Tuesday, November 3, 2020, 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 19th day of August, 2020.


Bridgette Moore
Mayor Pro Tem

APPROVED AS TO FORM:



Thomas D. Jex
City Attorney

ATTEST:



Janet Morales
Acting City Clerk



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

I, Janet Morales, Acting City Clerk of the City of Wildomar, California, do hereby certify that the foregoing Resolution No. 2020 – 54 was duly adopted at a special meeting held on August 19, 2020 by the City Council of the City of Wildomar, California, by the following vote:

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

NOES: None

ABSTAIN: Mayor Nigg

ABSENT: None



Janet Morales
Acting City Clerk
City of Wildomar



Exhibit A

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

I, Janet Morales, Acting 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 3, 2020:

In **District 2**, as of the close of the nomination period on August 7, 2020, there are not more candidates than offices to be elected.

The person so nominated is: Dustin Nigg.

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.

A notice of these facts was published on August 13, 2020, 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 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
Acting City Clerk

Exhibit B



NOTICE THAT THERE ARE NOT MORE CANDIDATES THAN OFFICES TO BE ELECTED AT THE NOVEMBER 3, 2020 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 3, 2020:

As of the close of the nomination period on August 7, 2020, there are not more candidates than offices to be elected in **City Council, Council District 2.**

The person so nominated is: Dustin Nigg

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 only one person has been nominated.

The City Council will meet on August 19, 2020, at 5:00 p.m. 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 above, the election shall be held.

If the City Council makes an appointment pursuant to § 10229 of the 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
Acting City Clerk
Dated: 08/13/2020