

RESOLUTION NO. 73-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANT HILL PROVIDING FOR THE APPOINTMENT OF NOMINATED CITY OFFICERS AS IF ELECTED AT THE NOVEMBER 3, 2020 ELECTION AND CANCELING THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION IN PLEASANT HILL

WHEREAS, pursuant to Section 10229 of the Elections Code of the State of California; as of the close of the Nomination Period on August 7, 2020, there were not more candidates than offices to be elected in the General Municipal Election to be held on November 3, 2020 allowing one of the following courses of action to be taken by the 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; and

WHEREAS, only the three incumbents were nominated for the three "at-large" City Council seats to be filled and only the one incumbent was nominated for the one City Treasurer seat to be filled on November 3, 2020; and

WHEREAS, there are no other City offices to be filled at the November 3, 2020 election and no City measure has qualified to be submitted to the voters at that election; and

WHEREAS, on August 7, 2020, the City Clerk delivered to the City Council the certificate required by Elections Code Section 10229, which is attached hereto as Exhibit A and hereby incorporated by reference as though fully set forth; and

WHEREAS, the City Clerk has, on August 11, 2020, posted and published the notice required by Elections Code Section 10229 in the *East Bay Times* (formerly the *Contra Costa Times*); and

WHEREAS, the City Council has determined that by appointing the officers as permitted, the General Fund of the City of Pleasant Hill will save approximately \$38,500; and

WHEREAS, in accordance with Section 10229 of the Elections Code, the appointments are made by the 75th day before the election.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Pleasant Hill that:

SECTION 1. Pursuant to Elections Code 10229, the City Council hereby appoints the four persons nominated as follows to four year terms as if they were elected at the November 3, 2020 General Municipal Election:

Ken Carlson, Councilmember
Tim Flaherty, Councilmember
Matthew C. Rinn, Councilmember
Mark W. Celio, Treasurer

SECTION 2. The General Municipal Election scheduled to be held on Tuesday, November 3, 2022, is now canceled.

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

SECTION 4. The City Clerk is directed to transmit a certified copy of this resolution and all other necessary documents to the Contra County Registrar of Voters and the County Board of Supervisors.

SECTION 5. The Elections Official shall not accept for filing any statement for write-in candidacy after the appointments of the persons nominated to the office of City Councilmember or City Treasurer have been made.

SECTION 6. This resolution shall become effective immediately upon adoption.

ADOPTED by the City Council of the City of Pleasant Hill at a regular meeting held on the 17th day of August, 2020, by the following vote:


AYES:	Carlson, Flaherty, Harris, Noack, Rinn
NOES:	None
ABSENT:	None
ABSTAIN:	None


MATTHEW RINN, Mayor

ATTEST:


CAROL WU, City Clerk

APPROVED AS TO FORM;


JANET E. COLESON, City Attorney

CITY CLERK'S CERTIFICATION THAT THERE ARE NOT MORE
CANDIDATES THAN OFFICES TO BE ELECTED

I, Carol W. Wu, City Clerk of the City of Pleasant Hill, do hereby certify pursuant to Section 10229 of the Elections Code of the State of California, the following facts relating to the General Municipal Election to be held on Tuesday, November 3, 2020:

As of the close of the nomination period on August 7, 2020, there were not more candidates than offices to be elected.

The persons so nominated for City Councilmember are:

Ken Carlson
Tim Flaherty
Matthew C. Rinn

The person so nominated for City Treasurer is:

Mark W. Celio

That Section 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council at a regular or special meeting:

- (1) Appoint to the office the person who has been nominated.
- (2) Appoint to the office an 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 11, 2020, in the *Contra Costa Times* pursuant to § 6061 of the Government Code. The City Council will meet on Monday, August 17, 2020, at 7:00 p.m. via teleconference due to the COVID-19 pandemic to either make the appointments or direct an election to be held.

The persons 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 (August 20, 2020), no person has been appointed to the offices pursuant to (1) or (2) 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.



Carol W. Wu, City Clerk