



## Staff Report

**TO:** City Council  
**FROM:** Nicole Wheelwright, Deputy City Clerk  
**DATE:** August 25, 2022  
**SUBJECT:** **City Clerk Certificate of Facts Pursuant to Election Code Section 10229**

---

### **Background and Analysis:**

On June 21, 2022, the City Council of the City of Beaumont adopted Resolution 2022-26 calling and giving notice of a general municipal election to be held on November 8, 2022, for the purpose of electing three (3) candidates to become members of the City Council, one (1) candidate to become City Treasurer and one (1) candidate to become City Clerk, each for four-year terms of office.

The nomination period for acceptance of nomination documents began on Monday, July 18, 2022, and was extended until Wednesday, August 17, 2022, due to the non-filing of an incumbent officer pursuant to Elections Code Section 10225. By close of the extended nomination period the following seats had only one (1) candidate or no candidates:

City Treasurer – A.J. Patel  
City Clerk – *no candidates*

This in turn calls forth the process of Election Code Section 10229, in which the Council must choose amongst 3 options to proceed with the election process. Pursuant to Election Code Section 10229 the following courses of action may be taken by the City Council:

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

Election Code Section 10229 further states that If by the 75<sup>th</sup> day before the municipal election, no person has been appointed to the office(s) pursuant to (1) or (2) above, the election shall be held.

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

If the City Council makes an appointment pursuant to Election Code Section 10229, the person(s) appointed, if any, shall qualify and take office and serve exactly as if elected at the Municipal Election for the office.

**Fiscal Impact:**

None, to minimal reduced cost impact of the anticipated cost for the consolidated election being provided by the Riverside County Registrar of Voters.

**Recommended Action:**

Select a course of action for the seat of City Treasurer.

Select a course of action for the seat of City Clerk.