



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From: Chris Johnson, City Clerk **Meeting Date:** September 19, 2023
Presenter: Chris Johnson **Estimated Time:** 5 minutes
Topic: Declaration 23-0001: A Declaration of the City Clerk Establishing the Election of John Overton to District 4, Seat 4 of the Meridian City Council

Recommended Council Action:

Information only; no Council action necessary/available

Background:

Idaho Code Section 50-405(2) directs the City Clerk to cancel any election in which there is only one candidate and declare the sole candidate the winner.

The relevant provisions of the statute read:

(a) No city election shall be held for an office if, after the deadline for filing a declaration of intent to be a write-in candidate for the office, it appears . . . only one (1) person has filed a declaration of candidacy. . . for a particular seat up for election for a two (2) year term or a four (4) year term[.]

(b) If the provisions of paragraph (a) of this subsection have been met, the city clerk shall declare such candidate elected. The candidate shall receive a certificate of election and be installed at the first city council meeting in January following the election.

This provision became effective on July 1, 2020. The complete section of Idaho Code Title 50, Chapter 4, Section 50-405 is available at

<https://legislature.idaho.gov/statutesrules/idstat/Title50/T50CH4/SECT50-405/>

The deadline for filing a declaration of intent to be a write-in candidate for City Council District 4, Seat 4 was September 8, 2023. As of that date, only one person, incumbent Council Member John Overton, had filed a declaration of candidacy. Therefore, no election will be held for City Council District 4, Seat 4. Pursuant to Idaho Code section 50-405(2)(b), Council Member Overton, the sole candidate, was elected upon issuance of this declaration.