

RESOLUTION NO. 2020-2105

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HURON
APPOINTING TO THE OFFICE OF MAYOR FOR A TWO-YEAR TERM TO
EXPIRE DECEMBER 2022 THE ONE PERSON WHO HAS BEEN NOMINATED
FOR THAT OFFICE TO BE ELECTED ON A CITY-WIDE BASIS**

WHEREAS, if by the 88th day prior to the day fixed for a regularly scheduled municipal election only one person has been nominated for any office that is elected on a City-wide basis the City Clerk, acting as the City Elections Official shall submit a certificate of such facts to the governing body and inform it of its right at a regular or special meeting occurring no later than 75 days before the municipal election may appoint to the office the one person who has been nominated which person shall qualify and take office and serve exactly as if elected at a municipal election for the office; and

WHEREAS, on the 88th day prior to the date fixed for the next regularly scheduled municipal election, specifically, August 7, 2020, only one person, the incumbent, Rey Leon had been nominated for the office of Mayor which is an office to be elected on a City-wide basis; and, as a result, the City Clerk has certified to this Council that the foregoing facts are true and that the Council may, prior to the 75th day before the municipal election, or August 21, 2020, appoint to the office of Mayor, Rey Leon, the one person who has been nominated to that office, or the Council may order that the election shall proceed; and

WHEREAS, having the election proceed serves no legitimate purpose since there can only be one outcome there being only one person who has been nominated and qualified for placement on the ballot for that office to be elected on a City-wide basis and the City incurs an additional cost for every candidate or measure or other item it has placed on the ballot so that by appointing the person to the office for which he or she is the only person who has been nominated the City avoids a significant cost in conducting the election, the outcome of which is certain to result in the election of the one person who has been nominated to fill that office at the election.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The City Elections Official has published a notice of the facts described in this Resolution and in Elections Code §10229 and the courses of action available under that section more than five days prior to August 19, 2020, the date of this Resolution in

a newspaper of general circulation, the Fresno Bee, all as required by Government Code §6061.

3. By August 7, 2020, the 88th day prior to the date of the regularly scheduled municipal election which will occur on November 3, 2020, Rey Leon was the one person who had been nominated for the office of Mayor which is an office to be elected on a City-wide basis and the number of persons who have been nominated for the office of Mayor does not exceed the number to be filled at that election.

4. Rey Leon is, hereby, appointed to the office of Mayor of the City of Huron and shall qualify and shall take office and serve in that office as if elected at the municipal elections for that office scheduled to occur on November 3, 2020.

5. So that the County Elections Official may conform to the provisions of Elections Code §10229, the City Clerk is directed to immediately cause a copy of this resolution to be served upon the Fresno County Clerk/Registrar of Voters.

The foregoing Resolution is duly adopted on _____, 2020, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

Rey Leon, Mayor of the
City of Huron

ATTEST

Juanita M. Veliz, City Clerk