



## SPECIAL MEETING - CITY COUNCIL REGULAR SESSION

550 E. Sixth Street, Beaumont, CA

**Thursday, August 25, 2022**

**Special Meeting: 5:00 PM**

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Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packets are available for public inspection in the City Clerk's office at 550 E. 6th Street during normal business hours.

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### AGENDA

#### MEETING PARTICIPATION NOTICE

This meeting will be conducted utilizing teleconference communications and will be recorded for live streaming as well as open to public attendance subject to social distancing and applicable health orders. All City of Beaumont public meetings will be available via live streaming and made available on the City's official YouTube webpage. Please use the following link during the meeting for live stream access.

**[beaumontca.gov/livestream](https://beaumontca.gov/livestream)**

Public comments will be accepted using the following options.

1. Written comments will be accepted via email and will be read aloud during the corresponding item of the meeting. Public comments shall not exceed three (3) minutes unless otherwise authorized by City Council. Comments can be submitted anytime prior to the meeting as well as during the meeting up until the end of the corresponding item. Please submit your comments to: **[nicolew@beaumontca.gov](mailto:nicolew@beaumontca.gov)**
2. Phone-in comments will be accepted by joining a conference line prior to the corresponding item of the meeting. Public comments shall not exceed three (3) minutes unless otherwise authorized by City Council. Please use the following phone number to join the call **(951) 922 - 4845**.
3. In person comments subject to the adherence of the applicable health orders and social distancing requirements.

In compliance with the American Disabilities Act, if you require special assistance to participate in this meeting, please contact the City Clerk's office using the above email or call **(951) 572 - 3196**. Notification 48 hours prior to a meeting will ensure the best reasonable accommodation arrangements.

City of Beaumont  
CITY CLERK'S CERTIFICATE OF FACTS

**THE FOLLOWING IS A CERTIFICATE OF FACTS PURSUANT TO ELECTIONS CODE SECTION 10229:**

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*

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.

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.

This matter will be considered by City Council of the City of Beaumont at a special meeting to be held on August 25, 2022, at 5:00 p.m. at the Civic Center 550 E. 6<sup>th</sup> Street, Beaumont, Ca 92223.

Dated August 18, 2022

Nicole Wheelwright, Deputy City Clerk

## **SPECIAL SESSION - 5:00 PM**

### **CALL TO ORDER**

Mayor White, Mayor Pro Tem Martinez, Council Member Fenn, Council Member Santos, Council Member Lara  
Pledge of Allegiance  
Invocation  
Adjustments to the Agenda  
Conflict of Interest Disclosure

### **PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA)**

*Any one person may address the City Council on any matter not on this agenda. If you wish to speak, please fill out a "Public Comment Form" provided at the back table and give it to the City Clerk. There is a three (3) minute time limit on public comments. There will be no sharing or passing of time to another person. State Law prohibits the City Council from discussing or taking actions brought up by your comments.*

### **ACTION ITEMS**

*Approval of all Ordinances and Resolutions to be read by title only.*

#### **1. City Clerk Certificate of Facts Pursuant to Election Code Section 10229**

##### **Recommended Action:**

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

### **ADJOURNMENT**

The next regular meeting of the Beaumont City Council, Beaumont Financing Authority, the Beaumont Successor Agency (formerly RDA), the Beaumont Utility Authority, the Beaumont Parking Authority and the Beaumont Public Improvement Agency is scheduled for Tuesday, September 6, 2022, at 5:00 p.m., unless otherwise posted.



## 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**

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### 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.