



**NOTICE AND CALL
OF SPECIAL MEETING**

**TO: THE MEMBERS OF THE CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, PUBLIC FINANCE AUTHORITY, PUBLIC UTILITY AUTHORITY, HOUSING AUTHORITY, PERRIS JOINT POWERS AUTHORITY AND THE PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF PERRIS AND TO THE CITY CLERK
THIS MEETING IS BEING CONDUCTED AS A REMOTE MEETING IN ACCORDANCE WITH AB 361 AND RESOLUTION NUMBER 6028**

NOTICE IS HEREBY GIVEN that a Special Meeting of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Joint Powers Authority and the Perris Community Economic Development Corporation is hereby called to be held on August 24, 2022, commencing at 6:00 p.m. at the City Council Chambers, 101 N. D Street, Perris, CA (corner of San Jacinto Ave. and Perris Blvd.), Perris, CA 92570

Said Special Meeting shall be for the purpose of conducting:

5. BUSINESS ITEMS:

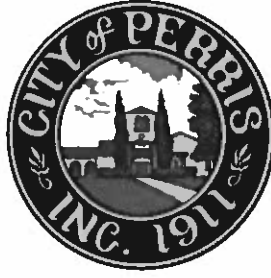
A. Consideration to adopt Proposed Resolution Number (next in order) to Appoint Persons Nominated for the Offices of City Council District 1, City Council District 3, and City Clerk and to Cancel the November 8, 2022, General Municipal Election due to Insufficient Nominees for such Offices Pursuant to Elections Code Section 10229; and Provide Direction on the Use of Funds Originally Allocated for the November 8, 2022, General Municipal Election.

Dated: August 23, 2022


Michael A. Vargas, Mayor

ATTEST:


Nancy Salazar, City Clerk



*For further information on an agenda item, please contact
the City at 101 North "D" Street, or call (951) 943-6100*

**AGENDA
SPECIAL JOINT MEETING OF THE CITY COUNCIL, SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY, PUBLIC FINANCE AUTHORITY,
PUBLIC UTILITY AUTHORITY, HOUSING AUTHORITY, PERRIS JOINT POWERS
AUTHORITY AND PERRIS COMMUNITY ECONOMIC DEVELOPMENT
CORPORATION OF THE CITY OF PERRIS**

**THIS MEETING IS BEING CONDUCTED AS A REMOTE MEETING IN
ACCORDANCE WITH AB 361 AND RESOLUTION NUMBER 6028**

**Wednesday, August 24, 2022
6:00 P.M.**

**City Council Chambers
(Corner of San Jacinto and Perris Boulevard)
101 North "D" Street
Perris, California**

1. CALL TO ORDER: 6:00 P.M.

2. ROLL CALL:

Rogers, Nava, Corona, Rabb, Vargas

3. PLEDGE OF ALLEGIANCE:

Councilmember Rogers will lead the Pledge of Allegiance.

4. PUBLIC COMMENT/CITIZEN PARTICIPATION:

This is the time when any member of the public may bring a matter to the attention of the Mayor and the City Council that is within the jurisdiction of the City Council. The Ralph M. Brown act limits the Mayor's, City Council's and staff's ability to respond to comments on non-agendized matters at the time such comments are made. Thus, your comments may be agendized for a future meeting or referred to staff. The City Council may discuss or ask questions for clarification, if desired, at this time. Public comment is limited to three (3) minutes.

5. BUSINESS ITEMS:

Consent Calendar items are normally enacted in one motion. The Mayor or City Council may remove a Consent Calendar item for separate action. Public comment is limited to three (3) minutes.

- A. Consideration to adopt Proposed Resolution Number (next in order) to Appoint Persons Nominated for the Offices of City Council District 1, City Council District 3, and City Clerk and to Cancel the November 8, 2022, General Municipal Election due to Insufficient Nominees for such Offices Pursuant to Elections Code Section 10229; and Provide Direction on the Use of Funds Originally Allocated for the November 8, 2022, General Municipal Election.

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, APPOINTING THE NOMINEES TO THE OFFICES THAT WERE TO BE FILLED AT THE ELECTION ON NOVEMBER 8, 2022, AND CANCELING THE CONSOLIDATED GENERAL MUNICIPAL ELECTION SCHEDULED ON NOVEMBER 8, 2022, PURSUANT TO ELECTIONS CODE SECTION 10229

6. ADJOURNMENT:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Hall at (951) 943-6100. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

COVID-19 REMOTE PUBLIC COMMENT/CITIZEN PARTICIPATION

With the intent of adhering to the new community guidelines from the Center for Disease Control, the City of Perris will allow for remote public comment and participation at upcoming City Council meetings via Zoom. Public Comment is limited to three (3) minutes.

ZOOM MEETING INFORMATION

When: August 24, 2022 06:00 PM Pacific Time (US and Canada)
Topic: City Council Special Meeting

In order to provide Public Comment participants will be required to register at the following link:

<https://us06web.zoom.us/j/84393917230>

After registering, you will receive a confirmation email containing information about joining the meeting.

During the council meeting, if you wish to speak for public comment on any item, please select the raise hand icon next to your name. The moderator will grant you access to speak. Public Comment is limited to (3) three minutes.

THE CITY COUNCIL MEETING IS AVAILABLE FOR VIEWING AT THE FOLLOWING:

City's Website:

<https://www.cityofperris.org/government/city-council/council-meetings>

YouTube:

<https://www.youtube.com/channel/UC24S1shebxkJFv3BnxdkPpg>

Facebook:

<https://www.facebook.com/PerrisToday/>

For cable subscribers only within Perris:

Spectrum: Channel 3

Frontier: Channel 16



CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

- MEETING DATE:** August 24, 2022
- SUBJECT:** Consideration of a Resolution to Appoint Persons Nominated for the Offices of City Council District 1, City Council District 3, and City Clerk and to Cancel the November 8, 2022, General Municipal Election due to Insufficient Nominees for such Offices Pursuant to Elections Code Section 10229; and Provide Direction on the Use of Funds Originally Allocated for the November 8, 2022, General Municipal Election.
- REQUESTED ACTION:**
1. Consider Adoption of a Resolution No. (*next in order*) Appointing the Nominees to City Offices That Were to be Elected at the November 8, 2022, Election and Canceling the November 8, 2022, Election; AND
 2. If Resolution No. (*next in order*) is adopted, then provide direction to staff on how funds originally allocated for the November 8, 2022, election should be spent.
- CONTACT:** Eric L. Dunn, City Attorney; Robert Khuu, Assistant City Attorney

BACKGROUND/DISCUSSION:

The City of Perris conducts its General Municipal Election on the first Tuesday after the first Monday of November in even-numbered years. This election is also consolidated with the Statewide election occurring on the same date.

On May 10, 2022, the City Council adopted a resolution calling and giving notice of holding a general municipal election on Tuesday, November 8, 2022, in order to elect the following offices: City Council District 1 (full term of 4 years), City Council District 3 (full term of 4 years), and City Clerk (full term of 4 years). This general municipal election was consolidated with the Statewide General Election occurring on the same date that is being run by the County.

Canceling the November 8, 2022 Election, and Appointing the Nominees

The nomination period for the November 8, 2022, General Municipal Election for the offices of City Council District 1, City Council District 3, and City Clerk was Monday, July 18, 2022, through Friday, August 12, 2022. As of the close of the nomination period on Friday, August 12,

2022, for Members of the City Council representing District 1 and District 3 and City Clerk, only 1 candidate has been nominated for each office. The persons so nominated are as follows:

City Office	Person Nominated
City Council District 1	Marisela Nava
City Council District 3	David Starr Rabb II
City Clerk	Nancy Salazar

Since qualified candidates for City Council Districts 1 and 3 and the City Clerk are unopposed, Elections Code Section 10229 provides procedures for appointment if only one person is nominated for an elective office and cancellation of its election. The City Clerk is required to submit a certification of these facts to the City Council, publish a notice of the same, and after the fifth day following the date of publication or posting, the City Council will meet to either make the appointment(s) or direct an election to be held. The person(s) appointed, if any, shall qualify and take office and serve exactly as if the person(s) were elected at a municipal election for the office.

In light of the foregoing, the Elections Code Section 10229 permits the City Council to take one of the following courses of action:

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

Note that Option 2 is not available as candidates have been nominated to each office. As prescribed by the Elections Code, action must be taken prior to August 25, 2022 (75th day before the municipal election), or the Municipal Election will go forward.

The City Clerk has provided the required certification to the Council showing that the facts exist to invoke Elections Code Section 10229 (Exhibit 1); therefore, the City Council has the option to appoint the nominees to the corresponding office and to cancel the related election. Staff recommends this action and has prepared an appropriate Resolution (Exhibit 2). Further, notice of this was posted on August 18, 2022, and published in the Perris Progress on August 19, 2022 (Exhibit 3).

Although the Council could choose to hold the election for the open offices in District 1 and 3, and City Clerk, staff does not recommend this action, since it may result in the City unnecessarily incurring significant elections costs. Moreover, the cancellation of the election should result in a significant reduction in election cost. The current estimate for holding the November 8, 2022, election is \$122,000 to \$132,000 (\$121,000 is included in the 2022/2023 adopted budget), which would be paid to the County for consolidated election costs. If the election is canceled, there is expected to be some small costs associated with the election for services already rendered, these costs are not expected to exceed \$5,000.00.

If the City Council makes the appointment pursuant to Elections Code Section 10229, the City Clerk shall not accept for filing any statement of write in candidate which is submitted after the appointment is made. If no action is taken by the City Council by the 75th day before the election,

then the City would hold the election with the candidates printed on the ballot for their respective offices.

If the Council appoints the unopposed candidates to the open offices, those appointees will serve in office exactly as if they had been elected, starting their new term when they are sworn into office.

The City Council's action to cancel the City's election will not affect elections associated with other agencies scheduled to occur during the November 8, 2022.

Expenditure of Funds

If the City Council determines to cancel the November 8, 2022, election, then the City will have funds in the amount of approximately \$116,000 (this amount includes the deduction of the approximate \$5,000 for services already rendered by the County relating to the November 8, 2022, election) that would no longer be paid towards the election. Staff therefore requests that the City Council provide direction on how these funds should be spent.

RECOMMENDATION:

It is recommended that the City Council:

1. Consider Adoption of a Resolution No. (next in order) Appointing the Nominees to City Offices That Were to be Elected at the November 8, 2022, Election, and Canceling the November 8, 2022, Election.
2. If the above Resolution No. (next in order) is adopted, then provide direction on how the approximately \$116,000 originally allocated for the election should be spent.

BUDGET (or FISCAL) IMPACT:

If the election is canceled, then the City would not spend between \$122,000 to \$132,000 on the election, and, further, the approximately \$116,000 budgeted for the election would be available to be spent in a manner as directed by the City Council.

Prepared by: Robert Khuu, Assistant City Attorney

REVIEWED BY:

City Attorney X
Assistant City Manager _____
Deputy City Manager _____

Attachments: 1: City Clerk's Certification of Insufficient Nominees

- 2: Resolution No. (next in order) Canceling the November 8, 2022, Election, and Appointing the Nominees to City Offices That Were to be Elected at the November 8, 2022, Election.
- 3: City Clerk's Notice of Insufficient Nominees

Consent:

Public Hearing:

Business Item: X

Presentation:

Other:

ATTACHMENT 1

City Clerk's Certification of Insufficient Nominees



**CERTIFICATION OF INSUFFICIENT NOMINEES
FOR THE OFFICES OF
CITY COUNCIL DISTRICTS 1 AND 3 AND CITY CLERK
FOR THE GENERAL MUNICIPAL ELECTION NOVEMBER 8, 2022**

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

As the elections official for the City of Perris I, Judy L. Haughney, Assistant City Clerk, do hereby certify that pursuant to § 10229 of the Elections Code of the State of California the following facts relating to the General Municipal Election scheduled to be held on Tuesday, November 8, 2022.

As of the close of the nomination period on August 12, 2022, only one person has been nominated as a candidate for each of the following City offices: City Council District 1, City Council District 3, and City Clerk.

The persons so nominated are:

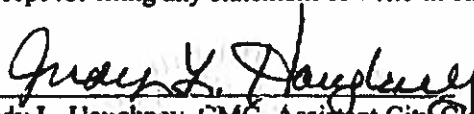
- MARISELA NAVA-CITY COUNCIL DISTRICT 1
- DAVID STARR RABB II-CITY COUNCIL DISTRICT 3
- NANCY SALAZAR-CITY CLERK

That § 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the persons who have 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.

A notice of these facts will be published on August 19, 2022 in a newspaper of general circulation in the City pursuant to § 6061 of the Government Code. After the fifth day of publication, the City Council will meet 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 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, Elections Code, the City Clerk shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made.


Judy L. Haughney, CMC, Assistant City Clerk
/Elections Official

August 15, 2022
Date

ATTACHMENT 2

Resolution No. (next in order) Canceling the November 8, 2022, Election,
and Appointing the Nominees to City Offices That Were to be Elected at the November 8,
2022, Election

RESOLUTION NO. (next in order)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, APPOINTING THE NOMINEES TO THE OFFICES THAT WERE TO BE FILLED AT THE ELECTION ON NOVEMBER 8, 2022, AND CANCELING THE CONSOLIDATED GENERAL MUNICIPAL ELECTION SCHEDULED ON NOVEMBER 8, 2022, PURSUANT TO ELECTIONS CODE SECTION 10229

WHEREAS, as set forth in Resolution No. 5976, the offices of City Council District 1, City Council District 3, and the City Clerk are to be filled at the November 8, 2022, general municipal election; and

WHEREAS, pursuant to Elections Code Section 10229, as of the close of the nomination period on August 12, 2022, for the offices of City Council District 1, City Council District 3, and City Clerk, only 1 person has been nominated for each office and that the City Clerk has certified these facts to the City Council on August 15, 2022, as provided in Exhibit "A" and incorporated herein by this reference; and

WHEREAS, Elections Code Section 10229 therefore allows one of the following courses of action to 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;

and

WHEREAS, a notice thereof was posted on August 18, 2022, and published on August 19, 2022, in the Perris Progress, a newspaper of general circulation pursuant to law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PERRIS AS FOLLOWS:

Section 1. Recitals Incorporated. The City Council finds the above recitals are true and correct and incorporated herein by this reference as if set forth in full.

Section 2. Appointment of Nominees. Pursuant to Elections Code Section 10229, the following persons are hereby appointed to the offices to which they were nominated, and are deemed to have been duly elected to such offices, pursuant to Elections Code Section 10229(a)(3):

Name	Office	District (If Applicable)	Term
Marisela Nava	Member of City Council	District 1	4 years
David Starr Rabb II	Member of City Council	District 3	4 years
Nancy Salazar	City Clerk	N/A	4 years

Section 3. Cancellation of General Municipal Election. The Consolidated General Municipal Election scheduled to be held on Tuesday, November 8, 2022, for the offices of City Council District 1, City Council District 3, and City Clerk, is, by this action, hereby canceled.

Section 4. Effect of Appointment. The foregoing persons appointed to said offices shall qualify and take office and serve exactly as if the same had been duly elected at the November 8, 2022, General Municipal Election for the office.

Section 5. Filing of Certified Copy. That the City Clerk is directed to file a “certified copy” of this Resolution with the Riverside County Registrar of Voters and such other government agencies as may be required by law.

Section 6. Severability. If any subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or any part thereof is for any reason held to be unconstitutional or otherwise unenforceable, such decision shall not affect the validity of the remaining portion of this Resolution or any part thereof. The City Council hereby declare that they would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional or otherwise unenforceable.

Section 7. Effective Date. This Resolution shall take effect immediately after its adoption.

Section 8. Certification. The City Clerk shall certify as to the passage and adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 24th day of August, 2022.

MAYOR, MICHAEL M. VARGAS

ATTEST:

CITY CLERK, NANCY SALAZAR

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution No. (*next in order*) was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 24th day of August, 2022, and that it was so adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

Exhibit "A"
Certification of Insufficiency



**CERTIFICATION OF INSUFFICIENT NOMINEES
FOR THE OFFICES OF
CITY COUNCIL DISTRICTS 1 AND 3 AND CITY CLERK
FOR THE GENERAL MUNICIPAL ELECTION NOVEMBER 8, 2022**

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

As the elections official for the City of Perris I, Judy L. Haughney, Assistant City Clerk, do hereby certify that pursuant to § 10229 of the Elections Code of the State of California the following facts relating to the General Municipal Election scheduled to be held on Tuesday, November 8, 2022.

As of the close of the nomination period on August 12, 2022, only one person has been nominated as a candidate for each of the following City offices: City Council District 1, City Council District 3, and City Clerk.

The persons so nominated are:

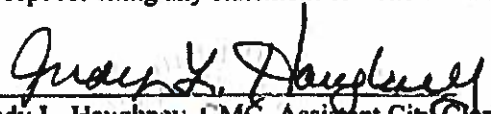
- MARISELA NAVA-CITY COUNCIL DISTRICT 1
- DAVID STARR RABB II-CITY COUNCIL DISTRICT 3
- NANCY SALAZAR-CITY CLERK

That § 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the persons who have 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.

A notice of these facts will be published on August 19, 2022 in a newspaper of general circulation in the City pursuant to § 6061 of the Government Code. After the fifth day of publication, the City Council will meet 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 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, Elections Code, the City Clerk shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made.



Judy L. Haughney, CMC, Assistant City Clerk
/Elections Official

August 15, 2022
Date

ATTACHMENT 3

City Clerk's Notice of Insufficient Nominees

CITY OF PERRIS
NOTICE OF INSUFFICIENT NOMINEES
NOTICE THAT THERE ARE NOT MORE CANDIDATES THAN OFFICES TO BE
ELECTED
NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION

NOTICE IS HEREBY GIVEN that pursuant to § 10229 of the Elections Code of the State of California relating to the General Municipal Election in the City of Perris to be held Tuesday, November 8, 2022:

As of the close of the nomination period on August 12, 2022, only one person has been nominated as a candidate for each of the following City offices: City Council District 1, City Council District 3, and City Clerk.

The persons so nominated are:

City Council District 1-Marisela Nava
City Council District 3-David Starr Rabb II
City Clerk-Nancy Salazar

That § 10229 of the Elections Code allows one of the following actions to be taken by the City Council:

1. Appoint to the office the persons who have 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.

The City Council will meet at a Special Meeting to be held on August 24, 2022 at 6:00 p.m., to either make the appointment(s) or direct an election to be held. The person(s) 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, 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 § 10229, Elections Code, the City Clerk shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made.

//s// Judy L. Haughney, CMC, Assistant City Clerk

Date Published: August 19, 2022