

RESOLUTION NO. 2704**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
CANCELING THE NOVEMBER 1998 SOLEDAD MUNICIPAL
ELECTION AND APPOINTING TWO CITY
COUNCILMEMBERS, THE CITY CLERK
AND THE CITY TREASURER**

WHEREAS, two Council positions are open for election in the November, 1998 Soledad Municipal Election; and

WHEREAS, both the City Clerk and City Treasurer positions are open for election in the November, 1998 Soledad Municipal Election; and

WHEREAS, at the time of the closing of the nomination period for Council candidates, only two individuals, incumbent Fabian Barrera and Patricia Stephens, had filed nomination papers and no individuals had filed nomination papers for either the City Clerk or City Treasurer positions; and

WHEREAS, the nomination papers of both Mr. Barrera and Ms. Stephens were subsequently qualified by the County Registrar of Voters; and

WHEREAS, Elections Code Section 10229 provides that under the circumstances described above, a governing body such as the City Council has the option to cancel the pending municipal election and to appoint the nominated candidates to the open Council positions; and

WHEREAS, a "Certificate of Elections Facts and Options" has been presented to the Council, informing them of the matters set forth above and is attached hereunto as "Exhibit A;" and

WHEREAS, in accordance with Elections Code Section 10299, notice of the factual circumstances and options available to the Council under such circumstances was published by the City's elections official in the Soledad Bee on September 2, 1998.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLEDAD DOES HEREBY RESOLVE AS FOLLOWS:

1. The Soledad November, 1998 Municipal Election is hereby canceled.
2. Fabian Barrera and Patricia Stephens are hereby appointed to the Soledad City Council and shall take office at the time and manner and serve in the capacity of City Councilmember, as if elected at a municipal election.
3. Belinda Espinosa is hereby appointed as City Clerk and shall take office at the time and manner and serve in the capacity of City Clerk, as if elected at a municipal election.
4. Hector De La Rosa, Jr., is hereby appointed as City Treasurer and shall take office at the time and manner and serve in the capacity of City Treasurer, as if elected at a municipal election.

- 5. The Soledad Elections Official is hereby directed to transmit a certified copy of this Resolution to the Monterey County Registrar of Voters.

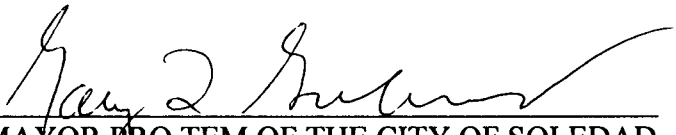
PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 16th day of September, 1998, by the following vote:

AYES, and in favor thereof, Councilmembers: Ben Jimenez, Jr., Fred Ledesma, Richard Ortiz, Mayor Pro Tem Gary Gerbrandt

NOES, Councilmember: None

ABSTAIN, Councilmembers: Mayor Fabian Barrera

ABSENT, Councilmember: None



 MAYOR PRO TEM OF THE CITY OF SOLEDAD

ATTEST:



 CITY CLERK OF THE CITY OF SOLEDAD

City of Soledad Certificate of Election Facts and Options

This is to certify that on August 12, 1998, the close of the extended filing period for nominations to the positions of City Councilmember, there were only two nomination forms submitted. Fabian Barrera and Patricia Stephens have qualified for the ballot which has been certified by the Registrar of Voters for the County of Monterey. The City Council of the City of Soledad has the option to appoint to these two positions the person or persons who have been nominated and cancel the November 3, 1998 election.

Witness my hand and seal of the City of Soledad, California on this 16th day of September, 1998.

Belinda B. Espinosa
BELINDA B. ESPINOSA, CITY CLERK

Exhibit "A"

*City of Soledad
Certificate of Election
Facts and Options*

This is to certify that on August 12, 1998, the close of the extended filing period for nominations to the positions of City Clerk and City Treasurer, there were no nomination forms submitted and therefore, the City Council has the option to cancel the November 3, 1998 election and appoint to those two positions.

Witness my hand and seal of the City of Soledad, California on this 16th day of September, 1998.

Belinda B. Espinosa
BELINDA B. ESPINOSA, CITY CLERK

Exhibit "B"