

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. _____

**A RESOLUTION SETTING AN ELECTION FOR DISTRICT 4 SUPERVISOR AS PART OF THE
NOVEMBER 8, 2022 STATEWIDE GENERAL ELECTION**

WHEREAS, on the morning of April 14, 2022, Lake County's District 4 Supervisor, Tina Scott, announced her resignation, effective July 31, 2022; and

WHEREAS, pursuant to Government Code Section 25060, the vacancy may be filled by an appointment of the Governor, and that individual will hold office until the election and qualification of their successor; and

WHEREAS, pursuant to Government Code section 25061, the election of a Supervisor to fill the vacancy for the unexpired term shall be held at the next General Election, unless the term expires on the first Monday after January 1 succeeding the election; and

WHEREAS, Supervisor Scott's term does not expire on the first Monday following January 1 succeeding the next General Election; and

WHEREAS, the next General Election is to be held Tuesday, November 8, 2022; and

WHEREAS, an Attorney General Opinion (64 Ops. Cal. Atty. Gen. 1, 1981) found there cannot be an election to fill the vacancy in November unless there is a means of nominating a candidate, either at a direct primary or through the independent nomination process described in Elections Code Section 8300 et seq.; and

WHEREAS, pursuant to Elections Code section 8020, et seq., no candidate's name shall be printed on the ballot to be used at the direct primary unless nomination papers are delivered to the county for which they were circulated not later than 5pm on the 88th day prior to the primary election,

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and Supervisor Scott's announcement of resignation came on the 54th day prior to the primary election, and the independent nomination process must therefore be employed; and

WHEREAS, because Elections Code Section 21506 provides the term of office of any supervisor who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which the Supervisor was elected, and Supervisor Scott's term has not expired, the supervisorial district boundaries that apply to this election shall be the 2011 district boundaries, and not the new boundaries adopted by the Board of Supervisors in 2021.

NOW, THEREFORE, BE IT RESOLVED by the Lake County Board of Supervisors of the County of Lake, State of California, as follows:

1. The above Recitals are true and correct and incorporated by this reference.
2. An election will be held at the November 8, 2022 General Election.
3. The independent nomination process, as described in Elections Code 8300 et seq., will be employed, in lieu of a direct primary process.
4. The period to file nomination papers will begin July 18, 2022, and will conclude at 5pm on August 12, 2022.
5. The duly nominated candidate who secures a plurality of the vote in the November General Election will be sworn in and assume office on the 1st Tuesday following January 1, 2023.
6. The individual elected to fill the vacancy will serve the remainder of the term, expiring the 1st Monday following January 1, 2025.
7. District boundaries that apply to this election will be those in place at the time Supervisor Scott was elected to this current term, adopted by the Board of Supervisors in 2011.
8. The Registrar of Voters is authorized to take any necessary and appropriate action, and execute any necessary documents, in order to ensure the election for District 4 Supervisor is properly called.

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THIS RESOLUTION was duly passed and regularly adopted by the Board of Supervisors of the County of Lake at a regular meeting thereof on the 26th day of April, 2022, motion by _____, and seconded by _____, motion passed by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

ATTEST: CAROL J. HUCHINGSON

COUNTY OF LAKE

Clerk to the Board of Supervisors

By: _____

Deputy

Chair, Board of Supervisors

APPROVED AS TO FORM:

ANITA L. GRANT

County Counsel
