

RESOLUTION NO. 2026-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA, CALIFORNIA, PROVIDING FOR AN APPOINTMENT IN LIEU OF ELECTION TO THE OFFICE OF CITY COUNCIL MEMBER FOR DISTRICT 3, AND CANCELLING THE NOVEMBER 3, 2026, MUNICIPAL ELECTION FOR THAT OFFICE, PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10229

WHEREAS, pursuant to Section 10229 of the California Elections Code, as of the close of the nomination period on August 7, 2026, there was not more than one candidate nominated for the office of City Council Member for District 3; and Section 10229 of the Elections Code authorizes the City Council to take one of the following actions:

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

WHEREAS, a notice of these facts was published on August 12, 2026, in a newspaper of general circulation pursuant to Government Code Section 6061; and

WHEREAS, a notice of these facts was posted on August 12, 2026 on the official posting boards at 707 W. Acequia Avenue and 220 N. Santa Fe Street, and on the City's website; and

NOW, THEREFORE, the City Council of the City of Visalia, California, does hereby resolve, declare, determine, and order as follows:

SECTION 1. The City Council of the City of Visalia finds and declares as follows:

A. The City of Visalia has called a General Municipal Election on November 3, 2026, to elect three (3) City Council members representing Districts 3, 4, and 5; and

B. A nomination period was opened and closed in accordance with the Elections Code, and only one candidate was nominated for the office in District 3; and

C. As of the close of the nomination period on August 7, 2026, there was not more than one candidate nominated for the office of City Council Member for District 3; and

D. As a result of there being not more than one candidate nominated for the office of City Council Member for District 3, Elections Code Section 10229 authorizes the City Council to take one of the following actions:

1. Appoint the person who has been nominated to the office;
2. Appoint any eligible elector to the office if no one had been nominated; or
3. Direct that the election for the office be held.

E. A Certificate of Facts was submitted to the City Council, and notice of those facts was posted and published in accordance with Elections Code Section 10229.

SECTION 2. Pursuant to Section 10229 of the California Elections Code, the City Council hereby appoints the following person to the office for which they were nominated:

District 3 - Brian Poochigian

SECTION 3. The Municipal Election scheduled for November 3, 2026, is cancelled with respect to the City Council offices for District 3.

SECTION 4. Pursuant to Elections Code Section 10229, the City Clerk/Elections Official shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made.

SECTION 5. The person appointed shall be sworn into office at the first regular meeting of the City Council following certification of the election by the County Registrar of Voters and shall take office and serve as if elected at the Municipal Election for a term ending in November 2030.

PASSED AND ADOPTED: August 17, 2026 Leslie B. Caviglia, City Clerk

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2026-xx passed and adopted by the Council of the City of Visalia at a regular meeting held on August 17, 2026.

Dated: August 18, 2026

Leslie B. Caviglia, City Clerk

By Reyna Rivera, Chief Deputy City Clerk