

RESOLUTION NO. 2023-054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ACCEPTING THE CERTIFICATE AS TO VERIFICATION OF SIGNATURES ON PETITION AND CERTIFICATE OF SUFFICIENCY FOR PETITION TO RECALL COUNCILMEMBER JESSIE LOPEZ

WHEREAS, on February 8, 2023, the City Clerk received a copy of Notice of Intention to Circulate Recall Petition for Jessie Lopez, Councilmember, Ward 3; and

WHEREAS, on April 7, 2023, the Petition for Recall form was determined to meet the statutory requirements and, therefore, was approved for signature gathering; and

WHEREAS, pursuant to Elections Code Section 11221(a)(3), the number of signatures required on the petition to qualify and trigger a recall election must be equal in number to not less than the following percent of registered voters in the electoral district: twenty percent (20%) if the registration is less than 50,000 but at least 10,000; and

WHEREAS, according to the current Secretary of State report (dated February 10, 2023) at the time the Notice of Intention was filed, Ward 3 in the City of Santa Ana had 26,370 registered voters, and therefore, the number of verified signatures required was 5,274 for the petition; and

WHEREAS, on June 12, 2023, the proponents of a recall election submitted the petition with the City Clerk's Office in accordance with Elections Code Sections 11220 and 11222 and prior to the established deadline of August 7, 2023; and

WHEREAS, after completing a prima facie review of signatures, the City Clerk determined that the petition did, in fact, contain the minimum number of signatures, and, thereafter, provided the petitions to the County of Orange Registrar of Voters for examination and verification of signatures; and

WHEREAS, on July 17, 2023, the County of Orange Registrar of Voters provided a certificate as to verification of signatures on petition for the petition to recall Council Member Jessie Lopez, indicating the requisite number of signatures affixed to the petition, and attached as Exhibit A; and

WHEREAS, based upon the certificate as to verification of signatures from the County of Orange Registrar of Voters, the City Clerk issued a certificate of sufficiency for the petition to recall Council Member Jessie Lopez attached as Exhibit B.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines, and declares that the City Council hereby accepts the certificate as to verification of signatures on petition from the Orange County Registrar of Voters on the petition to recall Jessie Lopez, Councilmember, Ward 3, and also accepts the City Clerk's certificate of sufficiency.

Section 2. This Resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall attest to and certify the vote adopting this Resolution.

ADOPTED this 15th day of August 2023.

Valerie Amezcua
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: _____
Laura A. Rossini
Chief Assistant City Attorney

AYES:	Councilmembers	<u>Amezcu</u> <u>a, Bacerra, Hernandez,</u> <u>Penaloza, Phan, Vazquez (6)</u>
NOES:	Councilmembers	<u>None (0)</u>
ABSTAIN:	Councilmembers	<u>Lopez (1)</u>
NOT PRESENT:	Councilmembers	<u>None (0)</u>

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, JENNIFER L. HALL, City Clerk, do hereby attest to and certify the attached Resolution No. 2023-054 to be the original resolution adopted by the City Council of the City of Santa Ana on August 15, 2023.

Date: _____

Jennifer L. Hall
City Clerk
City of Santa Ana



CERTIFICATE OF SUFFICIENCY OF RECALL PETITION

I, Jennifer L. Hall, City Clerk for the City of Santa Ana, County of Orange, State of California, do hereby certify:

That proponents submitted to my office on June 12, 2023 a petition to recall Jessie Lopez holding the office of Councilmember, Ward 3 in the City of Santa Ana, California. The petition was accepted for filing and delivered to the Orange County Registrar of Voters on June 13, 2023 to verify the signatures.

That said petition consisted of 1,098 sections, and that each section contained signatures purporting to be 6,582 signatures of qualified electors of the City of Santa Ana, California. The petition is considered sufficient to qualify if signed by at least 20% of the 26,370 registered voters in Ward 3 in the City of Santa Ana.

That attached to said petition at the time it was filed, was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition.

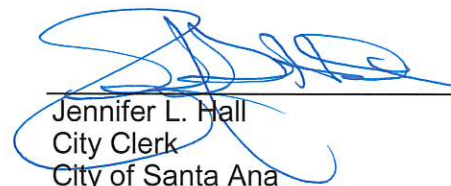
That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her own information and belief, each signature to that section was the genuine signature of the person whose name it purports to be.

That the Registrar of Voters of the County of Orange has certified the results attached hereto as Exhibit 1 and incorporated by reference the signature verification of the following facts regarding this petition:

1. Recall sought Jessie Lopez as the named officer.
2. Holding the Office of Councilmember, Ward 3.
3. Total number of signatures required by law: 5,274
4. Total number of signatures on the petition: 6,617
5. Total number of valid signatures on the petition: 5,284
6. Number of signatures which were disqualified: 1,333

Based on this examination and in accordance with Elections Code Sections 11222, 11224, and 11227, the recall petition is hereby acknowledged as sufficient to be submitted to the voters at a special election not less than 88, nor more than 125, days after the issuance of the order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Santa Ana this 17th day of July, 2023.



Jennifer L. Hall
City Clerk
City of Santa Ana

