



**City of Santa Ana**  
**20 Civic Center Plaza, Santa Ana, CA 92701**  
**Staff Report**  
**December 13, 2022**

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**TOPIC:** Certification of the General Municipal Election held on November 8, 2022

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**AGENDA TITLE:**

Resolution Declaring the November 8, 2022 General Municipal Election Results - Measures W and X and the Election of Certain Officers

**RECOMMENDED ACTION**

1. Adopt a resolution declaring the results of the General Municipal Election held in the City on November 8, 2022.
2. Execute Ordinance No. NS-3031 approved by the voters amending Articles IV, IX, and X of Chapter 21 of the Santa Ana Municipal Code to restructure non-cannabis business license tax rates and adding Article XIV to Chapter 21 of the Santa Ana Municipal Code to provide a Flexible Tax Holiday for unlicensed, past due, or underassessed businesses (Measure W).
3. Authorize submission to the Secretary of State, for acceptance and filing, Amendments to the Santa Ana City Charter approved by the voters imposing a lifetime ban for the Mayor after 4 terms and a lifetime ban for Councilmembers after completion of 3 terms, requiring approval of 2/3 of the City Council to adopt a budget, expanding the application of the Code of Ethics, utilizing gender neutral language throughout the Charter, changing references to the "Clerk of Council" to "City Clerk" and making other minor updates (Measure X).

**DISCUSSION**

On December 2, 2022 the Orange County Registrar of Voters certified the results of the canvass of the Santa Ana General Municipal Election returned for Measures W and X, and the election of certain officers.

Pursuant to State Elections Code Sections 10263 and 10264, the City Council must adopt a resolution reciting the fact of the election results as follow: (a) The whole number of votes cast in the city; (b) The names of the persons voted for; (c) The measures voted upon; (d) For what office each person was voted for; (e) The number of votes given at each precinct to each person and for and against each measure; and (f) The number of votes given in the city to each person and for and against each measure.

Measure W, considered and approved by the voters, is an ordinance to amend Chapter 21 of the Santa Ana Municipal Code to restructure non-cannabis business license tax rates and to provide a flexible tax holiday for unlicensed, past due, or underassessed business. Pursuant to Elections Code Section 9217, the ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect ten (10) days after that date.

Measure X, considered and approved by the voters, is related to updating the Charter by imposing a lifetime ban for the Mayor after 4 terms and a lifetime ban for Councilmembers after completion of 3 terms, requiring approval of 2/3 of the City Council to adopt a budget, expanding the application of the Code of Ethics, utilizing gender neutral language throughout the Charter, changing references to the “Clerk of Council” to “City Clerk” and making other minor updates. Pursuant to Government Code Section 34459, if the voters vote in favor of the charter proposal, amendment, or repeal, it shall be deemed to be ratified, but shall not take effect until accepted and filed by the Secretary of State pursuant to Section 34460.

Also on the Result of the Canvass of the General Election Returns are the results of the election of certain officers. The accompanying Resolution and Certificate of Registrar of Voters to Result of the Canvass of the General Election Returns identify the results of the balloting. By adopting the resolution, the City Council declares elected the following individuals:

- Valerie Amezcua, Mayor
- Benjamin Vazquez - Councilmember, Ward 2
- Phil Bacerra - Councilmember, Ward 4
- David Penaloza - Councilmember, Ward 6

The resolutions placing the Measures on the ballot are also provided as reference and included as exhibits.

### **ENVIRONMENTAL IMPACT**

There is no environmental impact associated with this action.

### **FISCAL IMPACT**

There is no fiscal impact associated with this action.

### **EXHIBIT(S)**

1. Resolution Declaring the Results of the November 8, 2022 General Municipal Election
  - 1A. Certificate of Registrar of Voters
2. Ordinance No. NS-3031 (Measure W)

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3. Charter Amendments (Measure X)
4. Resolution No. 2022-056 (Measure W - Business License Tax Rates)
5. Resolution No. 2022-067 (Measure X - Charter Amendments)

Submitted By: Norma Orozco, Acting Assistant Clerk of the Council

Approved By: Kristine Ridge, City Manager