

RESOLUTION NO. 2021-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERNON, CALIFORNIA, RECITING THE FACTS OF THE SPECIAL MUNICIPAL RECALL ELECTION HELD ON SEPTEMBER 14, 2021, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

SECTION 1. Recitals.

- A. A Special Municipal Election was held in the City of Vernon, California, on Tuesday, September 14, 2021, for the purpose of submitting to the voters the proposal to recall Council Members William Davis and Melissa Ybarra, and if said Council Members were recalled, to elect successors.
- B. Notice of the Election was given in time, form and manner as provided by law; candidates were nominated to fill the vacancy as required by law; voting precincts were properly established; election officers were appointed; and in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in the time, form and manner as required by the provisions of the City Charter, Municipal Code, and Elections Code of the State of California for the holding of elections in charter cities.
- C. The City Clerk canvassed the returns of the election and has certified the results to the City Council, which certification and results are received, attached and made a part hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERNON AS FOLLOWS:

SECTION 2. The City Council of the City of Vernon hereby finds and determines that the above recitals are true and correct.

SECTION 3. The whole number of ballots legally cast for the Special Municipal Election held on September 14, 2021, was 77.

SECTION 4. The ballot consisted of the following recall questions:

Shall William Davis be recalled (removed) from the office of City of Vernon Council Member?

Shall Melissa Ybarra be recalled (removed) from the office of City of Vernon Council Member?

SECTION 5. The names of the persons voted for at the Special Municipal Election should William Davis be recalled, in order as they appeared on the official ballot, are as follows:

Diana Gonzales

SECTION 6. The names of the persons voted for at the Special Municipal Election should Melissa Ybarra be recalled, in order as they appeared on the official ballot, are as follows:

Carol Menke

SECTION 7. The City Clerk canvassed the returns of the election and certified the results to the City Council, which certification and results are received and accepted, attached and made a part hereto as Exhibit A.

SECTION 8. The City Council of the City of Vernon hereby declares the following election results:

William Davis was not recalled from office.

Diana Gonzales was not elected as member of the City Council to fill the seat vacated by the recall of William Davis for the partial term ending April 2023.

Melissa Ybarra was not recalled from office.

Carol Menke was not elected as member of the City Council to fill the seat vacated by the recall of Melissa Ybarra for the partial term ending April 2022.

SECTION 9. The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 5th day of October, 2021.

DocuSigned by:

Melissa Ybarra

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MELISSA YBARRA, Mayor

ATTEST:

DocuSigned by:

Lisa Pope

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LISA POPE, City Clerk

(seal)

APPROVED AS TO FORM:

DocuSigned by:

Baynala N. Moussa

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BAYNALA N. MOUSSA, Interim City Attorney

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 2021-28 was passed and adopted by the City Council of the City of Vernon at the Regular meeting on October 5, 2021 by the following vote:

AYES: 5 Council Members: Larios, Lopez, Merlo, Davis, Ybarra

NOES: 0

ABSENT: 0

ABSTAIN: 0

DocuSigned by:

Lisa Pope

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LISA POPE, City Clerk

(seal)



Exhibit A

CITY OF VERNON
SEPTEMBER 14, 2021 SPECIAL MUNICIPAL ELECTION
CERTIFICATION OF CANVASS

I, Lisa Pope, City Clerk of the City of Vernon, California, do hereby certify that I have canvassed the returns of the Special Municipal Election held on September 14, 2021, and find that the number of votes cast were as follows:

TO RECALL WILLIAM DAVIS	1 st Count September 14, 2021	2 nd Count September 16, 2021	3 rd Count September 23, 2021	Total
Yes	13	2	0	15
No	54	3	2	59
Total Votes	67	5	2	74
TO ELECT DIANA GONZALES if Davis is recalled	1 st Count September 14, 2021	2 nd Count September 16, 2021	3 rd Count September 23, 2021	Total
	16	2	0	18
Total Votes	16	2	0	18
TO RECALL MELISSA YBARRA	1 st Count September 14, 2021	2 nd Count September 16, 2021	3 rd Count September 23, 2021	Total
Yes	15	2	2	19
No	53	3	0	56
Total Votes	68	5	2	75
TO ELECT CAROL MENKE if Ybarra is recalled	1 st Count September 14, 2021	2 nd Count September 16, 2021	3 rd Count September 23, 2021	Total
	18	2	0	20
Total Votes	18	2	0	20

Registered Voters	119
Voted Ballots Voter Turnout	77 65%

These results are **official** and reflect all ballots received.

The results will be certified at the Regular City Council meeting on October 5, 2021.

Lisa Pope, City Clerk

September 23, 2021

City Council Agenda Item Report

Agenda Item No. COV-689-2021
Submitted by: Lisa Pope
Submitting Department: City Clerk
Meeting Date: October 5, 2021

SUBJECT

Results of the City of Vernon September 14, 2021 Special Municipal Election

Recommendation:

Adopt Resolution No. 2021-28 reciting the facts of the Special Municipal Election held on September 14, 2021, declaring the results and such other matters as provided by law.

Background:

On May 18, 2021, the City Council adopted Resolution No. 2021-10 calling the Special Municipal Election for the submission of the question of the recall of William Davis and Melissa Ybarra and the election of two City Council Members to fill the vacancies if the recall prevails.

On September 14, 2021, the Special Municipal Election was held in conformance with the City Charter, Vernon Municipal Code, California Election Code, and the Federal Voting Rights Act.

Ballots received as of close of polls on Election Day were canvassed on Election Night, a second canvass was conducted on September 16, 2021 and a third canvass conducting on September 23, 2021.

Pursuant to Elections Code Section 10263, the City Council must adopt a resolution reciting the facts of the election.

The Certificate of Canvass, Exhibit A to the resolution, declaring the results of the election, provides details of the results including the total of votes cast for and against the recall of Council Members William Davis and Melissa Ybarra and the election of City Council candidates Diana Gonzales and Carol Menke.

Fiscal Impact:

There is no fiscal impact associated with this report.

Attachments:

- [1. Resolution No. 2021-28](#)