

CITY OF YUBA CITY
STAFF REPORT

Date: December 6, 2022
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk Administrator

Summary

Subject: Declaration of Election Results
Recommendation: Adopt a Resolution declaring the results of the November 8, 2022 General Municipal Election
Fiscal Impact: None

The California Election Code, Section 10262(b), requires that the City Council declare elected the persons for whom the highest numbers of votes were cast for each office. General Municipal Elections were held on November 8, 2022 for three seats on the City Council and a measure to change the elected positions of City Clerk and City Treasurer to appointed positions (Measure Z).

It is recommended that the City Council declare elected the following:

| City Council District | | Vote | % |
|-----------------------|------------------|-------|--------|
| 1 | Dave Shaw | 1,781 | 64% |
| 2 | Marc Boomgaarden | 2,490 | 47.95% |
| 3 | Mike Pasquale | 996 | 52.61% |

The results of Measure Z are as follows:

| Measure Z | Vote Count | % |
|-----------|------------|--------|
| No | 11,020 | 65.96% |
| Yes | 5,688 | 34.04% |
| Total | 16,708 | |

This recommendation is based on certified election results from the Sutter County Clerk.

Recommendation:

Adopt a Resolution accepting the official certified results of the November 8, 2022 General Municipal Election.

Attachments:

1. Election Results - Resolution 12.06.22
2. Exhibit A - Election Results

Prepared By:
Ciara Wakefield
City Clerk Administrator

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ACCEPTING THE SUTTER COUNTY REGISTRAR RECORDER/COUNTY CLERK'S
OFFICIAL CANVASS AND OFFICIAL STATEMENT OF VOTES CAST FOR THE
CONSOLIDATED MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 8, 2022, AND
DECLARING THE RESULTS THEREOF**

WHEREAS, a Statewide General Election and City Municipal Election were held and conducted in the City of Yuba City on Tuesday, November 8, 2022 as required by law; and

WHEREAS, in all respects the election was held and conducted as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the Sutter County Registrar Recorder/County Clerk canvassed the returns of the election and certified the results to the City Council, and those Official Results are received, attached, and made a part hereof as "Exhibit A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The vote totals for the Consolidated Municipal Election held on November 8, 2022 in the City of Yuba City, as certified by Sutter County are as follows: The whole number of ballots cast in all districts including vote by mail were 28,521. The total number of ballots cast in the City of Yuba City Council District 1 contest were 2,746. The total number of ballots cast in the City of Yuba City Council District 2 contest were 5,193. The total number of ballots cast in the City of Yuba City Council District 3 contest were 1,893. The total number of ballots cast for Measure Z were 16,708.

SECTION 2. The City Council does declare and determine that:

- (a) The names of persons voted for at the election for Member of the City Council District 1 are as follows:
 - Dave Shaw (1,781 votes received)
 - Brendon Messina (965 votes received)
- (b) The names of persons voted for at the election for Member of the City Council District 2 are as follows:
 - Marc Boomgaarden (2,490 votes received)
 - Sukh Sidhu (1,385 votes received)
 - Chuck Smith (1,318 votes received)
- (c) The names of persons voted for at the election for Member of the City Council District 3 are as follows:
 - Mike Pasquale (996 votes received)
 - Grace Espindola (897 votes received)

- (d) Measure Z
No (11,020 votes received)
Yes (5,688 votes received)

SECTION 3. That the number of votes given at each precinct to each person and the number of votes given in the City to each person for the respective offices are listed on Exhibit "A", attached.

SECTION 4. The City Council does declare and determine that:

- (a) Dave Shaw was elected as City Councilmember – District 1 for the full term of four years.
- (b) Marc Boomgaarden was elected as City Councilmember – District 2 for the full term of four years.
- (c) Mike Pasquale was elected as City Councilmember – District 3 for the full term of four years.
- (d) Measure Z did not pass. The City Clerk and Treasurer will remain elected positions.

SECTION 5. The Deputy City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election, administer the Oath of Office, and shall have each person subscribe to it and file it in the office of the City Clerk. All of the persons so elected shall then be inducted into the office to which they have been elected.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a Regular meeting thereof held on the 6th day of December 2022.

AYES:

NOES:

ABSENT:

Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

Attachments:

- Exhibit A – Canvass of the November 8, 2022, Consolidated Municipal Election, as set forth in the “Sutter 2022 General, November 8, 2022, Official Results” and including the certification thereof by Donna M. Johnston, Registrar of Voters.

EXHIBIT A

Sutter
Sutter 2022 General
November 8, 2022
Official Results

| | | |
|--------------------------------|----------------------|---------|
| | Registered Voters | Turnout |
| Total Registration and Turnout | 52,894 | 28,521 |
| Election Day | | 1,533 |
| VBM | | 26,988 |

Governor
(24 of 24 precincts reported)

| | | |
|--------------------|---------------|--------|
| BRIAN DAHLE | 19,024 | 67.69% |
| GAVIN NEWSOM | 9,082 | 32.31% |
| Total | 28,106 | |

Lieutenant Governor
(24 of 24 precincts reported)

| | | |
|-----------------------------------|---------------|--------|
| ANGELA E. UNDERWOOD JACOBS | 18,314 | 66.12% |
| ELENI KOUNALAKIS | 9,386 | 33.88% |
| Total | 27,700 | |

Secretary of State
(24 of 24 precincts reported)

| | | |
|---------------------|---------------|--------|
| ROB BERNOSKY | 18,032 | 65.28% |
| SHIRLEY N. WEBER | 9,591 | 34.72% |
| Total | 27,623 | |

Controller
(24 of 24 precincts reported)

| | | |
|-----------------------|---------------|--------|
| LANHEE J. CHEN | 18,637 | 67.50% |
| MALIA M. COHEN | 8,974 | 32.50% |
| Total | 27,611 | |

Treasurer
(24 of 24 precincts reported)

| | | |
|-------------------------|---------------|--------|
| JACK M. GUERRERO | 18,152 | 65.85% |
| FIONA MA | 9,414 | 34.15% |
| Total | 27,566 | |

Attorney General
(24 of 24 precincts reported)

| | | |
|-----------------------|---------------|--------|
| NATHAN HOCHMAN | 18,155 | 65.71% |
| ROB BONTA | 9,474 | 34.29% |
| Total | 27,629 | |

Insurance Commissioner
(24 of 24 precincts reported)

| | | |
|----------------------|---------------|--------|
| ROBERT HOWELL | 17,806 | 64.87% |
| RICARDO LARA | 9,644 | 35.13% |
| Total | 27,450 | |

Board of Equalization Member District 1
(24 of 24 precincts reported)

| | | |
|--------------------|---------------|--------|
| TED GAINES | 18,792 | 68.55% |
| JOSE S. ALTAMIRANO | 8,621 | 31.45% |
| Total | 27,413 | |

United States Senator (Full Term)
(24 of 24 precincts reported)

| | | |
|-----------------------|---------------|--------|
| MARK P. MEUSER | 17,827 | 64.53% |
| ALEX PADILLA | 9,797 | 35.47% |
| Total | 27,624 | |

United States Senator (Partial/Unexpired Term)
(24 of 24 precincts reported)

| | | |
|-----------------------|---------------|--------|
| MARK P. MEUSER | 17,798 | 64.61% |
| ALEX PADILLA | 9,748 | 35.39% |
| Total | 27,546 | |

United States Representative District 1
(24 of 24 precincts reported)

| | | |
|---------------------|---------------|--------|
| DOUG LAMALFA | 18,421 | 66.38% |
| MAX STEINER | 9,328 | 33.62% |
| Total | 27,749 | |

State Assembly Member District 3
(24 of 24 precincts reported)

| | | |
|------------------------|---------------|--------|
| JAMES GALLAGHER | 19,720 | 70.97% |
| DAVID LEON ZINK | 8,067 | 29.03% |
| Total | 27,787 | |

Chief Justice Of California (Patricia Guerrero)
(24 of 24 precincts reported)

| | | |
|--------------|---------------|--------|
| YES | 12,834 | 54.58% |
| NO | 10,678 | 45.42% |
| Total | 23,512 | |

Associate Justice Of The Supreme Court (Goodwin Liu)
(24 of 24 precincts reported)

| | | |
|--------------|---------------|--------|
| YES | 12,323 | 52.94% |
| NO | 10,953 | 47.06% |
| Total | 23,276 | |

Associate Justice Of The Supreme Court (Martin J. Jenkins)
(24 of 24 precincts reported)

| | | |
|--------------|---------------|--------|
| YES | 12,224 | 53.22% |
| NO | 10,745 | 46.78% |
| Total | 22,969 | |

Sutter
Sutter 2022 General
November 8, 2022
Official Results

| Associate Justice Of The Supreme Court (Joshua P. Groban) | | |
|---|---------------|---------------|
| (24 of 24 precincts reported) | | |
| YES | 11,822 | 52.04% |
| NO | 10,897 | 47.96% |
| Total | 22,719 | |

| Associate Justice, Court of Appeal, Third District (Stacy Boulware Eurie) | | |
|---|---------------|---------------|
| (24 of 24 precincts reported) | | |
| Yes | 12,627 | 55.85% |
| No | 9,982 | 44.15% |
| Total | 22,609 | |

| Associate Justice, Court of Appeal, Third District (Laurie M. Earl) | | |
|---|---------------|---------------|
| (24 of 24 precincts reported) | | |
| YES | 11,774 | 52.14% |
| NO | 10,807 | 47.86% |
| Total | 22,581 | |

| Associate Justice, Court of Appeal, Third District (Harry Hull) | | |
|---|---------------|---------------|
| (24 of 24 precincts reported) | | |
| YES | 13,934 | 61.83% |
| NO | 8,601 | 38.17% |
| Total | 22,535 | |

| Associate Justice, Court of Appeal, Third District (Peter Krause) | | |
|---|---------------|---------------|
| (24 of 24 precincts reported) | | |
| YES | 11,961 | 53.26% |
| NO | 10,498 | 46.74% |
| Total | 22,459 | |

| Superintendent of Public Instruction | | |
|--------------------------------------|---------------|---------------|
| (24 of 24 precincts reported) | | |
| LANCE RAY CHRISTENSEN | 12,468 | 52.49% |
| TONY K. THURMOND | 11,285 | 47.51% |
| Total | 23,753 | |

| Mbr Bd Of Education Trustee Area No 3 | | |
|---------------------------------------|--------------|---------------|
| (7 of 7 precincts reported) | | |
| KASH GILL | 4,631 | 67.16% |
| BRANDON MOON | 2,264 | 32.84% |
| Total | 6,895 | |

| Mbr Bd Of Education Trustee Area No 4 | | |
|---------------------------------------|--------------|---------------|
| (4 of 4 precincts reported) | | |
| HARJIT SINGH | 2,898 | 54.12% |
| JIM RICHMOND | 2,457 | 45.88% |
| Total | 5,355 | |

| Yuba College Gov Bd Member Trustee Area No 3 | | |
|--|---------------|---------------|
| (15 of 15 precincts reported) | | |
| ERIC POMEROY | 6,687 | 58.78% |
| RITA ANDREWS | 4,690 | 41.22% |
| Total | 11,377 | |

| Yuba College Gov Bd Member Trustee Area No 7 Short Term | | |
|---|-----------|---------------|
| (1 of 1 precincts reported) | | |
| DOUGLAS M HARRIS | 9 | 56.25% |
| JEFFREY DRYDEN | 7 | 43.75% |
| Total | 16 | |

| LOUSD Govn Bd Member | | |
|-------------------------------|--------------|---------------|
| Vote For 2 | | |
| (2 of 2 precincts reported) | | |
| CLAY GOODMAN | 1,520 | 41.38% |
| ROGER D CHRISTIANSON | 1,368 | 37.24% |
| MITCHELL PERIGO | 785 | 21.37% |
| Total | 3,673 | |

| YCUSD Govn Bd Member Trustee Area No 1 | | |
|--|--------------|---------------|
| (6 of 6 precincts reported) | | |
| LONDA LAMB | 2,537 | 62.43% |
| SARB TAKHAR | 1,527 | 37.57% |
| Total | 4,064 | |

| YCUSD Govn Bd Member Trustee Area No 2 | | |
|--|--------------|---------------|
| (4 of 4 precincts reported) | | |
| KJERSTIN CIOCIOLA | 1,599 | 58.68% |
| LINDA MERKLIN | 1,126 | 41.32% |
| Total | 2,725 | |

| YCUSD Gov BD Member Trustee Area No 4 | | |
|---------------------------------------|--------------|---------------|
| (3 of 3 precincts reported) | | |
| HARJOT KAUR | 1,615 | 55.16% |
| ZAC REPKA | 1,313 | 44.84% |
| Total | 2,928 | |

Sutter
Sutter 2022 General
November 8, 2022
Official Results

YCUSD Gov Bd Member Trustee Area No 5

(3 of 3 precincts reported)

| | | |
|--------------------|--------------|--------|
| GREG QUILTY | 744 | 50.47% |
| SHARI K TUCKER | 730 | 49.53% |
| Total | 1,474 | |

Gov Bd Mbr E Nicolaus Joint Union

Vote For 2

(2 of 2 precincts reported)

| | | |
|----------------------|--------------|--------|
| TOMMY HINTZ | 445 | 29.99% |
| ERIN VAN DYKE | 408 | 27.49% |
| TYSON EARHART | 386 | 26.01% |
| ORRIN TUOLD | 245 | 16.51% |
| Total | 1,484 | |

Gov Bd Mbr Sutter Union High School

Vote For 3

(8 of 8 precincts reported)

| | | |
|---------------------|--------------|--------|
| LARRY MUNGER | 2,019 | 33.55% |
| ALLEN JAYNES | 1,467 | 24.38% |
| CARL PRATT | 1,267 | 21.05% |
| JILL WILHELM | 1,265 | 21.02% |
| Total | 6,018 | |

Gov Brd Member Brittan School Dist

Vote For 3

(4 of 4 precincts reported)

| | | |
|---------------------------|--------------|--------|
| BRANDON MCREYNOLDS | 821 | 30.42% |
| HEATHER BARNES | 721 | 26.71% |
| ERICH RUNGE | 611 | 22.64% |
| CHRISTOPHER HARP | 546 | 20.23% |
| Total | 2,699 | |

Gov Bd Mbr Franklin School District

Vote For 3

(3 of 3 precincts reported)

| | | |
|----------------------|--------------|--------|
| KYLE O'NEAL | 584 | 28.88% |
| GLENN HOUSTON | 565 | 27.94% |
| AARON MURPHY | 538 | 26.61% |
| CIARA WAKEFIELD | 335 | 16.57% |
| Total | 2,022 | |

Gov Bd Mbr Marcum Illinois School

Vote For 2

(2 of 2 precincts reported)

| | | |
|---------------------|------------|--------|
| EMILY DADDOW | 198 | 47.83% |
| KEITH TURNER | 122 | 29.47% |
| TIFFANY STEELE | 94 | 22.71% |
| Total | 414 | |

Gov Bd Mbr Nuestro School District

Vote For 2

(2 of 2 precincts reported)

| | | |
|------------------------|------------|--------|
| BETHANY SCHMIDL | 128 | 44.91% |
| EMILY MORTON | 103 | 36.14% |
| DEBBIE EVERETT | 54 | 18.95% |
| Total | 285 | |

Mbr City Council Live Oak

Vote For 3

(1 of 1 precincts reported)

| | | |
|---------------------------|--------------|--------|
| ASHLEY HERNANDEZ | 819 | 16.91% |
| BOB WOTEN | 767 | 15.83% |
| JERAMY CHAPDELAINE | 757 | 15.63% |
| CRUZ MORA | 696 | 14.37% |
| J.R. THIARA | 690 | 14.24% |
| ALEKS TICA | 572 | 11.81% |
| NOEL GROVE | 543 | 11.21% |
| Total | 4,844 | |

Mbr City Council Yuba City D1

(3 of 3 precincts reported)

| | | |
|------------------|--------------|--------|
| DAVE SHAW | 1,781 | 64.86% |
| BRENDON MESSINA | 965 | 35.14% |
| Total | 2,746 | |

Mbr City Council Yuba City D2

(4 of 4 precincts reported)

| | | |
|-------------------------|--------------|--------|
| MARC BOOMGAARDEN | 2,490 | 47.95% |
| SUKH SIDHU | 1,385 | 26.67% |
| CHUCK SMITH | 1,318 | 25.38% |
| Total | 5,193 | |

Mbr City Council Yuba City D3

(4 of 4 precincts reported)

| | | |
|----------------------|--------------|--------|
| MIKE PASQUALE | 996 | 52.61% |
| GRACE ESPINDOLA | 897 | 47.39% |
| Total | 1,893 | |

Proposition 1

(24 of 24 precincts reported)

| | | |
|--------------|---------------|---------------|
| No | 13,685 | 50.65% |
| Yes | 13,334 | 49.35% |
| Total | 27,019 | |

Sutter
Sutter 2022 General
November 8, 2022
Official Results

Proposition 26
 (24 of 24 precincts reported)

| | | |
|--------------|---------------|---------------|
| No | 19,577 | 71.91% |
| Yes | 7,646 | 28.09% |
| Total | 27,223 | |

MEASURE Z CITY CLERK
 (14 of 14 precincts reported)

| | | |
|--------------|---------------|---------------|
| No | 10,987 | 65.84% |
| Yes | 5,700 | 34.16% |
| Total | 16,687 | |

Proposition 27
 (24 of 24 precincts reported)

| | | |
|--------------|---------------|---------------|
| No | 22,593 | 82.45% |
| Yes | 4,809 | 17.55% |
| Total | 27,402 | |

Proposition 28
 (24 of 24 precincts reported)

| | | |
|--------------|---------------|---------------|
| Yes | 14,184 | 52.14% |
| No | 13,021 | 47.86% |
| Total | 27,205 | |

Proposition 29
 (24 of 24 precincts reported)

| | | |
|--------------|---------------|---------------|
| No | 21,137 | 77.63% |
| Yes | 6,090 | 22.37% |
| Total | 27,227 | |

Proposition 30
 (24 of 24 precincts reported)

| | | |
|--------------|---------------|---------------|
| No | 19,400 | 71.05% |
| Yes | 7,904 | 28.95% |
| Total | 27,304 | |

Proposition 31
 (24 of 24 precincts reported)

| | | |
|--------------|---------------|---------------|
| No | 13,856 | 50.76% |
| Yes | 13,441 | 49.24% |
| Total | 27,297 | |

Sutter County Essential Services Measure Measure A
 (24 of 24 precincts reported)

| | | |
|--------------|---------------|---------------|
| No | 14,027 | 51.61% |
| Yes | 13,152 | 48.39% |
| Total | 27,179 | |

MEASURE Z CITY TREASURER
 (14 of 14 precincts reported)

| | | |
|--------------|---------------|---------------|
| No | 11,020 | 65.96% |
| Yes | 5,688 | 34.04% |
| Total | 16,708 | |



COUNTY OF SUTTER... established 1850

Donna M Johnston

County Clerk-Recorder-Registrar of Voters – Clerk of the Board of Supervisors

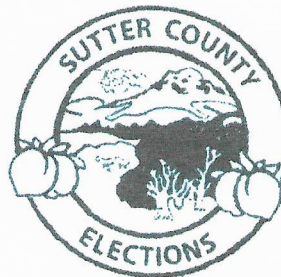
CERTIFICATE TO THE RESULTS OF THE CANVASS OF THE NOVEMBER 8, 2022 STATEWIDE GENERAL ELECTION

STATE OF CALIFORNIA }
COUNTY OF SUTTER } ss.

I, DONNA M. JOHNSTON, Clerk-Recorder/Registrar of Voters for the County of Sutter, State of California, do hereby certify that, in pursuance to the provisions of the Elections Code, I did canvass the results of the votes cast in the Statewide General Election held on November 8, 2022, in the County of Sutter, State of California. The total number of ballots cast in said election; for each and contest and measure are set forth in the Official Results, to which this certificate is attached. The totals are true, full, and correct.

WITNESS my hand and Official Seal, this 30th of November, 2022.

Donna M Johnston
Donna M. Johnston
County Clerk-Recorder/Registrar of Voters



Clerk-Recorder
433 Second Street
Yuba City, CA 95991
Tel: (530) 822-7134
Fax: (530) 822-7214

Clerk of the Board of Supervisors
1160 Civic Center Blvd.
Yuba City, CA 95993
Tel: (530) 822-7106
Fax: (530) 822-7103

Registrar of Voters
1435 Veterans Memorial Circle
Yuba City, CA 95993
Tel: (530) 822-7122
Fax: (530) 822-7587

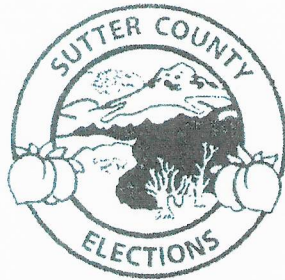
**HELP AMERICA VOTE ACT OF 2002
CERTIFICATION OF ELECTIONS OFFICIAL**

STATE OF CALIFORNIA }
COUNTY OF SUTTER } ss.

Pursuant to the statewide voter registration list requirements set forth in the Help America Voter Act of 2002 (HAVA) 52 U.S.C. § 21083),

I, Donna M. Johnston, Clerk-Recorder/Registrar of Voters for the County of Sutter, State of California, hereby certify that I complied with all provisions of Chapter 2 of Division 7 of Title 2 of the California Code of Regulations for the election held on the 8th day of November 2022 in the County of Sutter, State of California, and all elections consolidated therewith.

I hereby set my hand and official seal this 30th day of November, 2022 at the County of Sutter.



Donna M Johnston
Donna M. Johnston
Registrar of Voters
County of Sutter
State of California

CERTIFICATION OF ELECTIONS OFFICIAL

MANUAL TALLY OF ELECTION RESULTS PURSUANT TO SECTION 15360 OF CALIFORNIA ELECTIONS CODE

Statewide General Election November 8, 2022

I, Donna M. Johnston, Clerk-Recorder/Registrar of Voters for the County of Sutter, State of California, do hereby declare that pursuant to Section 15360 of the California Elections Code, a public manual tally of the ballots tabulated by those devices cast in Precincts 2, 3, 5-6, 10-14, 17 and 23 was completed.

I further declare that each vote was manually tallied for each contest and the discrepancies between the machine count and the manual tally along with a description of how each discrepancy was resolved is shown below.

| Precinct | Contest | Discrepancy | Resolution |
|----------|------------------------------|---|---|
| 2 | Local Contests | An ambiguous mark for Bob Woten (Live Oak City Council) | Canvass deemed the voters intent was unclear and did not count that vote. |
| 3 | Local Contests | None | None |
| 5 | Local Contests | None | None |
| 6 | Local Contests | None | None |
| 10 | Local Contests | None | None |
| 11 | All State and Local Contests | None | None |
| 12 | Local Contests | None | None |
| 13 | Local Contests | None | None |
| 14 | Local Contests | None | None |
| 17 | Local Contests | None | None |
| 23 | Local Contests | None | None |

Dated this 30th day of November 2022



Donna M. Johnston
Registrar of Voters
County of Sutter
State of California