



CONSENT CALENDAR

City of San Bernardino Request for Council Action

Date: September 6, 2023

To: Honorable Mayor and City Council Members

From: Genoveva Rocha, City Clerk

Department: City Clerk

Subject: **Adopt the Resolutions Associated with the March 5, 2024, City of San Bernardino Primary Municipal Election**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, take the following actions to conduct the Primary Municipal Election on March 5, 2024:

1. Adopt Resolution No. 2023-137 calling for the holding of a Primary Municipal Election to be held on Tuesday March 5, 2024, for the election of certain officers as required by the provisions of the San Bernardino City Charter;
2. Adopt Resolution No. 2023-138 Requesting the Board of Supervisors of the County of San Bernardino consolidate a Primary Municipal Election to be held on March 5, 2024, with the Statewide Primary Election to be held on the date pursuant to 10403 of the Elections Code;
3. Adopt Resolution No. 2023-139 adopting regulations for Candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, March 5, 2024.

Executive Summary

Adopt the resolutions associated with the City of San Bernardino March 5, 2024, Primary Election calling the Election; requesting the consolidation of the Election with the Statewide Primary, and regulations for candidate statements.

Background

Pursuant to Article 8, Section 800, of the City Charter, the primary and general municipal election shall be held in said City in consolidation with the State Primary Election and the State General Election and every two (2) years thereafter. City

elections shall follow the provisions and procedures of the State Elections Code as applicable to general law cities.

In accordance with the City Charter, the City will participate in the statewide Primary Election on March 5, 2024, and the statewide General Election on November 5, 2024, if a municipal run-off election is necessary.

The following offices are subject to election in 2024:

- Member of the City Council from the Third Ward
- Member of the City Council from the Fifth Ward
- Member of the City Council from the Sixth Ward
- Member of the City Council from the Seventh Ward

Discussion

Pursuant to Section 10400 of the Elections Code, the Mayor and City Council of the City of San Bernardino must request that the Board of Supervisors of the County of San Bernardino consolidate the City's Municipal Primary Election with the consolidated Statewide Primary Election to be held on Tuesday, March 5, 2024. Further, the County requires a resolution from the City of San Bernardino authorizing the San Bernardino County Registrar of Voters to conduct the election and canvass the returns. The County will provide most of the election services. The City Clerk will be responsible for providing and transmitting the necessary documents to the County to hold the election and provide for receipt of all candidates' statements and related documents, including dissemination of information to prospective candidates. The candidate nomination period will begin on Monday, November 13, 2023, and will end on Friday, December 8, 2023. Results of the primary election shall be certified to the Mayor and City Council of the City of San Bernardino.

Based on the cost estimate received from the San Bernardino County Registrar of Voters the cost estimate of this primary election is \$176,000. The estimate provided above is an estimate of election costs based on historical costs for comparable elections. The actual cost may be higher or lower than the estimate provided. No two elections are the same in part because statutory requirements are ever evolving. The final invoice with actual costs will be provided by the Registrar of Voters approximately one-hundred-twenty days (120) after the election is certified.

Pursuant to sections 13307 and 13308 of the California Elections Code each candidate for nonpartisan elective office in any local agency, including any city, county, city and county, or district, may prepare a candidate's statement on an appropriate form provided by the election's official. The statement may include the name, age, and occupation of the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself. However, the governing body of the local agency may authorize an increase in the limitations on words for the statement from 200 to 400 words. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be limited to a recitation of the candidate's

own personal background and qualifications and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities. The Mayor and City Council can direct staff to increase the number of words in the statement from 200 to 400 words.

Approval from the Mayor and City Council will result in the scheduling of the Primary Municipal Election on Tuesday, March 5, 2024, for four (4) Members of the City Council for Wards 3, 5, 6 and 7, to the voters of the City.

As the City's Election Officer, the City Clerk is to be directed to publish a notice of the primary election which shall contain the following:

- A. The time of the election.
- B. The offices to be filled, specifying full or short term.
- C. The hours the polls/vote centers will be open.

2021-2025 Strategic Targets and Goals

Adopting the Resolutions associated with the 2024 Primary Election aligns with Key Strategic Target Goal No. 1a: Establish a clear policy direction and predictable organization structures.

Fiscal Impact

There is sufficient funding in the FY 2023/24 Operating Budget to support costs associated with the Primary Municipal Election.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino, California, take the following actions to conduct the Primary Municipal Election on March 5, 2024:

1. Adopt Resolution No. 2023-137 calling for the holding of a Primary Municipal Election to be held on Tuesday March 5, 2024, for the election of certain officers as required by the provisions of the San Bernardino City Charter;
2. Adopt Resolution No. 2023-138 Requesting the Board of Supervisors of the County of San Bernardino consolidate a Primary Municipal Election to be held on March 5, 2024, with the Statewide Primary Election to be held on the date pursuant to 10403 of the Elections Code;
3. Adopt Resolution No. 2023-139 adopting regulations for Candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, March 5, 2024.

Attachments

Attachment 1 Resolution No. 2023-137 - Noticing and Calling the Primary

Municipal Election

Attachment 2 Resolution No. 2023-138 - Requesting to Consolidate the Primary Election with the County Board of Supervisors Statewide Primary Election

Attachment 3 Resolution No. 2023-139 - Establishing a Candidate Statement Policy

Ward:

Third Ward; Fifth Ward; Sixth Ward; and Seventh Ward

Synopsis of Previous Council Actions:

None