

2. Certify Results of the General Municipal Election held on Tuesday, November 5, 2024

Recommendation:

Adopt Resolution No. 2024-237 of the Mayor and City Council of the City of San Bernardino, California, reciting the facts of the General Municipal Election held on November 5, 2024, certifying the election results, and such other matters as provided by law.



CONSENT CALENDAR

City of San Bernardino Request for Council Action

Date: December 18, 2024

To: Honorable Mayor and City Council Members

From: Genoveva Rocha, City Clerk

Department: City Clerk

Subject: **Certify Results of the General Municipal Election held on Tuesday, November 5, 2024**

Recommendation:

Adopt Resolution No. 2024-237 of the Mayor and City Council of the City of San Bernardino, California, reciting the facts of the General Municipal Election held on November 5, 2024, certifying the election results, and such other matters as provided by law.

Executive Summary

Following each municipal election, the San Bernardino County Registrar of Voters has a period of 30 days to finalize the election results. During this time, the Registrar of Voters resolves any discrepancies and ensures the accuracy and completeness of the election data.

The election official is responsible for presenting the results to the governing body for review and certification. The certification of results must occur before any newly elected officials are sworn into office.

Background

In accordance with Article 8, Section 800 of the City Charter, the City of San Bernardino shall consolidate the General Municipal Election with the Statewide General Election every 2 years.

On September 6, 2023, Resolution No. 2023-137 Calling for a Primary Municipal Election to elect representative for the Third, Fifth, Sixth, and Seventh Ward was approved by the Mayor and City Council. As a result of the Primary Election, a run-off election was required to decide the winners of the Fifth and Seventh Ward.

On June 5, 2024, Resolution No. 2024-118 Calling a General Municipal Election was

approved by the Mayor and City Council. On November 5, 2024, the General Municipal Election was held by the San Bernardino County Registrar of Voters for the office Fifth and Seventh Ward City Council representative for the City of San Bernardino.

Discussion

The General Municipal Election was conducted on November 5, 2024, by the San Bernardino County Registrar of Voters. The results of the election were released by the Registrar of Voters on December 3, 2024. According to the Statement of Votes Cast report provided by the Registrar of Voters, there were 17,484 registered voters for the Fifth Ward with a 62.18% voter turnout. There were 15,632 registered voters for the Seventh Ward with a 52.52 % voter turnout.

The Statement of Votes Cast declares the following:

- Fifth Ward Council Member
 - Kim Knaus with 62.13%
 - Henry Nickel with 37.87%
- Seventh Ward Council Member
 - James F. “Jim” Penman with 44.22%
 - Treasure Ortiz with 55.78%

Kim Knaus was elected as a Member of the City Council, Ward 5.

Treasure Ortiz was elected as a Member of the City Council, Ward 7.

2021-2025 Strategic Targets and Goals

Certifying the results of the election aligns with Goal No. 2: Focused, Aligned Leadership and Unified Community.

Fiscal Impact

There is no fiscal impact associated with certifying the elections results.

Conclusion

Adopt Resolution No. 2024-237 of the Mayor and City Council of the City of San Bernardino, California, reciting the facts of the General Municipal Election held on November 5, 2024, certifying the election results, and such other matters as provided by law.

Attachments

- Attachment 1 - Resolution No. 2024-237 Certifying the Results of the General Municipal Election
- Attachment 2 - Resolution No. 2024-237 Exhibit “A” - Final Certified Elections Results
- Attachment 3 - County of San Bernardino Certification of Elections - Results of November 5, 2024

Ward: All Wards

Synopsis of Previous Council Actions:

June 05, 2024 The Mayor and City Council adopted Resolution No. 2024-118 Noticing and Calling the General Municipal Election, and Resolution No. 2024-119 Requesting to Consolidate the General Municipal Election with the Statewide General Election

RESOLUTION NO. 2024-237

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF SAN BERNARDINO, CALIFORNIA,
RECITING THE FACTS OF THE GENERAL MUNICIPAL
ELECTION HELD ON NOVEMBER 5, 2024, CERTIFYING
THE ELECTION RESULTS, AND SUCH OTHER MATTERS
AS PROVIDED BY LAW.**

WHEREAS, the General Municipal Election was consolidated with the Statewide General Election and was held and conducted in the City of San Bernardino, California on Tuesday November 5, 2024, as required by law; and

WHEREAS, notice of the election was given in the time, form and manner as provided by law; that voting precincts were properly established; that elections officers were appointed and that 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 Elections Code of the State of California and the Charter of the City of San Bernardino for holding of elections; and

WHEREAS, the Registrar of Voters of the County of San Bernardino canvassed the returns of the election and has certified the results to this City Council, the results are received, attached, and made a part hereof as Exhibit “A.”

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
SAN BERNARDINO AS FOLLOWS:**

SECTION 1. That the whole number of ballots cast in precincts except vote-by-mail ballots and provisional ballots was 4,814; that the whole number of vote-by-mail ballots cast in the City was 15,050; the whole number of provisional ballots cast in the City was 315, making a total of 16,399 ballots cast in the City of San Bernardino.

SECTION 2. That the Names of Persons and the office for which they were voted are as follows:

<u>For the Office of Member of the City Council Ward 5</u>	<u>Votes</u>
Kim Knaus Henry Nickel	5,812
Henry Nickel	3,543
<u>For the Office of Member of the City Council Ward 7</u>	<u>Votes</u>
James F. “Jim” Penman	3,115
Treasure Ortiz	3,929

SECTION 3. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates are as listed in Exhibit “A” attached.

SECTION 4. Pursuant to San Bernardino Municipal Code section 2.56.040, the City Council does declare and determine that Kim Knaus was elected as a Member of the City Council to represent Ward 5 for the full term of four years and Treasure Ortiz was elected as a Member of the City Council to represent Ward 7 for the full term of four years The successful candidate shall be seated and shall begin their new term of service in December 2024.

SECTION 5. The City Clerk shall enter on the records of the City Council of the City, a statement of the results of the election showing: (1) The whole number of ballots cast in the City; (2) The names of the persons voted for; (3) For what office each person was voted for; (4) The number of votes given at each precinct to each person; and the total number of votes given to each person.

SECTION 6. The City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

SECTION 8. The Mayor and City Council find this Resolution is not subject to the California Environmental Quality Act (CEQA) in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty, as in this case, that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 9. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

SECTION 10. Effective Date. This Resolution shall become effective immediately.

APPROVED and **ADOPTED** by the City Council and signed by the Mayor and attested by the City Clerk this 18th day of December 2024.

Helen Tran, Mayor
City of San Bernardino

Attest:

Genoveva Rocha, CMC, City Clerk

Approved as to form:

Sonia Carvalho, City Attorney

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF SAN BERNARDINO)

I, Genoveva Rocha, CMC, City Clerk, hereby certify that the attached is a true copy of Resolution No. 2024-237, adopted at a regular meeting held on the 18th day of December 2024 by the following vote:

<u>Council Members:</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
SANCHEZ	_____	_____	_____	_____
IBARRA	_____	_____	_____	_____
FIGUEROA	_____	_____	_____	_____
SHORETT	_____	_____	_____	_____
REYNOSO	_____	_____	_____	_____
CALVIN	_____	_____	_____	_____
ALEXANDER	_____	_____	_____	_____

WITNESS my hand and official seal of the City of San Bernardino this ____ day of _____ 2024.

Genoveva Rocha, CMC, City Clerk

City of Rialto City Treasurer (Vote for 1)

Precincts Reported: 78 of 78 (100.00%)

		Mail Ballot	Designated M	Polling Place	Provisional	Total	
Times Cast		24,888	16	6,075	706	31,685 / 55,669	56.92%
Undervotes		3,680	5	1,082	226	4,993	
Overvotes		10	0	2	0	12	
Candidate	Party	Mail Ballot	Designated Mail Ballot	Polling Place	Provisional	Total	
CARLA DENEZ TOWNS		7,940	4	1,955	192	10,091	37.82%
EDWARD J. CARRILLO		13,258	7	3,036	288	16,589	62.18%
Total Votes		21,198	11	4,991	480	26,680	
		Mail Ballot	Designated Mail Ballot	Polling Place	Provisional	Total	
Unresolved Write-In		0	0	0	0	0	

City of San Bernardino Member, City Council Ward 5 (Vote for 1)

Precincts Reported: 18 of 18 (100.00%)

		Mail Ballot	Designated M	Polling Place	Provisional	Total	
Times Cast		8,750	0	1,848	273	10,871 / 17,484	62.18%
Undervotes		1,108	0	308	94	1,510	
Overvotes		6	0	0	0	6	
Candidate	Party	Mail Ballot	Designated Mail Ballot	Polling Place	Provisional	Total	
KIM KNAUS		4,715	0	964	133	5,812	62.13%
HENRY NICKEL		2,921	0	576	46	3,543	37.87%
Total Votes		7,636	0	1,540	179	9,355	
		Mail Ballot	Designated Mail Ballot	Polling Place	Provisional	Total	
Unresolved Write-In		0	0	0	0	0	

City of San Bernardino Member, City Council Ward 7 (Vote for 1)

Precincts Reported: 15 of 15 (100.00%)

		Mail Ballot	Designated M	Polling Place	Provisional	Total	
Times Cast		6,300	0	1,704	209	8,213 / 15,637	52.52%
Undervotes		812	0	278	73	1,163	
Overvotes		6	0	0	0	6	
Candidate	Party	Mail Ballot	Designated Mail Ballot	Polling Place	Provisional	Total	
JAMES F. "JIM" PENMAN		2,419	0	643	53	3,115	44.22%
TREASURE ORTIZ		3,063	0	783	83	3,929	55.78%
Total Votes		5,482	0	1,426	136	7,044	
		Mail Ballot	Designated Mail Ballot	Polling Place	Provisional	Total	
Unresolved Write-In		0	0	0	0	0	

