

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS
OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
AND RECORD OF ACTION**

August 9, 2022

FROM

MICHAEL JIMENEZ, Interim Registrar of Voters, Registrar of Voters

SUBJECT

Certified Election Results for the June 7, 2022 Statewide Direct Primary Election

RECOMMENDATION(S)

1. Acting as the governing body of San Bernardino County:
 - a. Accept the Certified Election Results for the 2022 Statewide Direct Primary Election held on June 7, 2022 that are on file with the Clerk of the Board of Supervisors and the Registrar of Voters.
 - b. Adopt a **Resolution No. 2022-174** declaring the results for the offices under the jurisdiction of the San Bernardino County Board of Supervisors that appeared on the ballot in the 2022 Statewide Direct Primary Election, and declaring those candidates as elected or nominated who received the highest number of votes for each office.
2. Acting as the governing body of the San Bernardino County Fire Protection District, adopt a **Resolution No. 2022-175** declaring the results for the contest under the jurisdiction of the San Bernardino County Fire Protection District that appeared on the ballot in the 2022 Statewide Direct Primary Election.

(Presenter: Michael Jimenez, Interim Registrar of Voters, 387-2100)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Appropriation for the minimal staffing required to present the Certified Election Results was included in the Registrar of Voters' 2022-23 budget.

BACKGROUND INFORMATION

The Registrar of Voters (ROV) conducted the 2022 Statewide Direct Primary Election held on June 7, 2022, in compliance with the California Elections and Government Codes, and the County Code. Ballots were cast by 257,580 eligible voters in the election, which equated to a 22.63 percent turnout of all registered voters in the election.

Voters in this election voted for candidates for the U.S. State Senate, U.S. House of Representatives, California Senate and Assembly, Superior Court Judges, County Board of

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Supervisors, Loma Linda City Council and San Bernardino City Council. The election also included two school bond measures; a tax measure for the San Bernardino County Fire Protection District (SBCFD) and a land use measure for a city.

ROV completed the canvass on July 5, 2022 – 28 days following Election Day. Some of the canvass activities included:

- Processing more than 139,000 ballots after Election Day, including: damaged ballots; all mail ballots without a signature on the envelope or having a signature that did not initially appear to share similar characteristics to the signature on file with the voter's registration documents; all mail ballots received on Election Day; all mail ballots postmarked by election day and received within seven days; all provisional ballots; and all ballots cast by voters who conditionally registered to vote after the May 23, 2022, registration deadline.
- Notifying 5,589 voters that they either did not sign their return envelope or that their signature did not appear to share similar characteristics to the one on file with their voter registration documents and providing them an opportunity to correct their issue by July 3, 2022.
- Counting all the above-mentioned ballots cast by voters determined to be eligible.
- Completing required audits of the tallying of ballots, including a hand count of a random sample of one percent of the paper ballots counted by ballot scanners.

Recommendation No. 1a: Accept the Certified Election Results for the Statewide Direct Primary Election held on June 7, 2022.

Upon completion of the canvass and as authorized by County Code section 12.2006, ROV certified the election results. In accordance with Elections Code sections 15372 and 15375, on July 5, 2022, ROV also provided the Certified Election Results to the Secretary of State, distributed it to the governing bodies of every local jurisdiction that participated in the election, and posted it on ROV's website. This report to the Board of Supervisors of the Certified Election Results is informational.

The Certified Election Results are comprised of a Certified Statement of Election Results; a Summary Results Report (attached), which lists the total number of votes cast for each candidate and measure; and a Statement of Vote Report, which lists the total number of votes cast in each precinct for each candidate and measure. These reports are available and on file with the Clerk of the Board of Supervisors and the office of the ROV.

Recommendation No. 1b: Adopt a Resolution declaring the results for the offices of Board of Supervisors, Districts 2 and 4; Assessor/Recorder, Auditor-Controller/Treasurer/Tax Collector; District Attorney; Sheriff/Coroner/Public Administrator; County Superintendent of Schools; and Judge of the Superior Court, Offices 7 and 17. California Elections Code section 15400 provides that the San Bernardino County Board of Supervisors, as a governing body, shall declare elected or nominated those candidates receiving the highest number of votes, or plurality if applicable, for each office under its jurisdiction. California Elections Code section 8140 et seq. provides that candidates for nonpartisan offices who receive more than 50 percent of the vote (majority) shall be declared elected to that office and that office shall not appear on the ballot at the ensuing general election.

For the office of Board of Supervisors, District 2, no candidate received a majority of the votes cast. As such, the two candidates receiving the most votes in that contest – Luis Cetina and Jesse Armendarez – will be on the ballot in the 2022 Statewide General Election to be held on

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November 8, 2022. For the office of Board of Supervisors, District 4, the Resolution declares candidate Curt Hagman elected, as he received 56.87 percent of the vote.

For the office of Assessor/Recorder, the Resolution declares candidate Bob Dutton elected, as he received 100 percent of the vote.

For the office of Auditor-Controller/Treasurer/Tax Collector, the Resolution declares candidate Ensen Mason elected, as he received 76.62 percent of the vote.

For the office of District Attorney, the Resolution declares candidate Jason Anderson elected, as he received 99.98 percent of the vote.

For the office of Sheriff/Coroner/Public Administrator, the Resolution declares candidate Shannon Dicus elected, as he received 74.27 percent of the vote.

For the office of County Superintendent of Schools, the Resolution declares candidate Ted Alejandre elected, as he received 65.05 percent of the vote.

For the office of Judge of the Superior Court, Office 7, the Resolution declares candidate David K. Tulcan elected, as he received 67.99 percent of the vote. For Judge of the Superior Court, Office 17, the Resolution declares candidate Melissa Rodriguez elected, as she received 71.66 percent of the vote.

Recommendation No. 2: Adopt a Resolution declaring the results for SBCFPD Measure Z, which proposed to repeal SBCFPD's special tax in Fire Protection Zone 5. California Elections Code section 15400 provides that the SBCFPD Board of Directors, as a governing body, shall declare the results of each measure election under its jurisdiction.

The Resolution declares Measure Z was approved as 58.43 percent of the voters who voted on the measure voted "yes." Measure Z is currently subject to litigation in San Bernardino Fire Protection District v. Page, San Bernardino County Superior Court case number CIVSB2201601 and California 4th District Court of Appeal Division 2 case number E079130.

PROCUREMENT

Not Applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jolena Grider, Deputy County Counsel, 387-5455) on July 11, 2022; Finance (Elias Duenas, Administrative Analyst, 387-4378) on July 21, 2022; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on July 21, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

Record of Action of the Board of Directors
San Bernardino County Fire Protection District

APPROVED (CONSENT CALENDAR)

Moved: Dawn Rowe Seconded: Col. Paul Cook (Ret.)

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD/SECRETARY

BY 
DATED: August 9, 2022



cc: w/Resolution
File - Registrar of Voters w/attach
CCM 08/17/2022