

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

May 19, 2020

**FROM**

**BOB PAGE, Registrar of Voters, Registrar of Voters**

**SUBJECT**

Citizen Initiative Petition Regarding San Bernardino County Supervisor Compensation Reduction and Term Limits

**RECOMMENDATION(S)**

1. Accept the Certification of Initiative Petition dated May 1, 2020 with respect to the citizen initiative petition entitled "The San Bernardino County Supervisor Compensation Reduction and Term Limits Initiative" that was filed with the Registrar of Voters on March 20, 2020.
2. Find that the following proposed actions are exempt from review pursuant to the California Environmental Quality Act ("CEQA") and in accordance with State CEQA Guidelines Section 15061(b)(3) (General Rule).
3. Pursuant to California Elections Code section 9118, the Board of Supervisors (Board) shall do only one of the following:
  - a. Consider a proposed ordinance that would adopt "The San Bernardino County Supervisor Compensation Reduction and Term Limits Initiative" (Initiative Petition/Measure) without alteration and, either as part of this item or within 10 days from May 19, 2020, approve introduction of proposed ordinance, and adopt proposed ordinance; or
  - b. Submit the ordinance, without alteration, to the voters pursuant to Elections Code section 1405; or
  - c. Order a report pursuant to Elections Code section 9111 prior to taking any action on the ordinance to be submitted to the Board at the regular meeting that is no later than 30 days from May 19, 2020.
4. If the Board approves Recommendation 3.b., above, pursuant to Elections Code section 1405, the Board shall do only one of the following:
  - a. Acknowledge that the election for the Initiative Petition/Measure shall be held on November 3, 2020 (the Board's next regular election); or
  - b. Call a special election for the Initiative Petition/Measure not less than 88 days nor more than 103 days from May 19, 2020.

(Presenter: Bob Page, Registrar of Voters, 387-2100)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

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

**FINANCIAL IMPACT**

**Citizen Initiative Petition Regarding San Bernardino County Supervisor  
Compensation Reduction and Term Limits  
May 19, 2020**

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 Certification of Initiative Petition was included in the Registrar of Voters' (ROV) 2019-20 budget.

Should the Board choose to adopt by ordinance the Initiative Petition/Measure "The San Bernardino County Supervisor Compensation Reduction and Term Limits Initiative," there would be no cost of an election.

If the Board decides to submit the ordinance based on the Initiative Petition/Measure, without alteration, to the voters pursuant to Elections Code section 1405 (Recommendation 3.b.), the cost of the election (estimated at \$6 million for a special polling place election; \$4.7 million for a special mail ballot election; and \$2.7 million if consolidated with the November 3, 2020 Presidential General Election) would be funded by the General Fund.

**BACKGROUND INFORMATION**

ROV has determined that the proponent of the initiative petition entitled "The San Bernardino County Supervisor Compensation Reduction and Term Limits Initiative" (Petition) collected more than a sufficient number of valid registered voter signatures within the prescribed time period to qualify the citizen initiative for adoption or for placement on an election ballot for consideration by the voters of San Bernardino County.

On September 13, 2019, authorized agents for the proponent, Nadia M. Renner, filed the text of the Petition, a Notice of Intention to Circulate an Initiative Petition, and a request for a ballot title and summary with ROV.

On September 26, 2019, ROV provided the proponent with the ballot title and summary prepared by County Counsel and, pursuant to the statute, provided 180 days to circulate the Petition for registered voter signatures.

On October 10, 2019, proof of publication of the intent to circulate the initiative petition and the statement of reasons for the proposed petition were submitted to ROV by proponent's agent in compliance with Elections Code section 9105(b).

On March 20, 2020, the proponents submitted the initiative petition to ROV containing 75,132 signatures, which was within the 180 days provided to collect signatures from registered voters residing within the County of San Bernardino. Pursuant to Elections Code section 9118, signatures from 10 percent of the entire vote cast in the county for all candidates for Governor at the last gubernatorial election is required in order to meet the signature requirement. In the November 6, 2018 Statewide General Election, 537,253 votes were cast in San Bernardino County for both candidates for Governor combined. For ROV to declare the petition sufficient, 53,725 valid signatures were necessary.

Pursuant to the authority provided in Elections Code section 9115, ROV examined a random 3 percent sample of the signatures on the initiative petition. Further, pursuant to section 9115(a), ROV was required to complete its random sample examination of petition signatures within 30 business days from the date of filing, which set the deadline at May 1, 2020. ROV followed the administrative requirements of the California Code of Regulations sections 20510 through 20540 Election Petition Signature Verification Random Sampling Verification Methodology to project that the petition contained 60,228 valid signatures, which is equal to 112 percent of the required number.

**Citizen Initiative Petition Regarding San Bernardino County Supervisor  
Compensation Reduction and Term Limits  
May 19, 2020**

Registrar of Voters Bob Page executed the Certificate of Initiative Petition on May 1, 2020 and notified the proponent of the sufficiency of the petition. Pursuant to Elections Code section 9115(f), Mr. Page is required to present the Certificate of Initiative Petition to the Board at its next regular meeting.

As a result of receiving the certification from the ROV, pursuant to Elections Code section 9118, the Board shall take one of three actions as outlined below:

- a. Adopt the ordinance, without alteration, based on the Initiative Petition/Measure (either as part of this item or within 10 days of this item).
- b. Submit the ordinance, without alteration, based on the Initiative Petition/Measure, to the voters pursuant to Elections Code section 1405 at the November 2020 General Election or at a special election. Elections Code section 1405(a) states, in part, that "the election for a county initiative ... shall be held at the next statewide election occurring not less than 88 days after the date of the order of election." Elections Code section 1405(b) also allows the Board to call a special election for the purpose of submitting the Initiative Petition/Measure to the voters before the date on which the Initiative Petition/Measure would appear on the ballot pursuant to Elections Code section 1405(a). Such special election is required to be not less than 88 days nor more than 103 days after the order of the election. This time period would range from August 15, 2020 to August 30, 2020, however, an election can only be held on a Tuesday, narrowing the possible dates to August 18, 2020 or August 25, 2020.
- c. Order a report pursuant to Elections Code section 9111 prior to taking any action on ordinance, based on the Initiative Petition/Measure. Elections Code section 9111(a) allows the Board to refer the Initiative Petition/Measure to a county agency or agencies for a report on any of all of the following issues:
  1. Fiscal impact;
  2. Effect on internal consistency of county's general plan and specific plans;
  3. Effect on land use;
  4. Impact on funding for infrastructure;
  5. Impact on community's ability to attract and retain business and employment;
  6. Impact on uses of vacant parcels of land;
  7. Impact on agricultural lands, open space, traffic congestion, existing business districts, and development of areas designated for revitalization;
  8. Any other matters the Board requests.

Pursuant to Elections Code section 9111(b), such report must be presented to the Board no later than 30 days after the ROV certifies to the Board the sufficiency of the Petition, which is occurring with this item, therefore the report must be presented to the Board no later than June 18, 2020. By that time, the Board shall consider the report and then take action pursuant to a. and b. above.

Should an election occur, passage of the Initiative Petition/Measure would require approval from a simple majority (50% plus 1) of the voters.

**PROCUREMENT**

Not applicable.

**Citizen Initiative Petition Regarding San Bernardino County Supervisor  
Compensation Reduction and Term Limits  
May 19, 2020**

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Penny Alexander-Kelley, Chief Assistant County Counsel, 387-4270) on April 28, 2020; Finance (Elias Duenas, Finance Analyst, 387-4052) on May 4, 2020; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on May 4, 2020.

**Citizen Initiative Petition Regarding San Bernardino County Supervisor  
Compensation Reduction and Term Limits  
May 19, 2020**

Record of Action of the Board of Supervisors  
County of San Bernardino

**Public Comment:** None

**Board Direction:** The Board directed staff to determine how this ordinance affects the appointments to boards of outside agencies and report back on June 9, 2020.

**APPROVED REC. NOS. 1, 2, AND 3.c. WITH BOARD DIRECTION**

Moved: Dawn Rowe    Seconded: Janice Rutherford

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: May 19, 2020



cc:     File - Registrar of Voters w/ attach  
jm     05/27/2020