



Board Agenda Item 10

DATE: April 9, 2024

TO: Board of Supervisors

SUBMITTED BY: James A. Kus, County Clerk/Registrar of Voters

SUBJECT: Statement of Vote for the March 5, 2024, Consolidated Presidential Primary Election

RECOMMENDED ACTION(S):

1. **Receive the Certified Statement of Vote for the March 5, 2024, Consolidated Presidential Primary Election;**
2. **Declare elected or nominated the candidates with majority vote totals and the results of each measure voted on in each consolidated election under the jurisdiction of the Board of Supervisors; and**
3. **Approve and authorize the Chairman, Clerk of the Board of Supervisors, and County Clerk/Registrar of Voters to sign the Certifications Pursuant to Government Code Section 23713 for Measure A, County of Fresno Charter Amendment - Section 15, ratified by the electors of the County at the March 5, 2024, Consolidated Presidential Primary Election; and direct the County Clerk/Registrar of Voters to file one copy of the Certification with the Office of the Fresno County Assessor-Recorder for recording and the second copy with the California Secretary of State.**

The March 5, 2024, Consolidated Presidential Primary Election was certified to the California Secretary of State on March 29, 2024. Pursuant to California Elections Codes sections 15302(h) and 15372, the County Clerk/Registrar of Voters is to report the final results (Certified Statement of Votes Cast) to the Board of Supervisors and the Secretary of State upon completion of the Official Canvass. Pursuant to California Government Code section 23713, the Chairman of the Board of Supervisors and the Clerk of the Board of Supervisors must certify and authenticate, and the Fresno County Clerk/Registrar of Voters must attest, two copies of the complete text of a charter amendment proposal submitted to and ratified by the electors of the County, and the County Clerk/Registrar of Voters shall file one copy with the Office of the Fresno County Assessor-Recorder for recording and the second copy with the California Secretary of State. This item is countywide.

ALTERNATIVE ACTION(S):

There are no viable alternative actions. California Elections Code section 15302(h) and 15372 require the County Clerk/Registrar of Voters to report final election results to the Board of Supervisors. California Elections Code section 15400 requires the Board to declare elected or nominated the person(s) having the highest number of votes for a contest under its jurisdiction. California Government Code section 23713 requires the filing of two copies of the complete text of a charter proposal, certified and authenticated by the Chairman of the Board and the Clerk of the Board of Supervisors, and attested by the County Clerk/Registrar of Voters, setting forth the submission of the charter proposal to the electors of the County and its ratification, with the Office of the Fresno County Assessor-Recorder and the California Secretary of State.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions.

DISCUSSION:

Section 15300 et seq. of the California Elections Code requires an official canvass and report of the final election results to the governing board and the Secretary of State.

The County Clerk/Registrar of Voters has successfully completed this process and placed the Certified Statement of Votes Cast on file with the Clerk of the Board. In accordance with California Elections Code section 15400, the Board shall declare elected or nominated to each office voted on at the election under its jurisdiction the person having the highest number of votes for that office. The Board shall also declare the results of each election under its jurisdiction as to each measure voted on at the election.

The certified statement of the election results shall be posted on the County Clerk/Registrar of Voters' internet website, as required by California Elections Code section 15372.

Pursuant to California Government Code section 23712, if a majority of the electors voting at an election vote in favor of a County Charter amendment proposed by the Board, it shall be deemed ratified, but it will not take effect until it is filed by the California Secretary of State according to the provisions of California Government Code section 23713.

California Government Code section 23713 requires the County Clerk/Registrar of Voters to file a certified copy of the complete text of the charter amendment proposal with the Office of the Fresno County Assessor-Recorder for recording, and another copy must be filed with the California Secretary of State. The copy filed with the Secretary of State must be accompanied by certified copies of all required publications and notices, certified copies of any arguments for or against the charter amendment proposal that were mailed to voters, and a certified abstract of the vote at the election at which the charter amendment proposal was approved by the voters.

REFERENCE MATERIAL:

BAI #37, November 7, 2023
BAI #9, October 24, 2023
BAI #3, August 22, 2023

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Certification of Elections Official
On file with Clerk - March 5, 2024, Final Official Results
On file with Clerk - Statement of Votes Cast
On file with Clerk - Certifications Pursuant to Government Code Section 23713

CAO ANALYST:

Ahla Yang