



# CITY COUNCIL STAFF REPORT



**April 9, 2024**

## **ITEM TITLE**

City Election: Recite the Fact of the March 5, 2024 Election for Districts 3 and 4 Councilmembers and Runoff Election for City Attorney, Declare Results, Call a General Municipal Election on November 5, 2024, and Adopt Candidate Statement Regulations

**Report Number:** 24-0060

**Location:** No specific geographic location

**Department:** City Clerk

**G.C. § 84308:** No

**Environmental Notice:** The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

## **Recommended Action**

Adopt resolutions A) Reciting the fact of the primary and special runoff municipal election held on March 5, 2024, declaring the results thereof, and other related matters; B) Calling a general municipal election to be held on Tuesday, November 5, 2024, to conduct a runoff election to elect two City Councilmembers, representing Districts 3 and 4, consolidating the election with the statewide election, and requesting the County of San Diego Board of Supervisors to permit the Registrar of Voters to perform certain services for the conduct of the election; and C) Adopting regulations for candidate statements of qualifications.

## **SUMMARY**

The Registrar of Voters has transmitted the certified results of the special runoff election for City Attorney and the primary municipal election for the two City Councilmembers who will represent Districts 3 and 4 held on March 5, 2024. Elections Code Section 10262(b) requires the City Clerk, as the City elections official, to certify the election results to the City Council, which shall adopt a resolution reciting the fact of the election.

Adoption of the resolutions declares the results of the municipal election held on March 5, 2024; calls the November 2024 general (runoff) election for the top two candidates from the March 2024 election for the Districts 3 and 4 City Councilmember seats, and establishes regulations related to candidate statements.

## ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that this activity is not a “Project” as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change to the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

## BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

## DISCUSSION

An election was held on Tuesday, March 5, 2024, for the purposes of conducting a primary municipal election for Districts 3 and 4 City Councilmembers and a special runoff election for City Attorney.

Elections Code Section 10262(b) requires the City Clerk, as the City elections official, to certify the results of the election to the City Council, which shall adopt a resolution (Resolution A) reciting the fact of the election. Certified results of the election are attached as Exhibit 1.

### City Attorney Election

The special runoff election for City Attorney was held to elect a City Attorney for a short term, which will commence upon taking the oath of office and end December 2026. The total number of votes received by each candidate is listed below:

	Number of Votes	Percentage of Votes Cast
<b>CITY ATTORNEY</b>		
<b>Marco Verdugo</b>	<b>22,862</b>	<b>58.51%</b>
Bart Miesfeld	16,213	41.49%

### City Councilmember, Districts 3 and 4 Election and General (Runoff) Election

The primary election was held to determine which candidates would be the run-off candidates in the November 2024 general election for the District 3 and 4 City Councilmembers, each for a full term commencing in December 2024. Chula Vista Charter section 901(A) requires the two candidates receiving the highest and second-highest number of votes for each office to participate in the general municipal election to be held on November 5, 2024. Resolution B provides for the necessary actions to call the November 2024 election. The total number of votes received by each candidate is listed below:

<b>CITY COUNCILMEMBER, DISTRICT 3</b>	Number of Votes	Percentage of Votes Cast
<b>Michael Inzunza</b>	<b>4,509</b>	<b>49.47%</b>
<b>Leticia Munguia</b>	<b>1,604</b>	<b>17.60%</b>
Daniel D. Rice-Vazquez	1,454	15.95%
David Alcaraz	833	9.14%
Christos Korgan	715	7.84%

<b>CITY COUNCILMEMBER, DISTRICT 4</b>	<b>Number of Votes</b>	<b>Percentage of Votes Cast</b>
<b>Cesar Fernandez</b>	<b>1,867</b>	<b>23.46%</b>
<b>Rudy Ramirez</b>	<b>1,585</b>	<b>19.92%</b>
Delfina Gonzalez	1,521	19.11%
Christine Brady	1,318	16.56%
Andrea Cardenas	1,212	15.23%
Jose Sarmiento	432	5.43%
Leticia Lares	23	0.29%

### **Request for Consolidation**

[California Elections Code section 10403](#) requires the City Council to adopt a resolution (Resolution B) requesting the Board of Supervisors to consolidate Chula Vista’s general municipal election with the statewide general election and to permit the Registrar of Voters to perform certain services in conjunction with the City’s election.

### **Regulations for Candidate Statements of Qualifications**

[California Elections Code section 13307](#) provides that the local agency must adopt regulations, proposed in Resolution C, pertaining to the materials prepared by candidates and the costs thereof. Historically, the City has allowed each candidate to submit a candidate statement of no more than 200 words. Candidates who choose to file a candidate’s statement will be required to pay a deposit at the time their statements and nomination papers are filed with the City Clerk. Should the actual cost be less than the amount of the deposit, the balance will be refunded to the candidates, and should the actual cost be more, candidates will be billed for the difference.

### **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Councilmembers do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov’t Code § 87100, et seq.).

Staff is not independently aware and has not been informed by any City Councilmember, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

### **CURRENT-YEAR FISCAL IMPACT**

There is no current-year fiscal impact.

### **ONGOING FISCAL IMPACT**

It is currently anticipated that the November 5, 2024, general election for Districts 3 and 4 City Councilmember seats will require a budget of \$160,000. The necessary budget will be requested through the regular annual budget process.

## **ATTACHMENTS**

Exhibit 1 – Certified Results of the March 5, 2024 election

*Staff Contact: Kerry K. Bigelow, MMC, City Clerk*