

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 2.9
(ID # 20707)

MEETING DATE:
Tuesday, December 06, 2022

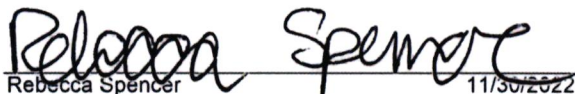
FROM : REGISTRAR OF VOTERS:

SUBJECT: REGISTRAR OF VOTERS: Approval of Election Services for the City of Banning Recall Election, District 5. [\$18,000]; Reimbursement from the City of Banning to the General Fund].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Registrar of Voters to conduct election services for the December 13, 2022 City of Banning Recall Election.

ACTION: Consent



Rebecca Spencer 11/30/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Hewitt, and Perez
Nays: None
Absent: None
Date: December 6, 2022
xc: ROV

Kecia R. Harper
Clerk of the Board

By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 18,000	\$ 0	\$ 18,000	\$ 0
NET COUNTY COST	\$ 18,000	\$ 0	\$ 18,000	\$ 0
SOURCE OF FUNDS: Jurisdiction will reimburse the general fund.			Budget Adjustment: No	
			For Fiscal Year: 22/23	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

California Elections Code §§ 10002, 10402, and 10403 allow jurisdictions to request that the Board of Supervisors approve the Registrar of Voters to conduct elections by submitting a resolution requesting these services. The City of Banning has complied with this requirement and has requested the Registrar of Voters to conduct its election. The department has the resources to provide these services. The County will receive reimbursements from the jurisdiction based on associated direct costs of conducting their election.

Impact on Residents and Businesses

Registered voters in the City of Banning, Council District 3 will have the opportunity to vote to recall the Council Member for District 3.

Additional Fiscal Information

The County will receive reimbursements from the jurisdiction based on associated direct costs of conducting their election. Approximately \$18,000 of election costs will be reimbursed by the City of Banning.

ATTACHMENTS:

ATTACHMENT A. RESOLUTION NO. 2022-115

Juan C. Perez, Chief Operating Officer 12/1/2022

RESOLUTION 2022-115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING, CALIFORNIA, CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, DECEMBER 13, 2022 FOR THE SUBMISSION OF THE QUESTION OF THE RECALL OF MARY HAMLIN, BANNING CITY COUNCIL DISTRICT NO. 3 COUNCILMEMBER, AND THE ELECTION OF A CANDIDATE TO FILL THE VACANCY IF THE RECALL PREVAILS, AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO RECALLS OF LOCAL OFFICIALS

WHEREAS, under the provisions of the laws relating to cities in the State of California, a recall petition was filed demanding the recall of Mary Hamlin, Council Member for District 3; and

WHEREAS, the petition submitted was signed by more than twenty-five percent (25%) of the registered voters of the City of Banning's City Council District 3; and

WHEREAS, a candidate shall be elected to fill the vacancy if the recall prevails; and

WHEREAS, the City Council is now required to submit the question of the recall to the voters of City Council District 3 under Elections Code §11240.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Banning as follows:

SECTION 1. Pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in Banning City Council District 3 in Banning, California, on Tuesday, December 13, 2022, a Special Municipal Election for the purpose of submitting the question of the recall of Mary Hamlin, City Council Member for District 3, and the election of a candidate to fill the vacancy should the recall prevail.

SECTION 2. Riverside County Registrar Authorized to Administer Election. Under Section 10002 of the California Elections Code, the Banning City Council requests the Riverside County Board of Supervisors permit the Registrar of Voters office to render services to the City of Banning relating to the conduct of the Special Recall Election which is called to be held on Tuesday, December 13, 2022. The City Council requests and authorizes the Riverside County Registrar to administer the election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 3. Time for Opening and Closing of Polls. The polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed,

pursuant to Election Code §10242, except as provided in §14401 of the Election Code of the State of California.

SECTION 4. Ballots. That on the ballots to be used at the election, in addition to any other matters required by law, there shall be printed substantially in the following form:

Shall Mary Hamlin be recalled (removed) from the office of Council Member representing City Council District 3?	Yes	
	No	
<p>For Council Member To succeed Mary Hamlin if recalled.</p> <p>Term Ending December 10, 2024. Vote for One</p> <p style="text-align: center;">A vote cast for any candidate shall not be counted unless you have voted their “Yes” or “No” on the recall measure above.</p> <p style="text-align: center;">(Followed by the list of candidates qualifying for this office)</p>		

SECTION 5. Conduct of Election. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. Notice of Election. The City Clerk of the City of Banning will give notice of such Election by publication in the local newspaper.

SECTION 7. Canvass of Election. The Riverside County Registrar of Voters is requested to canvass the election for the City of Banning.

SECTION 8. Filing of Resolution with Registrar. The City Clerk of the City of Banning is authorized and directed to file a certified copy of this Resolution with the Riverside County Registrar of Voters.

SECTION 9. Additional Notice. Notice of the time and place of holding the election is given and the City Clerk and Registrar are authorized, instructed and directed to give such further or additional notice of the election, in time, form and manner as may be required by law.

SECTION 10. Certification of Resolution. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 23rd day of August 2022.

Colleen Wallace, Mayor Pro Tem
City of Banning

ATTEST:

Caroline Patton, Deputy City Clerk
City of Banning

**APPROVED AS TO FORM AND
LEGAL CONTENT:**

Serita Young, Assistant City Attorney
Richards, Watson & Gershon

CERTIFICATION:

I, Caroline Patton, Deputy City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution 2022-115, was duly adopted by the City Council of the City of Banning, California, at a regular meeting thereof held on the 23rd day of August 2022 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Caroline Patton, Deputy City Clerk
City of Banning, California

EXHIBIT A

**MAP OF COUNCIL DISTRICTS BOUNDARIES
As Updated by Ordinance 1581 in March 2022**

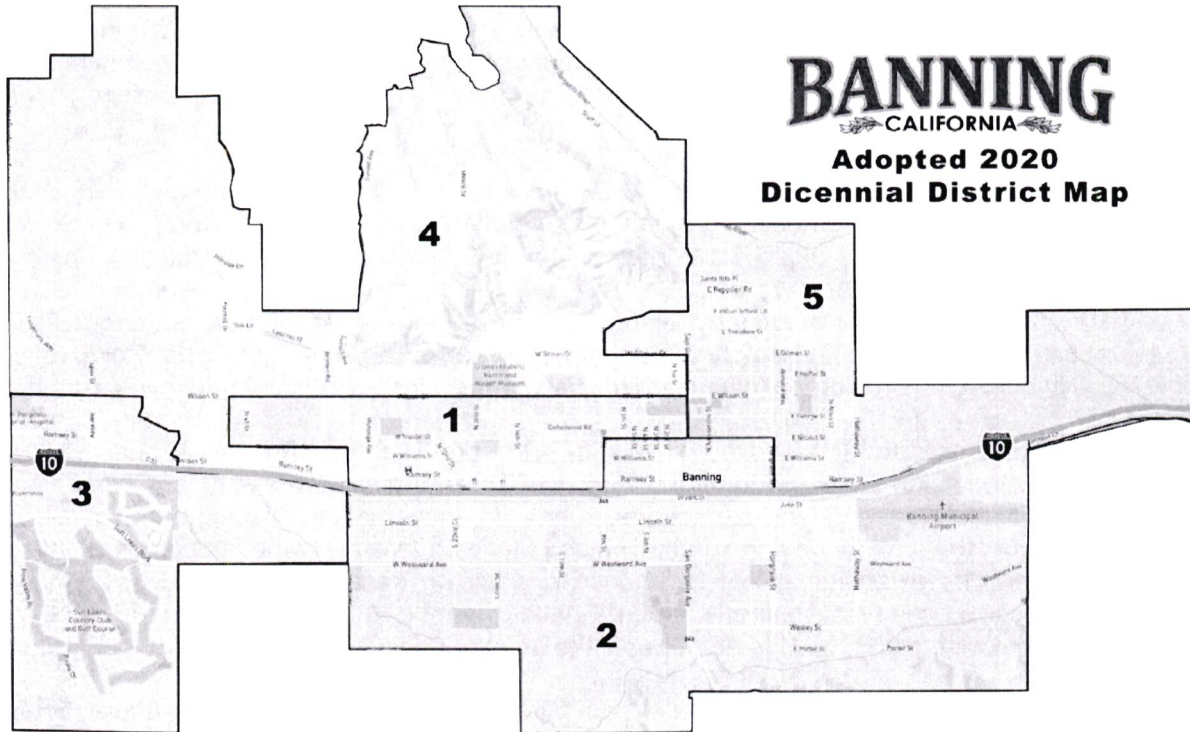


EXHIBIT A

DETAILED 2020 ADOPTED DISTRICT BOUNDARIES

District 1: Beginning at the intersection of Sunset Avenue and I-10, proceeding northerly along Sunset Avenue until Jacinto View Road; thence proceeding westerly along Jacinto View Road until Omar Street; thence proceeding northerly along Omar until Wilson Street; thence proceeding easterly along Wilson Street until San Gorgonio Avenue; thence proceeding southerly along San Gorgonio Avenue until Nicolet Street; thence proceeding westerly along Nicolet Street until Eighth Street; thence proceeding southerly along Eighth Street until I-10, thence westerly along I-10 to Sunset Avenue which is the point of origin.

District 2: Beginning at the intersection of Westward Avenue and Sunset Avenue; proceeding northerly along Sunset Avenue until I-10; thence proceeding easterly along I-10 until 8th Street; thence proceeding northerly along 8th Street until Nicolet Street; thence proceeding easterly along Nicolet Street until Hargrave Street; thence proceeding southerly along Hargrave Street until I-10; thence proceeding easterly along I-10 until the border of the Morongo Tribal Reservation; thence proceeding southerly along the border of the Morongo Tribal Reservation until the City border; thence proceeding clockwise along the City border until the point of origin.

District 3: Beginning at the intersection of Wilson Street and Highland Springs Avenue; thence proceeding easterly along Wilson Street until Kingswell Drive; thence proceeding southerly along Kingswell Drive until Spring View Drive; thence proceeding easterly along Spring View Drive until Meridian Avenue; thence proceeding southerly along Meridian Avenue, which becomes Highland Home Road and its extension until I-10; thence proceeding easterly along I-10 until Sunset Avenue; thence proceeding southerly along Sunset Avenue until the City border; thence proceeding clockwise along the City border until the point of origin.

District 4: Beginning at the intersection of Wilson Street and Highland Springs Avenue: thence proceeding easterly along Wilson Street until Kingswell Drive; thence proceeding southerly along Kingswell Drive until Spring View Drive; thence proceeding easterly along Spring View Drive until Meridian Avenue; thence proceeding southerly along Meridian Avenue, which becomes Highland Home Road and its extension until I-10; thence proceeding easterly along I-10 until Sunset Avenue; thence proceeding northerly along Sunset Avenue until Jacinto View Road; thence proceeding westerly along Jacinto View Road until Omar Street; thence proceeding northerly along Omar to Wilson Street; thence proceeding easterly along Wilson Street until San Gorgonio Avenue; thence proceeding northerly along San Gorgonio Avenue until Gilman Road; thence proceeding westerly along Gilman Road until 8th Street; thence proceeding northerly along 8th Street until Indian School Lane; thence proceeding easterly along Indian School Lane until San Gorgonio Avenue; thence proceeding northerly along San Gorgonio Avenue until the City border; thence proceeding counter-clockwise along the City border until point of origin.

District 5: Beginning at the intersection of the Morongo Tribal Reservation and the southern border of the City, proceeding northerly along the border of the Morongo Tribal Reservation until I-10; thence proceeding westerly along I-10 until Hargrave Street; thence proceeding northerly along Hargrave Street until Nicolet Street; thence proceeding westerly along Nicolet Street until San Gorgonio Avenue; thence proceeding northerly along San Gorgonio Avenue until Gilman Street; thence proceeding westerly along Wilson Street until 8th Street; thence proceeding northerly along 8th Street until Indian School Lane; thence proceeding easterly along Indian School Lane until San Gorgonio Avenue; thence proceeding northerly along San Gorgonio Avenue until the City border; thence proceeding clockwise along the City border until the point of origin.