



## SAN BENITO COUNTY AGENDA ITEM TRANSMITTAL FORM

Dom Zanger  
District No. 1

Kollin Kosmicki  
District No. 2

Mindy Sotelo  
District No. 3  
Vice-Chair

Angela Curro  
District No. 4  
Chair

Bea Gonzales  
District No. 5

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**Item Number: 1.F**

**MEETING DATE:** 05/14/2024

**DEPARTMENT:** COUNTY ADMINISTRATION OFFICE

**AGENDA ITEM PREPARER:** Dulce Alonso

**DEPT HEAD/DIRECTOR:** Ray Espinosa

**SUBJECT:**

**BOARD OF SUPERVISORS**

Informational report on the filing of a notice of intention to circulate initiative measure, the county general plan to require voter approval before re-designating agricultural, rural, or range lands and remove commercial regional designation from four highway 101 nodes, submission of the petition, verification of signatures, decisions for Board of Supervisors upon validation, probable election schedule, and county and supervisors roles during the election. Provide direction to staff on the preparation of fiscal impact report. Authorize CAO to select and contract with a qualified consulting firm to prepare the Elections Code section 9111 Report for an amount not to exceed \$50,000.00.  
SBC FILE NUMBER: 285

**AGENDA SECTION:**

REGULAR AGENDA

**BACKGROUND/SUMMARY:**

On March 6, 2024, an initiative measure regarding land use decisions Initiatives were was filled with the Register of Voters along with the full text of the proposed initiative.

County Counsel provided the initiative proponents with a ballot title and summary as required by Elections Code 9105. Initiative to amend the county general plan to require voter approval before re-designating agricultural, rural, or range lands, and remove commercial regional designation from four highway 101 nodes.

A county initiative petition must garner signatures from registered voters equal to at least 10% of the total votes cast for all gubernatorial candidates in the preceding election; the minimal number of signatures is

1,985. The proponent's raw count of the signatures was 3,750—pending validation of the signatures.

Once the petition is certified as sufficient, the Board of Supervisors has several options:

1. It can adopt the measure as proposed;
2. It can defer action for up to 30 days to order and receive an Elections Code section 9111 Report on the fiscal and other impacts of the measure;
3. After receiving and reviewing the section 9111 report, the Board of Supervisors can adopt the measure or place it on the ballot for the next regularly scheduled county general election, which in this case would likely be November 8, 2022.

The Board of Supervisors has the option to order the preparation of an Elections Code section 9111 Report at any time after the proponents have begun circulation of the petition for signatures, even before the petition is submitted for signature verification and certified as sufficient.

The deadline for the Board of Supervisors to order the measure to be placed on the ballot for the November 2024 election is **August 12, 2022**.

If and when directed, staff will solicit professional consultants for bids to prepare an updated Elections Code section 9111 report on the fiscal, planning, and other potential impacts of the proposed measure.

**RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:**

No

**CONTRACT NEEDED FOR THIS ITEM:**

Yes

**CONTRACT AND RFP HISTORY:**

Delegate authority to the County Administrative Officer (CAO) to select and contract with a qualified consulting firm to prepare the Elections Code section 9111 Report for an amount not to exceed \$50,000.00.

**LAST CONTRACT AMOUNT OR N/A:**

N/A

**STATE IF THIS IS A NEW CONTRACT/ HOW MANY PAST AMENDED CONTRACTS/ OR N/A:**

New contract to prepare the Elections Code section 9111 Report.

**STRATEGIC PLAN GOALS: 1. Operational Development & Excellence**

Yes

**STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth**

Yes

**STRATEGIC PLAN GOALS: 3. Technology**

No

**STRATEGIC PLAN GOALS: 4. Community Engagement**

Yes

**STRATEGIC PLAN GOALS: 5. Health & Safe Community**

Yes

**BUDGETED:**

No

**BUDGET ADJUSTMENT NEEDED:**

N/A

**SOURCE OF FUNDING:**

General Fund

**UNFUNDED MANDATE:**

No

**SBC BUDGET LINE ITEM NUMBER:**

n/a

**CURRENT FY COST:**

\$50,000

**STAFF RECOMMENDATION:**

1. Receive informational report on the timeline for initiative measures to amend the county general plan to require voter approval before re-designating agricultural, rural, or range lands and remove commercial regional designation from four highway 101 nodes.
2. Provide staff direction on the timing of possible preparation of an Elections Code section 9111 Report on fiscal and other impacts of measure.
3. Authorize CAO to select and contract with a qualified consulting firm to prepare an Elections Code section 9111 Report for an amount not to exceed \$50,000.00 without further Board approval.

**ATTACHMENTS:**

[Initiative\\_Redacted](#)

[2022 Presentation County Initiative Measure Process & Timelines from 5-24-2022 Meeting](#)

[ELEC\\_9111](#)

[Government Code 54964](#)

[Elections Code sec 9160 et seq](#)

[Stanson V Mott 17 Cal 3d 206](#)

[Choice in Education League v. LAUSD](#)

League of Women Voters v. CCJCC  
Vargas v. City of Salinas