



County of San Mateo

Inter-Departmental Correspondence

Department: ASSESSOR-COUNTY CLERK-
RECORDER-ELECTIONS

File #: 24-413

Board Meeting Date: 6/11/2024

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Mark Church, Chief Elections Officer & Assessor-County Clerk-Recorder
Subject: Statement of the Results of the Vote for the March 5, 2024 Presidential Primary Election

RECOMMENDATION:

Adopt a resolution:

- A) Accepting the certificate of the Chief Elections Officer as the statement of the result of the vote as determined by the official canvass of the March 5, 2024 Presidential Primary Election; and
- B) Declaring the person or persons elected to or nominated for certain offices; and
- C) Declaring the results of a local ballot measure.

BACKGROUND:

The Election

On April 4, 2024 the Chief Elections Officer certified to the California Secretary of State the Statement of the Vote for the March 5, 2024 Presidential Primary Election ("Election"), as determined by the official canvass of the returns pursuant to state law.

The Election was administered under the provisions of the California Voters Choice Act (Elections Code Section 4005) and conducted with 266 election precincts, 49 Vote Center precinct boards, and 56 drop box locations. There was a total of 174,122 votes cast at the Election, 163,240 Vote by Mail and 10,882 Vote Center votes, all of which were certified in the Statement of the Result of the Vote.

Attached is a copy of the official canvass, abstract, and Statement of the Vote for the Election (copies are also available at the Registration & Elections Division, 40 Tower Road, San Mateo and on the Registration & Elections Division website, www.smcvote.gov.)

U.S. Representative 16th Congressional District Contest Recount

On April 8, 2024, the Chief Elections Officer received a voter-initiated recount for the U.S. Representative 16th District Contest in the Election. The 16th Congressional District includes both San Mateo County and Santa Clara County, with 18.40 percent of registered voters residing in San Mateo County and 81.60 percent of registered voters residing in Santa Clara County.

The U.S. Representative 16th Congressional District race was one of the closest congressional races ever held in the State of California. The initial certified results of the contest resulted in a tie for second place between Assemblymember, Evan Low, and Santa Clara County Board of Supervisors member, Joe Simitian. Under California law, both would have advanced to the November 5, 2024 Presidential General Election to face off with the first-place candidate, Sam Liccardo.

The recount commenced in San Mateo County on April 15, 2024 and was completed on May 2, 2024, in accordance with Election Code Section 15600, *et seq.*

In San Mateo County, the final machine recount numbers matched the original election results reported on the Statement of the Vote to the Secretary of State for the 40,070 ballots that were cast in the Election. In addition, during the recount 28 previously rejected Vote by Mail (VBM) ballot envelopes were challenged for signature verification, postmark issues, and late arrivals beyond the allowed seven-day period after election day. Seven of the challenged ballots were accepted, resulting in one additional vote for Low.

In Santa Clara County, the recount resulted in 11 additional votes for Low and seven additional votes for Simitian, a net gain of four votes by Low. When combined with San Mateo County's single additional vote, Low advanced to the November ballot against Liccardo, with five additional votes over Low's opponent, Simitian.

The Chief Elections Officer certified the U.S. Representative 16th District Contest Recount Results on May 2, 2024, and transmitted a copy to the Secretary of State, who will be recertifying the results. A copy of the Amended Statement of the Vote is attached (copies are also available at the Registration & Elections Division, 40 Tower Road, San Mateo, and on the Registration & Elections Division website, www.smcvote.gov).

DISCUSSION:

Under California law, the Chief Elections Officer, within 30 days of an election, is required to inspect, process, and count all ballots cast during an election and prepare a certified statement of the result.

Upon acceptance of the Certification of the Election, Elections Code Section 15400 directs the Board of Supervisors, as the governing body of the jurisdiction, to declare candidates elected or nominated to each office having received the highest number of votes for such office, or the person who was otherwise duly elected or nominated.

A Special Tax Measure Election within County Service Area No. 1 was consolidated with the Election, and it is recommended that the Board accept the certificate of the Chief Elections Officer as the statement of the results of the vote as determined by the official canvass for the County Service Area No. 1 Special Tax Measure Election.

The County Attorney has reviewed and approved the Resolution as to form.

PERFORMANCE MEASURE:

Measure	March 3, 2020	March 5, 2024
Number of Registered Voters	416,827	435,482
Percent of Voters Who Voted in the Presidential Primary Election	54.77%	39.98%

FISCAL IMPACT:

There is no known fiscal impact associated with this item.