



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Assessor-County Clerk-Recorder



Date: August 31, 2016
Board Meeting Date: October 4, 2016
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Mark Church, Chief Elections Officer & Assessor-County Clerk-Recorder

Subject: Millbrae School District's Proposed Change from Odd- to Even-Numbered Year Elections

RECOMMENDATION:

Adopt a resolution authorizing implementation of the Millbrae School District Governing Board's request that future board elections be moved from odd- to even-numbered years.

BACKGROUND:

In September 2015 the Governor signed Senate Bill No. 415 ("SB 415"), which in most instances requires local jurisdictions, including school districts, cities, and other districts, to move their elections for governing board members from odd-numbered years to even-numbered years if their elections currently occur on odd-numbered years. SB 415's apparent goal is to increase voter participation for such elections given that in general, even-numbered year elections have higher voter turnout rates than odd-numbered year elections. There are over 35 jurisdictions within San Mateo County impacted by this new law, and jurisdictions affected by SB 415 must adopt a plan no later than January 1, 2018, to move their election to an even-numbered year, with the actual change in election dates occurring no later than November 8, 2022. The San Mateo County Registration & Elections Division anticipates receiving many requests in the coming months and/or years from affected jurisdictions to change to even-numbered year elections.

On June 21, 2016, the Board of Trustees of the Millbrae School District (the "District") approved a resolution pursuant to Sections 1302(b) and 10404.5 of the California Elections Code requesting that election dates for future District board elections be moved from odd- to even-numbered years. Notice of the District's requested change was received on or around August 8, 2016. The resolution would move the District's next election, currently scheduled for November 2017, to November 2018. Current

board members up for reelection in 2017 would have their terms extended through the next election in 2018, and board members up for reelection in 2019 will continue through 2020. Section 10404.5 requires the Board of Supervisors to act on the request within sixty days.

Under Section 10404.5(d)(1), the Chief Elections Officer may submit to the Board of Supervisors a report on the cost-effectiveness of the proposed change. The Board of Supervisors is required by Section 10404.5(d) to approve the proposed change unless it finds that “the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled.” Upon approval by the Board of Supervisors, the Elections Division will prepare and mail a notice to the registered voters of the districts affected by the consolidation informing them of the election date change at the District’s expense.

The Registration & Elections Division has reviewed the impact on cost, voter turnout, ballot style, voting equipment, and computer capacity associated with moving the District’s board member elections from November in odd-numbered years (“General District Elections”) to November in even-numbered years (“Statewide General Elections”), as discussed below.

DISCUSSION:

As noted above, the Board of Supervisors is required to approve the proposed change unless it finds that “the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled.” In order to assist the Board of Supervisors in making its determination regarding the District’s proposed change, and in compliance with its obligations under Section 10404.5, the Registration & Elections Division presents the following information based on its assessment of past elections and the impacts of the requested change.

In terms of cost considerations relating to the proposed change, some key background information impacts the analysis. When the Registration & Elections Division conducts an election for local jurisdictions such as the District, those elections are almost always consolidated with other elections occurring on the same date. The costs for such elections are allocated proportionally among participating jurisdictions based on two key factors: the number of registered voters within each entity’s jurisdiction and the number of entities participating in the given election. Typically, General District Elections in odd-numbered years have higher costs than elections in Statewide General Elections in even-numbered years for cities, school districts, and special districts because the number of entities with elections during odd-numbered years is fewer, resulting in less cost sharing. Statewide General Elections in even-numbered years include federal, state, and county contests, the costs of which are borne solely by the County, and these elections constitute a substantial portion of the total cost for each Statewide General Election. Thus, when cities, school districts, and special districts participate in Statewide General Elections, they bear a lower portion of the total election costs as a result of the larger portion paid by the County, typically resulting in such jurisdictions having a lower per-voter cost than jurisdictions that hold elections in odd-numbered years.

The District has not held an election for members of its Board of Trustees since the November 2007 General District Election, at which time the District's cost per voter was \$2.80. The cost in 2007 was unusually high due to a lack of countywide contests on the ballot, which generally result in reduced costs for jurisdictions. Prior to that, the District held an election in 2005. Given that the District has not conducted a regular election in over ten years, it is more appropriate to use average costs for comparison. For this analysis we will use the average costs from the 2013 General District Election and the 2014 Statewide General Election.

The average cost per voter in the 2013 General District Election was \$1.81. In the 2014 Statewide General Election, the average cost per voter was \$1.34. By comparing the two costs, we estimate that if the District switched to even-numbered year elections, it would experience a cost decrease of approximately 26%.

However, any assessment of election costs based on prior elections must take into consideration a number of anticipated changes to future elections that are likely to impact election costs. These changes make it difficult to accurately predict the costs of future elections. The Registration & Elections Division will be providing more information on these changes to the Board of Supervisors as their impact becomes clearer. Such changes potentially include the following: the voting machines currently being used by the Registration & Elections Division are nearing the end of their useful life, and so all future elections may incorporate some costs associated with new equipment; staffing levels at the Registration & Elections Division are among the lowest in the state, and all future elections may need to address costs for additional staff; the County is looking to implement a new remote accessible vote by mail system as authorized by Assembly Bill No. 2252, and related costs will be shared with all jurisdictions within the County; the Secretary of State is anticipated to finish its implementation of VoteCal, a new statewide voter registration system, the implementation of which will trigger certain changes, including "same-day" voter registration pursuant to Assembly Bill No. 1436, which may in turn impose additional costs relating to future elections; and the Legislature, via Senate Bill No. 450, has expanded the options for all-mail ballot elections in San Mateo County, and any such election may also have additional costs. The impact of these changes on the costs of future elections are not easily estimated, and they might also vary by election.

In terms of turnout, voter participation of registered voters in General District Elections generally falls between 25% to 29%. Voter turnout in the two previous Presidential Statewide General Elections (2008 and 2012) was over 79%. Voter turnout for the two previous Gubernatorial Statewide General Elections was 65% in 2010, and 46% (a historical low) in 2014. Accordingly, for the past eight elections scheduled in November (2008 through 2015), voter turnout for Statewide General Elections has been at least double than that for General District Elections, so a move to Statewide General Elections is likely to substantially increase voter participation in future District elections.

Although the voting and ballot counting equipment used by the Registration & Elections Division is nearing the end of its useful life, those systems are robust enough to permit the District to move its elections to even-numbered years from odd-numbered years.

However, to the extent that other jurisdictions also seek to move their elections to even-numbered years, the impact of such increased participation may strain existing resources. The Registration & Elections Division plans to reach out to other jurisdictions to discuss ways to address the impacts on the election system as well as to update the Board of Supervisors regarding the impacts of similar requests in the future.

FISCAL IMPACT:

Given its size, moving this election to even-numbered election years will not impact the Registration & Elections Division in its conduct of elections. If, however, more local jurisdictions decide to move their elections from odd-numbered years to even-numbered year elections, General Elections will become more complex. Additionally, increased financial burdens will be placed onto the remaining districts who continue to hold elections in odd-numbered years. There is no fiscal impact on the County.