



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Assessor-County Clerk-Recorder and Chief
Elections Officer



Date: February 27, 2017
Board Meeting Date: April 11, 2017
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

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

Subject: West Bay Sanitary District's Request to Change from Odd to Even-Numbered Year Elections

RECOMMENDATION:

Adopt a resolution authorizing implementation of the West Bay Sanitary 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"), also known as the California Voter Participation Rights Act. This Act requires most jurisdictions, including cities, school districts, and other districts, that currently hold elections for governing board members in odd-numbered years to move their elections to even-numbered years. SB 415's apparent goal is to increase voter turnout, given that even-numbered year elections generally have higher voter turnout rates than odd-numbered year elections. There are 70 jurisdictions in San Mateo County, and as of April 11, 16 of them have not yet moved to even-numbered year elections. The San Mateo County Registration & Elections Division anticipates that many of these 16 jurisdictions will move to even-numbered year elections in the near future.

On February 22, 2017, the Governing Board of the West Bay Sanitary District (the "District") approved a resolution pursuant to Section 10404 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 submitted to the Board of Supervisors via an email dated February 24, 2017. 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(e) requires the Board of Supervisors to act on the request within sixty days.

Under Sections 10404(d) and (e), the Chief Elections Officer shall submit to the Board of Supervisors a report on the impact and cost-effectiveness of the proposed change.

The Board of Supervisors is required by Section 10404(e) 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.”

DISCUSSION:

In order to assist the Board of Supervisors in making its determination regarding the District’s proposed change to even-numbered years, the Registration & Elections Division has reviewed the impact on costs, ballot style, voting equipment, computer capacity, staffing, and voter turnout.

When the Registration & Elections Division conducts an election for a jurisdiction 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 jurisdiction and the number of entities participating in the given election. Typically, General District Elections in odd-numbered years have higher proportional costs than Statewide General Elections in even-numbered years for cities, school districts, special districts and other jurisdictions 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 jurisdictions participate in Statewide General Elections, they bear a lower portion of the total election costs because a large portion is paid by the County and other countywide jurisdictions.

Given that the District has not recently conducted an election in recent years, we will use two jurisdictions from recent elections of similar size for comparison. The closest jurisdictions by number of registered voters are the Midpeninsula Regional Open Space District and the Menlo Park Fire Protection District. In 2013, the Menlo Park Fire Protection District paid \$83,387 for election services to 39,887 registered voters, at the rate of \$2.09 per registered voter. In the 2014 Statewide General Election, the Midpeninsula Regional Open Space District cost for election services to 47,190 registered voters was \$70,465 at the rate of \$1.49 per registered voter. Comparing this cost with the 2013 General District Election cost, we estimate that if the District switched to even-numbered year elections, it would experience cost savings of approximately 29% for an election conducted with polling places.

In September 2016, the Governor approved Senate Bill No. 450 (“SB 450”), known as the California Voter’s Choice Act, which added Section 4005 to the Elections Code. Starting in 2018, this Act authorizes specified counties, including San Mateo, to hold all-mailed ballot elections under certain conditions. This would reduce costs associated with polling places, including poll worker recruitment and training, voting equipment, supplies and labor. Thus, if the County holds an all-mailed ballot election in a future even-numbered year, then we expect costs for the District to be further reduced. If adopted by the County, SB 450 will dramatically change the nature of our election operations by transitioning the County to all-mailed ballot elections. A more detailed analysis on the potential impact of this new law will be presented to the Board of Supervisors at a later time.

The District's requested change will not have an immediate impact on the ballot styles, voting equipment or computer capacity. However, as more of the remaining 16 jurisdictions move to even-numbered elections years, there will be a cumulative and significant effect on Registration & Elections Division operations. When all jurisdictions move to even-numbered year elections sometime between 2017 and 2022, the total number of candidates for all jurisdictions could double in each election compared to the number of candidates in November 2016. This change will increase the variation in the Sample Ballot & Official Voter Information Pamphlets and the Official Ballot types. Overall costs for each election will increase, but the increase in costs will be distributed among more jurisdictions. Most importantly, staffing needs will more than double as tasks such as candidate filing increase and production of more voluminous election materials within statutory deadlines becomes more challenging during even-numbered years. Statewide General Elections will become more complex, requiring a shift from seasonal extra help staff to more experienced and knowledgeable permanent staff. The Division's operating budget needs will increase starting in FY 2017-18.

The voting and ballot counting equipment used by the Registration & Elections Division remain robust enough to permit the District, as well as the remaining jurisdictions within the County, to move its elections to even-numbered years from odd-numbered years. However, this equipment is nearing the end of its useful life. We will begin to evaluate new voting systems in 2017 that will improve accessible voting and accommodate elections conducted in a wholly vote by mail environment under SB 450 if adopted by the County.

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 was 79% in 2012 and 81% in 2016. 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 seven elections scheduled in November (2010 through 2016), average voter turnout for Statewide General Elections has been at least double than voter turnout for General District Elections, so a move to Statewide General Elections is likely to significantly increase voter turnout in future District elections.

Approval of this Resolution contributes to the Shared Vision 2025 of a Collaborative Community. Moving to even-year elections allows more voters the opportunity to make decisions about their community.

FISCAL IMPACT:

Moving the District's election to even-numbered election years will not impact the Registration & Elections Division in its conduct of elections at this time. However, the cost of elections will increase for the remaining jurisdictions that hold elections in 2017 and 2019. While there is no fiscal impact on the County now, as each jurisdiction moves to even-numbered year elections, the County's proportional share of elections costs for these elections will be reduced. Finally, as the jurisdictions move to even-numbered year elections, the labor and other costs during even-numbered year elections will increase.