



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



Date: November 7, 2016
Board Meeting Date: December 13, 2016
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

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

Subject: City of Millbrae's Request to Change from Odd- to Even-Numbered Year Elections

RECOMMENDATION:

Adopt a resolution authorizing implementation of the City of Millbrae City Council's request that future general municipal 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 December 13, we expect 31 of them to hold elections in odd-numbered years. The San Mateo County Registration & Elections Division anticipates that many of these 31 jurisdictions will move to even-numbered year elections in the near future.

On September 13, 2016, the City Council of the City of Millbrae (the "City") approved a resolution pursuant to Sections 1301, 10000-10735, and 14050-14057 of the California Elections Code requesting that election dates for future City general municipal elections be moved from odd- to even-numbered years. Notice of the City's requested change was mailed on September 28, 2016. The resolution would move the City's next election, currently scheduled for November 2017, to November 2018. Current councilmembers up for reelection in 2017 and 2019 would have their terms extended by 12 months.

Under Section 10403.5(a)(1), the Chief Elections Officer shall submit to the Board of Supervisors a report on the cost-effectiveness of the proposed change. The Board of Supervisors is required by Section 10403.5(a)(1) to approve the proposed change unless it finds that “the ballot style, voting equipment, or computer capability 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 City’s proposed change to even-numbered years, the Registration & Elections Division has reviewed the impact on costs, ballot style, voting equipment, computer capability, staffing, and voter turnout.

When the Registration & Elections Division conducts an election for jurisdictions such as the City, 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.

The voters in this City last voted at the polls in 2013. Given that the City has not recently conducted an election in an even-numbered year, we will use a jurisdiction of similar size for comparison. The closest jurisdiction by number of registered voters is the Coastside Fire Protection District. In 2013 the City paid \$20,367 for election services at the rate of \$1.78 per registered voter. In the 2014 Statewide General Election, the Coastside Fire Protection District’s cost for election services was \$20,574, at the rate of \$1.45 per registered voter. Comparing this cost with the 2013 General District Election cost, we estimate that if the City switched to even-numbered year elections, it would experience cost savings of approximately 19% for an election conducted with polling places.

In the November 2015 General District Election, the City’s cost per registered voter was \$1.41. However, it is not recommended to use this year for a cost comparison because the cost for the 2015 election was lower than usual. This was due to the fact that it was the County’s first election in the All Mailed Ballot Election Pilot Project authorized under Assembly Bill No. 2028 (“AB 2028”), which amended Elections Code Section 4001. Section 4001(a) permits San Mateo County to hold two additional all-mailed ballot elections in 2017.

<u>Jurisdiction</u>	<u>Year</u>	<u>Cost of Election</u>	<u>Cost Per Registered Voter</u>
City of Millbrae	2013	\$20,367	\$1.78
Coastside Fire Protection	2014	\$20,574	\$1.45
City of Millbrae	2015	\$15,957	\$1.41

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. If the County holds an all-mailed ballot election in a future even-numbered year, then we expect costs for the City to be less than the 2015 cost of \$1.41 per registered voter. If adopted by the County, SB 450 will dramatically change the nature of our electoral operations by transitioning the County to all-mailed ballot elections. A more detailed analysis on the potential impact of these new laws will be presented to the Board of Supervisors at a later time.

The City's requested change will not have an immediate impact on the ballot styles, voting equipment or computer capability. However, as more of the remaining 31 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 2018-19.

The voting and ballot counting equipment used by the Registration & Elections Division remain robust enough to permit the City, 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 (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 voter turnout for General District Elections, so a move to Statewide General Elections is likely to substantially increase voter participation in future general municipal elections.

FISCAL IMPACT:

Moving the City's general municipal election to even-numbered election years will not impact the Registration & Elections Division in its conduct of elections at this time. It could, however, slightly increase the cost of elections to the remaining jurisdictions in odd-numbered years. 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 noted above, if all jurisdictions move to even-numbered year elections, the Registration & Elections Division is likely to incur substantial additional labor and other costs during even-numbered year elections.