



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: Mid-Peninsula Water District's Request to Change from Odd- to Even-Numbered Year Elections

RECOMMENDATION:

Adopt a resolution authorizing implementation of the Mid-Peninsula Water 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 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 22, 2016, the Governing Board of the Mid-Peninsula Water District (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 mailed on October 11, 2016 and received on or around October 17, 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(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.” Upon approval by the Board of Supervisors, the Elections Division will prepare and mail a notice to the registered voters of the County, informing them of the election date change at the District’s expense.

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.

The voters in this District last voted at the polls in 2013. Given that the District has not recently conducted an election in an even-numbered year, we will use a jurisdiction of similar size for comparison. The closest special district by number of registered voters is the Coastside Fire Protection District. 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. In 2013, the Mid-Peninsula Water District paid \$32,082 for election services at the rate of \$2.11 per registered voter. Comparing these costs, we estimate that if the District switched to even-numbered year elections, it would experience cost savings of approximately 31% 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. If adopted by the County, SB 450 will dramatically change the future

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 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 total 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 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 (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 District's 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.