



## Legislation Text

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**File #:** 2021-0642, **Version:** 1

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**To:** Sonoma County Board of Supervisors

**Department or Agency Name(s):** County Clerk-Recorder-Assessor

**Staff Name and Phone Number:** Deva Marie Proto, (707) 565-3246

**Vote Requirement:** Majority

**Supervisory District(s):** Countywide

**Title:**

Consolidation of September 14, 2021, Special Election

**Recommended Action:**

Adopt the resolution authorizing consolidation of any local elections called for September 14, 2021, by governing bodies that have submitted requests for consolidation (as required by Elections Code (EC) §§10400-10401), with the California Gubernatorial Recall Election also called for September 14, 2021 (as permitted by EC §1605(f)).

**Executive Summary:**

Established election dates in California are set by EC §1000. However, EC §1003(e) states that those dates do not apply to county recall elections or municipal referendum elections.

On May 25, 2021, the Sonoma County Board of Supervisors passed a resolution calling for a special election to be held on September 14, 2021, so voters can decide whether District Attorney Jill Ravitch shall be recalled, and if the majority votes in favor of the recall, to elect a successor.

On June 8, 2021, the Rohnert Park City Council passed a resolution calling for a special election to be held on September 14, 2021, so voters can decide whether they want to adopt or reject an ordinance enacted by the City Council banning the use and sale of fireworks.

On July 1, 2021, Lieutenant Governor Eleni Kounalakis issued a proclamation ordering a special statewide election to be held on September 14, 2021, so voters can decide whether Governor Gavin Newsom shall be recalled, and if a majority votes in favor of the recall, to elect a successor.

EC §10400 provides that when two or more elections for local jurisdictions are called on the same day they may be consolidated upon the order of the governing bodies. This allows matters being voted on in the same territory to appear on the same ballot, thereby maximizing utilization of resources needed (i.e., avoiding duplication) and typically reducing overall costs. Since both the Sonoma County district attorney recall election and the Rohnert Park referendum election are scheduled to take place on September 14, 2021, they may be consolidated.

EC §1605(f) - a new section added to the EC on June 28, 2021, when Governor Gavin Newsom signed Senate Bill (SB) 152 into law -- allows a city, district, or political subdivision to consolidate a previously scheduled 2021

special local election with a 2021 gubernatorial recall election (should such a gubernatorial recall election be called by the Lieutenant Governor), as long as the following conditions are met:

- (1) The special local election was called prior to June 15, 2021.
- (2) The date of the special local election is within 30 days of the date of the gubernatorial recall election.
- (3) The governing body of the political subdivision issues the call to consolidate within four days from the date that the Lieutenant Governor issued their proclamation.

Since the Board of Supervisors is passing the attached resolution to consolidate within four days of when the gubernatorial recall election was called by the Lieutenant Governor (as per EC §15 and Government Code §6701), and since the other two conditions spelled out in EC §1605(f) are met, both the district attorney recall election and the Rohnert Park referendum election are also consolidated with the gubernatorial recall election scheduled for September 14, 2021.

**Discussion:**

Pursuant to EC §10416, the costs of conducting elections are shared between the entities involved. Full costs will be billed to the involved jurisdictions following the election. In addition, Assembly Bill (AB) 128, which Governor Gavin Newsom just signed into law on June 29, 2021, declares that the State will allocate funds to counties to cover the costs of the gubernatorial recall election.

Pursuant to EC §11108(g), copies of resolutions ordering elections and requesting consolidation received from the County of Sonoma, the City of Rohnert Park, and the Lieutenant Governor of the State of California are on file with the Clerk of the Board.

**Prior Board Actions:**

- On May 25, 2021, the Board adopted a resolution calling for a special election to take place on September 14, 2021, so voters can decide whether District Attorney Jill Ravitch should be recalled, as well as who should replace her if a majority votes in favor of the recall (Resolution 21-0423).
- On May 18, 2021, the Board accepted the certificate of sufficiency to recall District Attorney Jill Ravitch (Resolution 21-0367).

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 20-21 Adopted</b>	<b>FY21-22 Projected</b>	<b>FY 22-23 Projected</b>
Budgeted Expenses			
Additional Appropriation Requested			
<b>Total Expenditures</b>			
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>			

**Narrative Explanation of Fiscal Impacts:**

Costs of the County of Sonoma district attorney recall election and the Rohnert Park referendum election will be shared between the County of Sonoma and the City of Rohnert Park. In addition, the State has agreed to allocate funds to counties to cover the costs of the gubernatorial recall election (per AB 128).

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Consolidation Resolution

**Related Items “On File” with the Clerk of the Board:**

Local Jurisdiction & Lieutenant Governor Election Resolutions