



## Legislation Text

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**File #:** 2022-0521, **Version:** 1

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**To:** Board of Supervisors

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:** Caren Larkin, 565-2241

**Vote Requirement:** Majority

**Supervisorial District(s):** Countywide

**Title:**

Adopt a Resolution from a Special District Requesting to Change Governing Board Election Dates from Odd to Even Numbered Years.

**Recommended Actions:**

Adopt a resolution approving a request from the Forestville Water District to change governing board elections from odd- to even-numbered years with the first election occurring at the November 8, 2022, statewide general election.

**Executive Summary:**

In September 2015, the Governor signed Senate Bill No. 415 (SB 415), known as the California Voter Participation Rights Act, which in most instances requires local jurisdictions that currently hold elections for governing board members in odd-numbered years to move their elections to even-numbered years.

**Discussion:**

The Forestville Water District passed a resolution changing governing board member elections to the same day as statewide general elections. Once the resolution is received by the Board of Supervisors Office, the Board must act on the request within 60 days.

Although existing law generally requires that regularly scheduled county elections be held at the same time as statewide elections, other local jurisdictions (e.g., cities, school districts, and special districts) have greater flexibility when deciding when to hold regularly scheduled elections that are held to elect governing board members. Elections that are held at the same time as statewide elections are often referred to as "on-cycle" elections, while elections held at other times are often referred to as "off-cycle" elections.

The degree to which local governments hold their elections on-cycle or off-cycle varies significantly throughout the state. Roughly 30 percent of the counties in California do not have regularly-scheduled off-cycle elections, because all the local jurisdictions in those counties hold their governing board elections at the same time as statewide elections. In other counties, large numbers of cities, school districts, and special districts hold their governing board elections off-cycle in November of odd-numbered years. A smaller number of local jurisdictions hold their regularly scheduled governing board elections on other permitted off-cycle

dates.

Elections Code section 10404(C) requires the Clerk of the Board to “notify all districts located in the county of the receipt of the resolution to consolidate and shall request input from each district on the effect of consolidation.” The Clerk of the Board notified all of the districts on May 4, 2022 that the Board of Supervisors had received the resolution and requested their input.

The Board of Supervisors is required by section 10404 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 Registrar of Voters will prepare and mail a notice within 30 days, at the Districts' expense, to the registered voters of the Districts affected by the consolidation informing them of the election date change [Elections Code section 10404].

The Registrar of Voters has considered the cost-effectiveness of this proposed action. The changes may increase the number of ballot types since unique ballot types are required in precincts that contain the same districts. As more contests are potentially added to even-year ballots, the number of ballot cards per ballot could increase, thereby increasing costs. However, the expectation of a multiple-card ballot exists now whether or not jurisdictions change from odd- to even-year elections. Adding cards would increase the cost of ballots when required for particular ballot types, and the cost of postage would potentially increase. We anticipate that any increased costs (including payroll costs to hire extra-help staff to process the additional ballot cards) would be allocated proportionally among participating jurisdictions.

The Registrar of Voters has determined that the voting equipment/computer capacity can handle additional ballot cards. Because Sonoma County's voting system is specifically designed as a multiple card ballot, there is a track record of successfully conducting elections with many ballot types, each with ballots containing several ballot cards.

**Prior Board Actions:**

None

**FISCAL SUMMARY**

**Narrative Explanation of Fiscal Impacts:**

The Registrar of Voters has determined that the request will not significantly impact ballot production, voting equipment, or computer capacity.

It is anticipated that the cost to local jurisdictions on even-year ballots may decrease since costs will be defrayed by federal, state and county contests. If overall costs were to increase, the increase in costs will be distributed among more jurisdictions.

Given the number of jurisdictions electing to move to even-year ballots, costs to jurisdictions in November of

2023, or other odd years, may increase as there will be fewer jurisdictions to share elections costs.

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

None

**Attachments:**

Resolution; Forestville Water District Resolution; Notice; Forestville Water District Impact Statement

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

None