



# CITY OF COMMERCE AGENDA REPORT

Item No. \_\_\_\_\_

TO: Honorable City Council

FROM: City Administrator

SUBJECT: CALIFORNIA SENATE BILL 415 "VOTER PARTICIPATION" AND INTRODUCTION OF THE ORDINANCE FOR FIRST READING AMENDING CHAPTER 2.13 (ELECTION DATES) TO TITLE 2 (ADMINISTRATION AND PERSONNEL) FOR TRANSITIONING TO A STATEWIDE ELECTION DATE

MEETING DATE: November 7, 2017

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## **RECOMMENDATION:**

1. It is recommended that the City Council review 6 available options and select an option for transitioning to a statewide election date;
2. Read the Ordinance by title only for first reading, and introduce an Ordinance amending Chapter 2.13 (Election date) to Title 2 (Administration and Personnel) to change General Municipal Election dates to coincide with Statewide General Elections in March or November of Even-Numbered Years (based on the option selected) in order to comply with the requirements of Senate Bill 415.

## **BACKGROUND**

On September 1, 2015, Governor Brown signed into law Senate Bill 415 (SB 415) "Voter Participation" (Attachment 1) which prohibits local governments, beginning January 1, 2018, from holding an election on any date other than on a statewide election date if doing so has resulted in voter turnout being at least 25% below the average turnout in that jurisdiction in the previous four statewide general elections. Pursuant to Elections Code (EC) Section 1001, statewide election dates are recognized to occur in March and November of each even-numbered year. SB 568 passed last month changed the primary election date from June to March.

The public policy behind SB 415 was to address waning civic engagement in politics as illustrated by declining voter turnout in federal, state, and municipal elections. The legislative analysis asserts that one major contributing factor to low voter turnout – the timing of elections – could be addressed by synchronizing municipal elections with statewide elections. The Public Policy Institute of California surveyed 350 California cities and found that moving municipal elections to coincide with statewide elections could result in a 20-36% boost in voter turnout.

The City of Commerce (City) general municipal elections are now held in June of odd-numbered years to elect two/three members of City Council. Pursuant to Election Code Section 10403.5(b) the City Council may increase or decrease any terms of office by not more than 12 months.

## **ANALYSIS**

In accordance with SB 415, the City Clerk's Division has conducted an analysis of voter turnout (Attachment 2) and determined that the City will be required to conduct its general municipal elections to coincide with statewide elections as soon as 2018. However, provided that the City Council adopts a transition plan by January 1, 2018, it may synchronize with any statewide election through November 8, 2022.

*Statewide Primary Elections vs. Statewide General Elections.* The City Clerk's Division has further analyzed voter turnout at statewide primary elections held in June versus statewide general elections held in November (Attachment 2) and determined there is a significant increase in voter turnout at statewide general elections (please note June primary was moved to March). Therefore, it is recommended that the City Council choose to synchronize with statewide general elections held in November of each even-numbered year.

*Los Angeles County and Limitation on Election Consolidation.* EC Section 1301(b)(1) requires that a City Council enacted ordinance to consolidate with a statewide election date be subject to approval by the Los Angeles County Board of Supervisors (Supervisors). The legislative analysis points out that existing law (EC Section 10402.5) allows the Supervisors to deny a request for consolidation with a statewide election, if the voting system used by the Registrar cannot accommodate the additional election. The Registrar has previously expressed concern that its voting system could accommodate only a limited number of contests at each election and that moves by cities to consolidate with statewide elections would exceed the capacity of its voting system. The Registrar has recently unveiled a new voting system, with sufficient technical and physical capacity to accommodate the influx of consolidations with local districts and municipalities, however, the voting system is not anticipated to be available for use until 2020.

## **Next Steps**

If the City Council introduces the proposed ordinance, staff will return to City Council on November 21, 2017, for adoption of the ordinance and will submit the adopted ordinance to the Supervisors for consideration and approval.

Within 30 days after this Ordinance becomes operative (approved by Supervisors), the City Clerk's Division shall mail notice to all registered voters information the voters of the change in the election date and that, as a result of the change in the election date, the terms of office of the City officeholders extended or reduced, pursuant to Election Code Section 10403.5(e)

## **FISCAL IMPACT**

The fiscal impacts associated with this item are unknown at this time. The City would consolidate with the County for 2022 election. It is possible that election costs could decrease as more jurisdictions are required to consolidate with statewide elections.

## **RELATIONSHIP TO 2016 STRATEGIC GOALS:**

This agenda report relates to the strategic goal “Community Quality of Life. “

Respectfully submitted by: Fernando Mendoza, Interim City Administrator

Recommended by: Lena Shumway, Administrative Services Director & City Clerk

Reviewed for Fiscal Impact by: Josh Brooks, Finance Director

Reviewed by: Noel Tapia, City Attorney