



Dean C. Logan
Registrar-Recorder/County Clerk

March 19, 2015

TO: Supervisor Michael D. Antonovich, Mayor
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe

FROM: Dean C. Logan, Registrar-Recorder/County Clerk
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BOARD AGENDA ITEM 23– REQUEST FROM THE CITY OF SANTA CLARITA TO CHANGE THE DATE OF ITS MUNICIPAL ELECTIONS TO NOVEMBER OF EVEN-NUMBERED YEARS AND CONSOLIDATE ITS ELECTIONS WITH THE STATEWIDE GENERAL ELECTION

The City of Santa Clarita is requesting that your Board approve its ordinance to change the date of the City's municipal elections from April of even-numbered years to November of even-numbered years and grant consolidation with the statewide General Election, effective November 2016. The request was submitted on March 13, 2015 and is scheduled on the agenda for the regular meeting of March 24, 2015.

BACKGROUND

Currently, the majority of Los Angeles County's 88 city elections are held in March of odd-numbered years; some, along with general and special district elections, are held in November of odd-numbered years; a lesser portion of cities hold their elections in April of even-numbered years; and the smallest portion, along with federal, state, and county elections, hold their elections in November of even-numbered years. With minor exceptions, this schedule has been followed in Los Angeles County.

Your Board's policy since 1981, generally reaffirmed by subsequent Board action through 2013, has been to deny requests for consolidation with statewide Primary or General Election cycles. This policy has been based on the finite ballot capacity of the County's voting system. Primary and General Election ballots contain statewide (and certain local) offices and ballot measures which contribute to their length and complexity. Because of this, there has been a very real probability that there would be insufficient space to accommodate additional contests and/or measures from numerous jurisdictions requesting consolidation with these election cycles. Furthermore, the policy has helped eliminate the risk of presenting a congested ballot layout that could lead to error when voters interpret and mark their ballots.

Although California Elections Code section 10403.5 provides that a city ordinance to change its general municipal election must be approved by the board of supervisors, that approval is expressly conditioned upon the County's ballot style, voting equipment or computer capability being able to handle such additional elections or materials. Additionally, this is the same statutory standard to approve or deny any request for consolidation with a statewide election. The Department's Voting Systems Assessment Project (VSAP) is in the process of addressing the aforementioned issues with the expectation that current ballot capacity limitations will be resolved through implementation of the new voting system estimated to begin in 2018.

CITY LITIGATION

In June 2013, a lawsuit was filed against the City of Santa Clarita in Los Angeles Superior Court alleging that the City is in violation of the California Voting Rights Act (CVRA). As noted in its correspondence to your Board, the City disputes the allegations and denies that the City has violated any provisions of the CVRA.

In an effort to avoid protracted litigation, the City and plaintiffs have negotiated a settlement agreement which requires, in part, that the City consider changing the date of its general municipal election from the second Tuesday in April of each even-numbered year to the first Tuesday after the first Monday in November of each even-numbered year. An ordinance for such action was adopted by the City on April 22, 2014 and forwarded as part of the correspondence addressed to Mayor Antonovich dated March 13, 2015.

CONSOLIDATION ANALYSIS

In February 2014, due to an increasing number of consolidation inquiries and/or requests from jurisdictions throughout the County, the Registrar-Recorder/County Clerk initiated a geopolitical and technological analysis of potential consolidation scenarios for statewide General Election cycles. With regard to direct voting system limitations, the analysis has taken into account historical numbers for participating jurisdictions, statewide offices and ballot measures, local offices and ballot measures, geographically overlapping jurisdictions, registered voters, candidates, and the number of official pages for each version of the ballot among other criteria.

The data collected has made it possible to delineate the County by geography and/or community for purposes of recommending approval or denial of consolidation requests from municipalities, districts, agencies, authorities, and other jurisdiction types. Based on this analysis, the Department believes it is appropriate to revisit the current 1981 policy and propose revisions. This analysis would be utilized and implemented on a case-by-case basis.

The City of Santa Clarita has been included in this analysis, and we have identified that the City does not normally surpass 75% of its ballot capacity. This is an indication that consolidation of the City's election with November of even-numbered years would not likely result in a ballot capacity issue.

RECOMMENDATION

Based on this analysis, it is recommended that your Board approve the City of Santa Clarita's ordinance to change the date of its municipal elections from April of even-numbered years to November of even-numbered years and allow consolidation with the statewide General Election, effective November 2016. This recommendation is being submitted with the understanding that California Elections Code section 10400, et seq. is applicable such that the consolidated election shall be held and conducted in a manner compatible with the County's voting system as it relates to voting method, ballot style, voting equipment, computer capacity, post-election canvassing and so-on. If accepted, approval of this recommendation would be an exception to the Board's current policy.

REVISION TO POLICY

It is further recommended that your Board direct the Registrar-Recorder/County Clerk to submit a report containing a proposal to amend the Board's current policy regarding election consolidation within 60 days of the regular meeting of March 24, 2015. The intent of an updated policy is to provide enhanced data-based criteria for your Board to consider requests for even year election consolidation in the next few years until adoption and implementation of the County's new voting system takes place.

The policy would be revised to assess even year consolidation requests based on criteria which may include, but is not limited to a jurisdiction's unique circumstances (e.g. CVRA judgments/settlements, voting method, etc.) as well as current and future potential impacts and risks to the ballot and voting system capacity in affected areas. Additionally, all approvals of consolidation requests are contingent upon each consolidated election or its election materials continuing to be compatible with the County's ballot style, voting method, or voting system/equipment as identified in the Elections Code.

I may be reached at (562) 462-2716 if clarification or additional information is required.

c: Sachi A. Hamai, Interim Chief Executive Officer
Mark J. Saladino, County Counsel

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