



Legislation Details (With Board Report)

File #: 21-378 **Name:** Proposed Ballot Measure Fiscal Analysis and Impact Assessment Policy
Type: General Agenda Item **Status:** Passed - Auditor-Controller's Office
File created: 4/29/2021 **In control:** Board of Supervisors
On agenda: 5/11/2021 **Final action:** 5/11/2021
Title: a. Receive a report on a proposed policy to conduct fiscal analysis and prepare fiscal impact assessment reports for proposed ballot measures of Monterey County deemed to fiscally impact the County Government Jurisdiction; and
b. Approve the proposed policy.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Appendix A - Proposed Policy Ballot Meas Fiscal Assessment, 3. Appendix B - Board Referral No. 2020.28, 4. Completed Board Order Item No. 10

Date	Ver.	Action By	Action	Result
5/11/2021	1	Board of Supervisors	approved - auditor controller	Pass

a. Receive a report on a proposed policy to conduct fiscal analysis and prepare fiscal impact assessment reports for proposed ballot measures of Monterey County deemed to fiscally impact the County Government Jurisdiction; and
b. Approve the proposed policy.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Receive a report on a proposed policy to conduct fiscal analysis and prepare fiscal impact assessment reports for proposed ballot measures deemed to fiscally impact the Monterey County Government Jurisdiction; and
b. Approve the proposed policy.

SUMMARY:

The County Board desires to create a policy authorizing the Auditor-Controller to conduct fiscal analysis and prepare fiscal impact reports for proposed ballot measures of the County whenever the measure is deemed by the Auditor-Controller to fiscally impact the County, thereby alleviating the need for the Board to adopt resolutions, on a case by case basis, directing the Auditor-Controller to conduct such analysis.

DISCUSSION:

On December 8, 2020, a referral from Supervisor Lopez requested the Auditor-Controller to analyze and propose a policy that would authorize reports to be prepared by the County Auditor-Controller on ballot measures of the County deemed to fiscally impact the County. Relying on appropriate professional standards,

the reports would provide the County Auditor-Controller's assessment regarding the changes in revenue and costs that may result from the proposed ballot measure, if such measure were ultimately approved. The referral sought to create a consistent, apolitical, financial analysis of proposed changes after considering all potential costs and fiscal impacts to the County and its economy.

The Californian Election Code 9160 provides parameters to conduct fiscal analysis and prepare fiscal impact assessment reports for proposed ballot measures, as below:

(c) Not later than 88 days before an election that includes a county ballot measure, the board of supervisors may direct the county auditor to review the measure and determine if the substance of the county ballot measure, if adopted, would affect the revenues or expenditures of the county. He or she shall prepare a fiscal impact statement which estimates the amount of any increase or decrease in revenues or costs to the county if the proposed measure is adopted. The fiscal impact statement is "official matter" [...] and shall be printed preceding the arguments for and against the measure. The fiscal impact statement may not exceed 500 words in length.

(Amended by Stats. 2016, Ch. 422, Sec. 42. (AB 2911) Effective January 1, 2017.)

The proposed policy is intended to remove the step requiring the Board's action in passing resolutions on a case by case basis, directing the Auditor-Controller to conduct the review and prepare the report. Instead, it will authorize the Auditor-Controller to conduct the analysis and prepare the report on all ballot measures of the County in each election, deemed by the Auditor-Controller to fiscally impact the County. Other parameters provided in the Election Code will remain applicable in conducting the analysis and preparing the report by the Auditor-Controller. A draft of the proposed policy is provided in Appendix A.

The number and frequency of fiscal analysis is anticipated to increase with the adoption of this policy. In addition, analysis of some measures may require specialized subject matter knowledge. As such, the Auditor-Controller may require additional resources to conduct or complete the analysis. Approximately, three to five weeks prior to conducting the analysis or during the period of conducting the analysis, the Auditor-Controller shall apprise the Board with the need for resources and associated cost for budget approval consideration at its regularly scheduled meeting.

The Auditor-Controller's Office (ACO) will make every effort to conduct the analysis for each measure of the County that is deemed to fiscally impact the County, in each election. However, there is a potential that multiple ballot measures in one election cycle precludes all measures to be analyzed, due to lack of sufficient internal resources or availability of external resources. In such instance, the ACO shall apprise the Board with a recommendation for the measures to be selected for the analysis. ACO's preliminary assessment and recommendation will be based on consideration factors such as level of fiscal impact, availability of resources, expert knowledge, data.

OTHER AGENCY INVOLVEMENT:

No other agency involvement.

FINANCING:

The number and frequency of fiscal analysis is anticipated to increase with the adoption of this policy. In addition, analysis of some measures may require specialized subject matter knowledge. As such, the Auditor-Controller may require additional resources to conduct or complete the analysis. Approximately, three to five weeks prior to conducting the analysis or during the period of conducting the analysis, the Auditor-Controller shall apprise the Board with the need for resources and associated cost for budget approval consideration at its regularly scheduled meeting.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

To promote accountability and transparency in County processes by creating a policy for consistent, apolitical, fiscal analysis of proposed ballot measure of the County.

Check the related Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Attachments:

Board Report

Appendix A - Proposed Policy - Ballot Measure Fiscal Assessment

Appendix B - Board Referral No. 2020.28