



Legislation Details (With Board Report)

File #: RES 19-012 **Name:** NMCUSD Odd to Even Election Years
Type: BoS Resolution **Status:** Passed - Elections' Office
File created: 2/14/2019 **In control:** Board of Supervisors
On agenda: 2/26/2019 **Final action:** 2/26/2019
Title: Adopt Resolution to:
a. Approve the election date change for the governing board members of the North Monterey County Unified School District to the same day as the Statewide General Election in accordance with the Uniform District Election Law and SB 415.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Draft Resolution, 3. Exhibit A, 4. Item No. 56 Completed Board Order and Resolution

Date	Ver.	Action By	Action	Result
2/26/2019	1	Board of Supervisors	adopted - elections office	Pass

Adopt Resolution to:
a. Approve the election date change for the governing board members of the North Monterey County Unified School District to the same day as the Statewide General Election in accordance with the Uniform District Election Law and SB 415.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Adopt Resolution to:

a. Approve the election date change for the governing board members of the North Monterey County Unified School District to the same day as the Statewide General Election in accordance with the Uniform District Election Law and SB 415.

SUMMARY:

Senate Bill (“SB”) 415 requires each school district, community college district, county office of education and special district currently under Uniform District Election Law (UDEL) to transition to the same day as the Statewide General Election if turnout in nonconcurrent local elections is significantly lower than state general election turnout.

Sections 1302 et seq. of the California Elections Code authorize the governing body of a school district to require, by resolution, that the election of its governing body members be held on the same day as the statewide general election, such resolution to become operative upon approval by the County Board of Supervisors. The Board approved all school districts’ request to consolidate on March 21st, 2017, with the exception of North Monterey County Unified School District, which chose to hold an election on November 7, 2017.

The governing board members of the North Monterey County Unified School District filed a resolution with the Clerk of the Board, requesting approval of the change of election year. A copy of the North Monterey County Unified School District Resolution is attached as Exhibit A.

DISCUSSION:

On September 1, 2015, Governor Jerry Brown signed SB 415 into law. The law requires districts with regularly scheduled odd-year elections which have experienced “significant decrease in voter turnout” in the last regularly scheduled election to adopt a plan to transition to even-numbered year general elections no later than January 1, 2018. Significant decrease in voter turnout is described as voter turnout at least 25% less than the average turnout for the previous four statewide general elections. The 25 percent decrease in local voter turnout is calculated by subtracting 25 percent from the average state turnout. For example, if state turnout is 67 percent, the turnout threshold would be 42 percent ($67\% - 25\% = 42\%$). Should the local turnout at the last odd-year election be less than the 42 percent threshold, then a change to even-year elections would be required. The 2015 Monterey County Schools and Special Districts Election turnout was 18.6 percent which is less than the 42 percent threshold.

Pursuant to EC 10404.5(a), a resolution that is adopted by the district “shall be submitted to the board of supervisors no later than 240 days prior to the date of the currently scheduled district election”, which falls on March 10, 2019. The North Monterey County Unified School District has met the deadline.

Pursuant to EC 10404.5(d)(1), “the board of supervisors, within 60 days from the date of submission, shall approve the resolution unless it finds” the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled. The deadline for the Board to approve the school district resolution is April 27, 2019.

Moving the district might have some impact on the Registrar of Voters' (ROV) election systems, including the ballot layout, voting, ballot counting and election reporting systems. There would be an increase in the number of ballot types and possibly the length of even-year election ballots that could cause an additional ballot card. The ROV is in the process of adapting systems and infrastructure to accommodate this new law and will be prepared for the November 2020 election and the additional volume generated even if all districts call an election.

Pursuant to EC 10404.5(c), “the board of supervisors shall 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 (COB) mailed a letter to all schools and county board of education for input on January 23, 2018. As of the writing of this report, the COB has received no input in favor of or against the requested change from any district.

Pursuant to EC 10404.5(e), “within 30 days after the approval of the resolution, the elections official shall notify all registered voters of the districts affected by the consolidation of the approval of the resolution by the board of supervisors. The notice shall be delivered by mail and at the expense of the district”. Elections will prepare a mailing to all concerned voters within the timeframe, upon approval by the Board.

Moving the election date from an odd-numbered year to an even-numbered year results in an additional year added to each incumbent’s term. The term of office of the Governing Board Members and Directors whose term will expire in November 2019 will be continued until the general election is held in November 2020; likewise, the term of office of the Governing Board Members and Directors whose term will expire in November 2021 will be continued until the general election is held in November 2022.

The proposed resolution to approve the election date change reflects state laws, as well as Election Code. Elections is recommending that the Board approve the proposed resolution pursuant to the attachment and further authorize the election date change.

OTHER AGENCY INVOLVEMENT:

The North Monterey County Unified School District submitted a resolution requesting the election date change. County Counsel has reviewed and approved the language of the proposed resolution.

FINANCING:

SB 415's goal of the transition of a school or special district to an even-numbered year election is to increase and enhance voter participation. There is no impact to the County General Fund anticipated with this recommendation for this fiscal year.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This item is in line with the Board's vision for providing efficient service and cost neutral administration. Approval will support higher voter turnout for smaller districts and consolidate election cycles, effectively streamlining the use of resources with a positive impact to local agencies and voters.

Check the related Board of Supervisors Strategic Initiatives:

Administration:

Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

Prepared by:

Approved by:

Jessica Cedillo x 1486
Program Manager

Claudio Valenzuela x 1499
Registrar of Voters

Attachments:

Draft Resolution

Exhibit A - North Monterey County Unified School District Resolution