



COUNTY OF LOS ANGELES

REGISTRAR-RECORDER/COUNTY CLERK

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CONNOR B. McCORMACK
REGISTRAR-RECORDER/COUNTY CLERK

May 11, 2004

TO: Supervisor Don Knabe, Chair
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

FROM: Conny B. McCormack, Registrar-Recorder/County Clerk

CONSOLIDATION OF MUNICIPAL ELECTIONS / CITY OF SIERRA MADRE

Overview / Summary

At its meeting of April 20, 2004, your Board considered a request from the City of Sierra Madre to consolidate its Municipal Election with the Statewide Primary in March of even-numbered years. This report is in response to your request for a review of the issues involved in consolidation of city elections in general, and further discussion between our Department and the City of Sierra Madre in particular.

RR/CC staff has met with the City of Sierra Madre regarding the complex issues involved in major-election consolidation. The City is considering a variety of other options to achieve their goals of cost saving and of relieving the City of the responsibility for conducting elections.

Finite ballot capacity continues to limit the County's ability to guarantee access to Primary and General election ballots. Future electronic voting will relieve the ballot capacity issue.

Background

Following passage of AB 1521 in 2003 (see *Attachment A*), several cities have asked about moving city election dates to coincide with regularly scheduled County elections. All cities have been advised that the date available and guaranteed for consolidation is the first Tuesday after the first Monday in November of odd numbered years under the Uniform District Election Law, or UDEL. Some cities can achieve cost savings (in comparison to conducting their

own elections) by consolidating with the UDEL, as they may share costs with school districts, college trustee boards, water boards, etc. However, whether or not cost savings can be realized depends on the total picture of jurisdictional boundaries.

Cities That Currently Consolidate

Attachment B shows how elections are conducted in each of the 88 cities in the County.

March Primary Election Consolidation

Only one city, Torrance, is consolidated with the March Statewide Primary Election in even-numbered years. Unlike the Sierra Madre request, this consolidation was not the result of a request by the City of Torrance. Torrance is a charter city and its regular municipal election was set by charter in 1974 on the first Tuesday of March in even-numbered years. Charter-established election dates can only be changed by a vote of the people; Torrance attempted to change to May of even-numbered years through a ballot measure in 1999 but the measure was defeated.

November General Election Consolidations

Five cities consolidate with the November General Election in even-numbered years, also the result of long-standing Charter provisions. One of these, the City of Santa Monica, was forced to conduct a concurrent election due to ballot capacity measures during one election cycle.

UDEL Consolidations

Eleven cities currently consolidate with the November odd-numbered year UDEL election. Several cities, including Bradbury (D-5), Commerce (D-1), Santa Clarita (D-5), and Santa Fe Springs (D-1), are in the process of considering moving city election dates to coincide with the UDEL.

Board Policy

Since 1981, your Board has consistently applied a policy of denying requests for consolidation with Primary and General Elections due to the limited number of ballot positions and the risk of forcing concurrent elections. The change from punch card ballots to InkaVote optical scan ballots did not change the ballot size limitations. The InkaVote ballot has exactly the same number of available positions as the punch card.

Issues Regarding Primary and General Election Consolidations

Ballot Capacity and the Risk of Concurrent Elections

Until Los Angeles County is able to conduct electronic voting Countywide, the issue of ballot capacity will continue to limit the number of races and candidates that can be accommodated in any given ballot style. When ballot capacity is exceeded, and a City has been authorized to call its election on a Countywide election date, the City must conduct its own election on the same date as the County's. This is called a concurrent election. This occurs because the conditions forcing a concurrent election are not known until too late in the process for the City to change its election date. (That is, the election has been called, candidates and measures have been filed, and the final date for changes has passed when it is discovered that there are too many contests to fit on a consolidated County ballot.)

A concurrent process raises the following issues:

- Voters are required to check in at two separate tables, sign separate rosters, and under current conditions would vote using two different voting systems – one for the County election and one for the City election.
- The potential for error is very high, and includes the risk of co-mingled City/County ballots.
- Because voters are given their County ballot first, some jurisdictions report considerable voter “drop-off” for City elections held in this manner. Some voters become impatient or understandably confused or upset and do not want to stand in line and sign in a second time, and leave the polling place before casting a City ballot.
- Concurrent elections are confusing and nonsensical for both pollworkers and voters.
- Concurrent elections are not cost effective

Additional considerations include:

- State law prohibits precinct consolidation for Primary and General elections. Cities are not bound by this mandate. Therefore, in concurrent elections, cities are paying additional costs for polling locations and pollworkers that they would not expend if they were conducting an independent election with consolidated voting precincts.
- Because of the thousands of voting locations in a Countywide election, we begin selecting polling places and pollworkers months in advance of a major election. The conditions which force a concurrent election are not known until the close of candidate filing and receipt of all ballot measures. This timing

conflict can result in polling places that are too small to accommodate the additional staff and supplies required in a concurrent election.

Effect on Voter Turnout

- Cities sometimes assume that placing their candidates and measures on a countywide ballot will increase voter turnout for their races. However, City candidates and measures always appear at or near the end of County ballots. A lengthy ballot invites voter fatigue and often produces a higher undervote (no vote) rate for the contests appearing at the end. Therefore it cannot be assumed that consolidation with a major election has a positive effect on local turnout.

Coordination Issues

Absentee Voting

- With concurrent elections, two elections are conducted separately. Voters receive two sample ballots and those wishing to vote by mail must apply separately to the County and to the City for absentee ballots. When this occurred in Long Beach and other cities holding concurrent elections in the past, voters were confused. Despite the mutual exchange of absent voter lists between City and County, the risk of some voters failing to receive one of the two absentee ballots is increased.

In past concurrent elections, it was not uncommon for voters to place both City and County absentee ballots in one envelope. Because the County canvass process is twice as long as the City's, some voted absentee ballots were not discovered by the County until the City's canvass was complete

Election Results

- Cities typically finish election night ballot counting much earlier in the evening than does the County, due to smaller volume. In concurrent elections, cities must wait for all City precincts to report to County check-in centers. This often leads to lengthening the election night process for cities by several hours.
- For the Long Beach concurrent elections, both City and County assigned staff to one another's central counting facility to retrieve misplaced ballots

Future Consolidation Possibilities

We anticipate that with the that many cities will desire to consolidate elections with the County once an electronic voting system is implemented Countywide as

1) there are no ballot capacity issues with electronic voting systems and 2) cities could then avoid the more complex election administration involved in conducting this type of election themselves. While the move to electronic voting is currently on hold due to the instability and uncertainty surrounding the future of electronic voting in California, our planning has always included the needs of the 88 cities in Los Angeles County. We have held numerous discussions with cities about these possibilities, and most City Clerks concur that they would be interested in offering their City Councils the option of consolidation when ballot capacity issues are resolved by the virtually unlimited capacity of electronic voting.

Conclusion and Recommendations

The continued issue of limited ballot capacity of paper-based voting systems means that consolidation of city elections with major County elections continues to pose a high risk of concurrent elections, the most difficult of elections to conduct without unacceptable rates of error. It is recommended that the Board continue its policy of denying cities' requests for consolidation with Primary and General elections until such time as electronic voting equipment makes these consolidations practical and enables us to offer this option equally to all cities within Los Angeles County.

Attachment A: AB 1521

Attachment B: City Election Schedules – Los Angeles County

c: Judy Whitehurst, County Counsel

BILL NUMBER: AB 1521 CHAPTERED
BILL TEXT

CHAPTER 824

FILED WITH SECRETARY OF STATE OCTOBER 11, 2003

APPROVED BY GOVERNOR OCTOBER 10, 2003

PASSED THE ASSEMBLY SEPTEMBER 12, 2003

PASSED THE SENATE SEPTEMBER 11, 2003

AMENDED IN SENATE SEPTEMBER 8, 2003

AMENDED IN ASSEMBLY JUNE 2, 2003

AMENDED IN ASSEMBLY APRIL 2, 2003

INTRODUCED BY Assembly Members Parra and Pacheco

FEBRUARY 21, 2003

An act to amend Sections 1301, 4000, and 13113 of, to repeal Sections 1501 and 1502 of, and to repeal and add Section 1500 of, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1521, Parra. Elections: municipal elections.

(1) Existing law requires, with certain exceptions, a general municipal election to be held on the 2nd Tuesday in April of even-numbered years or the first Tuesday after the first Monday in March of odd-numbered years.

This bill, instead, would require a general municipal election to be held on any established election date or on the 2nd Tuesday of April in each odd-numbered year.

(2) Existing law provides that several types of elections may be held wholly by mail, with certain conditions, including, but not limited to, the condition that the election does not occur on the same date as a statewide direct primary election or statewide general election.

This bill would, instead, provide that an election held wholly by mail must be held on an established mailed ballot election date as established by this bill.

(3) Existing law provides that the order of candidates' names on the ballot of a special district, school district, charter city, or other local government body election, occurring on other than one of the 4 major election dates is determined by a special randomized

alphabet drawing conducted by the Secretary of State, with certain requirements.

This bill would authorize the randomized alphabet drawn for purposes of the first election held by a charter city that holds 2 elections in the same 12-month period which occur on other than one of the 4 major election dates, to be used for both of those elections if the 2nd election within that 12-month period does not have a close of filing deadline. The bill would also provide that if 2 randomized alphabets are drawn for the same election, that the results of the second randomized alphabet drawing may be clearly set apart from the first labeled "FOR USE IN A RUNOFF ELECTION ONLY."

(4) This bill would incorporate additional changes in Section 13113 of the Elections Code proposed by SB 1024 that would become operative only if SB 1024 and this bill are both chaptered and become effective on or before January 1, 2004, and this bill is chaptered last.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1301 of the Elections Code is amended to read:

1301. (a) Except as required by Section 57379 of the Government Code, and except as provided in subdivision (b), a general municipal election shall be held on an established election date pursuant to Section 1000.

(b) (1) Notwithstanding subdivision (a), a city council may enact an ordinance, pursuant to Division 10 (commencing with Section 10000), requiring its general municipal election to be held on the same day as the statewide direct primary election, the day of the statewide general election, or on the day of school district elections as set forth in Section 1302. Any ordinance adopted pursuant to this subdivision shall become operative upon approval by the board of supervisors.

(2) In the event of consolidation, the general municipal election shall be conducted in accordance with all applicable procedural requirements of this code pertaining to that primary, general, or school district election, and shall thereafter occur in consolidation with that election.

(c) If a city adopts an ordinance described in subdivision (b), the municipal election following the adoption of the ordinance and each municipal election thereafter shall be conducted on the date specified by the city council, in accordance with subdivision (b),

unless the ordinance in question is later repealed by the city council.

(d) If the date of a general municipal election is changed pursuant to subdivision (b), at least one election shall be held before the ordinance, as approved by the board of supervisors, may be subsequently repealed or amended.

SEC. 2. Section 1500 of the Elections Code is repealed.

SEC. 3. Section 1500 is added to the Elections Code, to read:

1500. The established mailed ballot election dates are as follows:

(a) The first Tuesday after the first Monday in May of each year.

(b) The first Tuesday after the first Monday in June of each even-numbered year.

(c) The last Tuesday in August of each year.

SEC. 4. Section 1501 of the Elections Code is repealed.

SEC. 5. Section 1502 of the Elections Code is repealed.

SEC. 6. Section 4000 of the Elections Code is amended to read:

4000. A local, special, or consolidated election may be conducted wholly by mail provided that all of the following conditions apply:

(a) The governing body of the local agency authorizes the use of mailed ballots for the election.

(b) The election is held on an established mailed ballot election date pursuant to Section 1500.

(c) The election is one of the following:

(1) An election in which no more than 1,000 registered voters are eligible to participate.

(2) A maximum property tax rate election as provided for in Section 2287 of the Revenue and Taxation Code.

(3) An election on a measure or measures restricted to (A) the imposition of special taxes, or (B) expenditure limitation overrides, or (C) both (A) and (B), in a city, county, or special district with 5,000 or less registered voters calculated as of the time of the last report of registration by the county elections official to the Secretary of State.

(4) An election on the issuance of a general obligation water bond in accordance with Section 12944.5 of the Water Code.

(5) An election of the Directors of the Monterey Peninsula Water Management District as authorized in Section 122 of Chapter 527 of the Statutes of 1977, known as the Monterey Peninsula Water Management District Law.

(6) An election of the Aliso Water Management Agency, or its

affected member agencies, pursuant to Sections 13416 and 13417 of the Water Code.

(7) An election of the San Jacinto Mountain Area Water Study Agency pursuant to Sections 13416 and 13417 of the Water Code.

(8) An election of the San Lorenzo Valley Water District pursuant to Sections 13416 and 13417 of the Water Code.

(9) An election or assessment ballot proceeding required or authorized by Article XIII C or XIII D of the California Constitution. However, when an assessment ballot proceeding is conducted by mail pursuant to this section, the following rules apply:

(A) The proceeding shall be denominated an "assessment ballot proceeding" rather than an election.

(B) Ballots shall be denominated "assessment ballots."

SEC. 7. Section 13113 of the Elections Code is amended to read:

13113. (a) In the case of an election of candidates in a special district, school district, charter city (whose charter does not provide to the contrary), or other local government body, occurring on other than one of the four major election dates specified in subdivision (b) of Section 13112, the official responsible for conducting the election shall, at the same time that the election is called, notify the Secretary of State by registered mail of the date of the election, the date of the close of filing, and the last possible date for filing in the event there is an extension of filing due to an incumbent failing to file. The Secretary of State shall conduct a randomized alphabet drawing on the first weekday following the last possible day of filing for an election according to subdivision (a) of Section 13112.

(b) Except as provided for runoff elections in subdivision (d), if two or more drawings for local government elections would occur on the same date, the Secretary of State may use a single randomized alphabet drawing for all of these elections. The Secretary of State shall communicate the results of the drawing by registered mail to each respective official responsible for conducting the election who shall use it to determine the order on the ballot of all candidates' names.

(c) All drawings held pursuant to this section shall be open to the public.

(d) If two randomized alphabets are drawn for the same election, the results of the second randomized alphabet drawing may be clearly set apart from the first and, if set apart, labeled "FOR USE IN A RUNOFF ELECTION ONLY."

SEC. 8. Section 13113 of the Elections Code is amended to read:

13113. (a) In the case of an election of candidates in a special district, school district, charter city (whose charter does not provide to the contrary), or other local government body, occurring on other than one of the election dates specified in subdivision (b) of Section 13112, the official responsible for conducting the election shall, at the same time that the election is called, notify the Secretary of State by registered mail of the date of the election, the date of the close of filing, and the last possible date for filing in the event there is an extension of filing due to an incumbent failing to file. The Secretary of State shall conduct a randomized alphabet drawing on the first weekday following the last possible day of filing for the election according to subdivision (a) of Section 13112.

(b) Except as provided for runoff elections in subdivision (d), if two or more drawings for local government elections would occur on the same date, the Secretary of State may use a single randomized alphabet drawing for all of these elections. The Secretary of State shall communicate the results of the drawing by registered mail to each respective official responsible for conducting the election who shall use it to determine the order on the ballot of all candidates' names.

(c) All drawings held pursuant to this section shall be open to the public.

(d) If two randomized alphabets are drawn for the same election, the results of the second randomized alphabet drawing may be clearly set apart from the first and, if set apart, labeled "FOR USE IN A RUNOFF ELECTION ONLY."

SEC. 9. Section 8 of this bill incorporates amendments to Section 13113 of the Elections Code proposed by both this bill and SB 1024. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2004, (2) each bill amends Section 13113 of the Elections Code, and (3) this bill is enacted after SB 1024, in which case Section 7 of this bill shall not become operative.

Attachment B

City Election Schedules – Los Angeles County

Supervisorial District indicated in parenthesis following each city.

Independent Elections Conducted By City Clerks

Odd-Numbered Years: First Tuesday After the First Monday in March

Artesia (4)	Cerritos (4) (c)	Huntington Park (1)	La Verne (5)	Pico Rivera (1) (4)	Santa Fe Springs (1)
Azusa (1)	Claremont (5)	Industry (c) (1)	Manhattan Beach (4)	Redondo Beach (c) (4)	Signal Hill (c) (4)
Baldwin Park (1)	Commerce (1)	Irwindale (c) (1)	Maywood (1)	Rolling Hills (4)	South El Monte (1)
Bell (1)	Covina (5)	La Canada Flintridge (5)	Monrovia (5)	Rosemead (1)	South Gate (1)
Bellflower (4)	Cudahy (1)	La Habra Heights(4)	Monterey Park (1)	San Dimas (5)	South Pasadena (5)
Bell Gardens (1)	El Monte (1) (5)	Lakewood (4)	Norwalk (4)	San Fernando (3)	Temple City (c) (5)
Beverly Hills (3)	Gardena (2)	La Mirada (4)	Palos Verdes Estates (4)	San Gabriel (1) (5)	West Covina (5)
Calabasas (3)	Glendora (5)	La Puente (1)	Paramount (4)	San Marino (5)	West Hollywood (3)
Carson (2)	Hidden Hills (3)				

Even-Numbered Years: Second Tuesday in April of each even numbered year

Arcadia (c) (5)	Culver City (c) (2)	Lawndale (2)	Malibu (3)	Sierra Madre (5)	Whittier (c) (4)
Avalon (4)	El Segundo (4)	Long Beach (c) (4)	Santa Clarita (5)	Vernon (c) (1)	Walnut (5)
Bradbury (5)	Lancaster (5)				

Odd Numbered Years: Various Dates

Burbank (c) (5)	Last Tuesday in February and runoff on 2 nd Tuesday in April
Compton (c) (2)	3 rd Tuesday in April and runoff on 1 st Tuesday in June
Glendale (c) (5)	1 st Tuesday in April
Inglewood (c) (2)	1 st Tuesday in April. If runoff is necessary, election to be held not more than 70 days after primary. NOTE: Mayoral election is held on 1 st Tuesday after 1 st Monday in November of the even-numbered year
Lomita (4)	1 st Tuesday After the 1 st Monday in November
Los Angeles (c)(1)(5)	2 nd Tuesday in March. If runoff is necessary, election to be held on 1 st Tuesday after 1 st Monday in May
Pasadena (c) (5)	6 th Tuesday preceding general municipal which is held on 3 rd Tuesday in April
Westlake Village (3)	1 st Tuesday After the 1 st Monday in November

Cities That Consolidate Elections with Los Angeles County

Odd-Numbered Years: First Tuesday After the First Monday in November

Agoura Hills (3)	Duarte (5)	Hawthorne (2)	Lynwood (2)	Palmdale (5)	Rolling Hills Estates (4)
Diamond Bar (4)	Hawaiian Gardens (4)	Hermosa Beach (4)	Montebello (1)	Rancho Palos Verdes (4)	

Even-Numbered Years: First Tuesday after the First Monday in March:

Torrance (c) (4)

Even-Numbered Years: First Tuesday After the First Monday in November

Alhambra (c) (5)	Downey (c) (4)	Inglewood (c) (Mayoral) (2)	Pomona (c) (1)	Santa Monica (c) (3)
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(c) Indicates Charter City