



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN

Registrar-Recorder/County Clerk

October 14, 2016

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

Sachi A. Hamai, Chief Executive Officer

FROM: Dean C. Logan, Registrar-Recorder/County Clerk

SUBJECT: RESPONSE TO SUPERVISOR RIDLEY-THOMAS MOTION SEEKING TO PRESERVE OPTION FOR A COUNTYWIDE SPECIAL ELECTION IN MARCH 2017

At the Board of Supervisors meeting on September 13, 2016, the Board unanimously approved a motion by Supervisor Ridley-Thomas to preserve the option for a Special Countywide Election in March 2017. Per the direction of the motion, the Registrar-Recorder/County Clerk (Department) has reached out to the election official of every city/district that is scheduled to have an election on March 7, 2017 to discuss the possibility of a special election being called to place a countywide measure on the ballot in March 2017. While the Board has not yet called this election, the Department is prepared to administer an election on March 7, 2017 with or without a countywide measure.

OVERVIEW

As was stated in the motion, there is a tremendous amount of coordination needed between the Department and these cities/districts prior to the election in March 2017 if this effort is to be successful. There are 39 cities/districts that are currently scheduled to hold their elections at this time, including the City of Los Angeles, Los Angeles Unified School District, and Los Angeles Community College District. In addition to these, other jurisdictions that have heard about this possibility have reached out to the Department to discuss consolidating a local measure onto the ballot.

The discussions with all of these jurisdictions have been informative and constructive, but they have also highlighted some unique challenges. This was an unanticipated impact for the cities and many have called for firm decisions from the County, up to and including calling for the Special Countywide Election. While the Department cannot call the election, per the direction of

the motion, we have been coordinating extensively with these jurisdictions and committed to administering a March 2017 election for them regardless if the County calls for a Special Election.

In order to facilitate this effort, the Department has prepared draft/model resolution language for city consideration requesting election services from the County. The language provides the assurance that the County will conduct their General Municipal Elections even if the Special Countywide Election is not called and that the County will provide these services in a manner that is cost-neutral for the City.

The Department is hopeful that this resolution conveys the County's commitment and position the cities need in order to take timely action. Because the Department is managing this effort in parallel with conducting the November Presidential Election, timing and coordination are significant issues. We have strongly encouraged cities to consider this action now to ensure a successful coordinated election.

COST ESTIMATES

If the Board moves forward with placing a measure(s) on the March 2017 ballot, the estimate - assuming all cities consolidate - is a total cost of \$19.6M apportioned between the County (\$10.7M) and the remainder billed proportionately to the participating cities/districts (\$8.9M). As part of our communication with each of these jurisdictions, they have been provided with their individual estimate. It should be noted that under this scenario, the cities/districts will realize significant cost savings by consolidating onto the County's ballot.

The total estimated cost of the Department conducting standalone elections for these cities/districts, absent a countywide measure, is \$12.4M. This amount would typically be proportionately paid by jurisdictions since the County would have nothing on the ballot; however, their costs under this scenario will be significantly higher than they have budgeted. For this reason, the motion contemplates offering a cost-neutral provision for the cities in the event that the countywide measure does not move forward and the Department conducts the election for the participating cities/districts.

To complete a comprehensive estimate for this provision, the Department has requested election cost estimates from each of the cities/districts. At this time, we have received cost estimates from a majority of these jurisdictions, which currently total approximately \$10.7M. To comply with the direction of the motion to ensure a cost-neutral provision, the Department has guaranteed that election costs remain at the estimated amount provided to the cities if the County measure is on the ballot. In this way, cities were provided one cost estimate under both scenarios. This language is written into the resolution as the County's means of ensuring cost-neutrality for the cities. This provision would cost the County approximately \$3.5M, if the Board decides not to proceed with a measure. It should be noted that this estimate is variable based on final city/district participation.

CITY CLERK CONCERNS

There have been various levels of support from the city clerks on this issue ranging from very supportive to concerned. In addition to requesting their cost estimates, there were a variety of issues raised by city clerks in regards to potentially consolidating their municipal elections. While some were unique to individual cities, there were a few that were heard from multiple cities. The following are some of the recurring themes that have come up in these discussions:

- Potential impact on future elections if private election vendor closes
- Desire to conduct their own election if County does not call an election
- Final decision on this issue to be made by city councils

Potential impact on future elections if private election vendor closes

The most significant concern that has been raised by city clerks is regarding their local election administration beyond the March 2017 election. Martin & Chapman Company is a private election vendor that administers local elections on behalf of many of the cities in the County and they were scheduled to conduct a majority of the March 2017 elections also. The company indicated to the cities early on that if the County goes forward with its Special Countywide Election and if the cities agreed to consolidate their elections that they may be forced to cease operations in December 2016.

This has caused some significant concern amongst the cities as there are several upcoming elections (February 2017, April 2017, May 2017, etc.) in many of these cities that have been left with an uncertain future. These are elections that the Department has not typically conducted. Many of the cities, including ones not scheduled in March, have asked if the County could/would take on their elections moving forward if their vendor went out of business.

The Department has been in contact with Martin & Chapman and understands the significant impact this effort has on their operations. There is clearly an impact that extends beyond the March 2017 election date. The Department is continuing to dialogue with the vendor and the cities to identify possible options that could minimize those impacts and keep things on track for cities/districts through the transitional implementation of Senate Bill 415, which mandates that cities consolidate with the County in upcoming elections.

Desire to conduct their own election if County does not call an election

Another concern that many cities have brought up is the desire to conduct their own election if the Board decides not to move forward with calling a Special Countywide Election. The Department has reiterated the County's commitment to conduct the election regardless, but cities continue to press to have local control of this process if possible.

Unfortunately there is no way to assure them until the Board takes formal action, and this may not take place until December 2016. Some cities may pass resolutions that essentially take the

position of only consolidating with the County if the Board places a measure on the ballot. There are some logistical and timing considerations that need to be worked out under this scenario, including cities expending additional resources, but there could be a way for this to work.

Final decision on this issue to be made by city councils

The role of the city council in this process is another important element that has come up during these discussions. The final decisions on this issue are made by the respective city councils and not the city clerks. While city clerk understanding/ acceptance of this effort is a positive step forward, it is no guarantee of a city council's concurrence. At least two city councils have already taken action and voted to hold standalone elections regardless of what the County does on this matter. If the Board does indeed move forward with calling a Special Countywide Election, then this means that there would be at least two concurrent elections in these two cities unless the issue is reconsidered.

This scenario would negatively impact the voters within these jurisdictions and would be more costly for the cities. It was for this reason that your Board directed the Department to work towards ensuring full consolidation. The Department will continue to monitor the actions of cities in this regard, and we hope that these are just isolated cases. We may have follow-up communication with these cities to mitigate this action. It should be noted that we are also aware of at least one other city council has taken action at this time to request the County conduct its election, and we believe that others are likely to follow suit.

CONCLUSION

The Department will continue to move forward in the direction given by the Board, and we are working with the full understanding that we will be administering an election in March 2017. The Department has conveyed the County's position on this issue to the cities and should continue to hear from more of them over the next month. We will continue to work collaboratively with them to provide the information needed to make a decision with regard to election services and consolidation.

To minimize cost for the cities and voter confusion associated with overlapping and/or concurrent elections, we continue to encourage the cities to take action now to seek election services from the County. We understand that there are likely additional issues associated with this effort that will necessitate further coordination with the cities. We are committed to addressing those and working with them toward mutual resolution.

If you have any questions or require further information on this matter, please feel free to contact me at (562) 462-2716.

c: Mary C. Wickham, County Counsel
Lori Glasgow, Executive Officer