



## Legislation Text

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### MEMORANDUM

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Diane C. Fridley, Registrar of Voters

**DATE:** March 7, 2017

**SUBJECT:** Approve Resolution for Lucerne Elementary School District's request to change their election cycle for their Board of Directors in November of odd-numbered years to even-numbered years, and direct staff to send proper notification to all districts within Lake County.

### EXECUTIVE SUMMARY:

On September 1, 2015, Governor Jerry Brown signed SB 415 into law; adding Chapter 1.7 (commencing with Section 14050) to Division 14 of the Elections Code known as the "California Voter Participation Rights Act". The new 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 of previous four statewide general elections.

The County of Lake's average turnout for the previous four statewide general elections (2016, 2014, 2012, and 2010) is 65%; in comparison, the turnout for the regularly scheduled 2015 election for the school and special districts that went to election was 23%, the difference in turnout is 42%. Voter turnout for odd year elections in comparison to even year elections consistently yields a difference greater than 25%. It is my understanding that all of school and special districts within Lake County will be required to adopt a resolution to initiate the transition to even-numbered year board elections, no later than January 1, 2018.

Currently, the Lucerne Elementary School District elects their board of trustees in November of odd-numbered years and in order to change from odd-numbered years to even-numbered years, the governing board of the School District must follow the process set forth in Elections Code Section 10404.5.

Lucerne Elementary School District's Board of Trustees has completed the first (1st) step of Elections

Code Section 10404.5 by submitting their Resolution No. 6 titled “Change of Election Day of the Governing Board and Requesting the Board of Supervisors for the County of Lake to Authorize Consolidation with the November Election During Even-Numbered Years”, to your Board. Your Board has sixty (60) days from today to either approve or deny the consolidation request; no later than May 2, 2017.

The second (2nd) step will be for Board staff to notify all of the school districts and the County Board of Education located within the County of Lake of receipt of the Lucerne Elementary School District’s resolution and to ask for input from each district on the effect of consolidation. The Elections Code does not specify the method of notification so I would recommend that a letter should be mailed to each District Superintendent as well as posting on the Board’s webpage. The Registrar of Voters office will provide the Board office with the district information and I have also included a sample letter for use by the Assistant Clerk to the Board.

Elections Code Section 10404.5(d)(2) requires public notices of the proceedings before your Board pursuant to Section 25151 of the Government Code in which the Lucerne Elementary School District’s Resolution No. 6 is to be considered for adoption. Prior to the adoption of a resolution to either approve or deny the School District’s consolidation request, your Board may request the Registrar of Voters to submit a Cost-Effectiveness Report on changing the School District’s election from odd-year to even-year elections. Elections Code Section 10404.5(d)(1) requires your Board to approve Lucerne Elementary School District’s resolution requesting consolidation unless the County finds that the ballot style, voting equipment, or computer capacity, etc. cannot handle another district to be consolidated with the even-year election; I feel no limitations exist to deny the School District’s request.

Attachments: Lake County Superintendent of Schools Memo;  
Lucerne Elementary School District’s Resolution No. 6;  
Sample Letter to School Superintendents

### **RECOMMENDED ACTION:**

Following your Board’s approval and within 30 days after the approval of Lucerne Elementary School District’s resolution changing the School District’s elections from odd-year to even-year, the Registrar of Voters office is required to notify all registered voters of the districts affected by the consolidation approval by mail and at the expense of the Lucerne Elementary School District.