

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

July 13, 2021

FROM

BOB PAGE, Registrar of Voters

LYNNA MONELL, Clerk of the Board, Clerk of the Board of Supervisors

SUBJECT

Baker Valley Unified School District Request to Change Election Cycle to Statewide General Elections

RECOMMENDATION(S)

Adopt Resolution to approve a request from the governing body of Baker Valley Unified School District to move its election dates from March of even-numbered years to November of even-numbered years, commencing with the November 8, 2022 Statewide General Election.
(Presenter: Bob Page, Registrar of Voters, 387-2100)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not require additional Discretionary General Funding (Net County Cost). Adequate appropriation and revenue was included in the Registrar of Voters (ROV) and Clerk of the Board (COB) 2021-22 budgets to process this election change request.

BACKGROUND INFORMATION

Approval of the proposed resolution would consolidate Baker Valley Unified School District's (District) elections with the statewide general elections held in November of even-numbered years, commencing in 2022.

California Elections Code section 10404.5 authorizes school districts, by resolution of the governing board, to move governing board member elections to statewide primary or general elections held in even-numbered years.

On September 1, 2015, the Governor approved Senate Bill 415. This bill prohibits jurisdictions from holding an election other than on a statewide election date in even-numbered years after January 1, 2018, if holding an election on a non-concurrent date has historically resulted in low voter turnout.

On May 23, 2017, (Item No. 116) the Board of Supervisors adopted Resolution No. 2017-93 approving requests from 24 districts to move their election dates from the consolidated elections held in November of odd-numbered years to statewide elections held in even-numbered years. The District opted to move to the statewide primary election held in June.

On September 27, 2017, the Governor approved Senate Bill 568 to change the date of statewide primaries from June to March in even-numbered years, commencing in 2020. As a result, the

District's request to move to statewide primary elections held in June no longer conformed to Senate Bill 415's requirement to consolidate with a statewide election in even-numbered years.

On September 12, 2019, the District adopted Resolution No. 090919 requesting the District's elections be changed from June to March of even-numbered years to coincide with the new statewide primary election date in March.

On September 18, 2020, the Governor approved Senate Bill 970 to change the date of statewide primaries from March to June in even-numbered years in which there is no presidential primary, commencing in 2022. As a result, the District's request to move to statewide primary elections held in March no longer conformed to Senate Bill 415's requirement to consolidate with a statewide election in even-numbered years.

On May 13, 2021, the District adopted Resolution No. 051321 requesting the District's elections be changed from March in the even-numbered years to November in the even-numbered years to coincide with the statewide general elections.

California Elections Code sections 1302 and 10404.5:

- Requires the County to notify the County Board of Education and all school districts in the county of the District's consolidation request, and to request input from each district on the effect of the consolidation.
- Provides that "The Board of Supervisors, within 60 days from the date of submission, shall approve the resolution unless it finds that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled."
- Provides the resolution to move election dates becomes operative upon approval by the Board of Supervisors.
- Requires ROV to notify all registered voters of the District affected by the consolidation of the approval of the resolution by the Board of Supervisors within 30 days of that approval. The notice will be sent by mail at the expense of the District.

Pursuant to the statute, COB sent notices to all school districts and the County Board of Education. No responses to the requests for comments were received.

ROV can produce a ballot with all required ballot styles and the equipment and its computer capacity can handle this consolidation request.

It is, therefore, recommended that the Board of Supervisors adopt the proposed resolution approving the District's request for consolidation with the November statewide general elections held in even-numbered years, commencing with the November 8, 2022 Statewide General Election.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jolena Grider, Deputy County Counsel, 387-5455) on June 14, 2021; Finance (Amanda Trussell, Principal Administrative Analyst, 387-5423) on June 28, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on June 28, 2021.