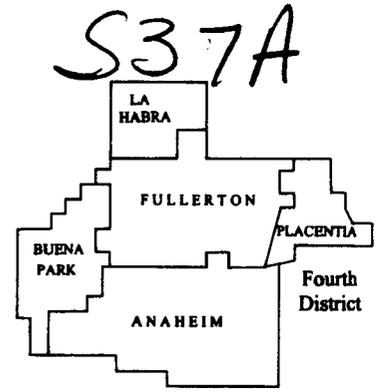




CHRIS NORBY
Orange County Board of Supervisors
Supervisor, Fourth District

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February 26, 2009

Supervisor Patricia Bates, Chair
Hall of Administration
333 West Santa Ana Blvd.
Santa Ana, CA 92701

RECEIVED
2009 FEB 27 AM 8:51
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

Supervisor Pat Bates, Chair:

I am requesting a supplemental item on the March 3 Board meeting to receive and discuss the following:

A report form Registrar Kelley on the costs and source of funds for the Statewide Special Election on May 19.

The procedure and possible costs to cities and special districts wishing to add local initiatives to the ballot.

Sincerely,

Chris Norby
Supervisor, Orange County Fourth District

OK For 3/3/09

FOR PAT BATES



County of Orange

MEMO

March 3, 2009

To: Chair Pat Bates, 5th District
Vice-Chair Janet Nguyen, 1st District
Supervisor John Moorlach, 2nd District
Supervisor Bill Campbell, 3rd District
Supervisor Chris Norby, 4th District

From: Neal Kelley, Registrar of Voters 

Subject: **Supplemental Item S37A - Report on Costs and Source of Funds for May 19th Special Election**

The following summary provides your Board with the requested information regarding the upcoming May 19th Statewide Special Election.

Costs for the Statewide Special Election

Estimated cost for the Statewide Special Election will be between \$3.9 million and \$4.5 million. This estimate is based on the current number of registered voters (1,615,843) and the anticipated number of poll sites (950).

This cost includes poll site supplies; poll worker labor costs; official ballot printing and mailing; sample ballot printing and mailing; labor and associated costs.

Source of Funds for the Statewide Special Election

The source of the funds for the Statewide special election will be the County's General Fund. Reimbursement from the state is not guaranteed and revenue will only be realized from cities or special districts if they add a measure to the ballot.

Legislative bill SB19, Chapter 6 (Evans) was signed by the Governor on February 20, 2009. The election bill, drafted in conjunction with the State's budget bills, calls for a special election to be held on May 19, 2009. There is no provision to reimburse counties for the costs of the election. Nevertheless, the Governor did include the following language in his signing message:

"Calling a special election does not come without costs to California counties. As such, I am signing this measure with the understanding that the Legislature will reimburse counties for the costs of the election as soon as possible".

Without reimbursement from the State the cost of this election will be funded entirely from the County's General Fund. Should jurisdictions decide to consolidate with this election, revenue would be realized from the participating cities, school districts or special districts. As of this date we have not received any formal resolution calling for consolidation from any jurisdiction, although we have received several inquiries.

Procedure for Cities and Special Districts Wishing to Add Local Initiatives to the Ballot
Any city or special district wishing to add a measure to the ballot must submit a resolution from their governing body to our office by March 6, 2009 at 5:00 p.m.

The election bill allows counties, cities, school districts, and special districts to consolidate with the May 19th election. California Elections Code Sections 10403 and 10406 states that a resolution by the governing boards of the above-mentioned entities must be filed with the Registrar of Voters and the Board of Supervisors 88 days prior to the election. However, 88 days was the day the Governor signed the bill, February 20, 2009. The language in the bill says "Notwithstanding these sections" consolidation may occur. The bill does not provide a new deadline for the resolutions in light of the timing issues.

After careful review, it was determined that election officials may extend and set the deadline to file the resolution requesting consolidation. Taking into account our extremely tight printing and mailing deadlines, the deadline to consolidate in Orange County was set for March 6, 2009, 5:00 p.m.

The legal notice has been on our website and posted since February 23rd; cities were notified on February 17th and 19th; and the legal notice appeared in the Orange County Register on February 26th.

SCHEDULE FOR FILING REQUIRED DOCUMENTS AFTER EXTENDING DOCUMENT DEADLINE:

- Sample ballots to be mailed by April 9th
- Sample ballot information to printer no later than April 3rd
- Public Review for Rebuttal Arguments March 24th through April 2nd
- Public Review Period March 14th through March 23rd
- Text, Impartial Analysis, Fiscal Impact Statement and Direct Arguments due by March 13th
- Legal notice posted by March 7th and printed in Orange County Register by March 11th
- Resolution to consolidate filed by March 6th

Possible Costs to Cities and Special Districts Wishing to Add Local Initiatives to the Ballot

The estimated cost to a city or special district wishing to add a measure to the May 19th ballot will range from a low of \$1.57 per registered voter to a high of \$1.94 per registered voter.

Calculation of estimates for elections is based upon a projection of total jurisdictional participation and an average cost per voter. The cost is allocated across all of the costs associated with the election. The total jurisdictional participation is calculated by taking the current number of registered voters and projecting a 10% increase in voter registration. The average cost per projection formulae are based upon experience over past elections of this type. These figures are specific to the district that requests the election and represents the most recent number of registered voters available.

The Registrar of Voters has records of the cost per voter for each entity participating in each election dating back to 1996. These historical costs are used to determine the average cost

per voter. The cost per voter is taken for comparable, recent elections and comparable districts. The range of cost per voters is reviewed and the appropriate low and high cost per voter is determined. The cost per voter is then indexed for inflation to reflect current costs.

The formula is the number of Registered Voters increased by 10% multiplied by both the low and high indexed cost per voter.

For example, the Registrar of Voters was asked to provide a cost estimate for consolidating one or two measures with the May 19, 2009 special election for a city in central Orange County. The Registrar of Voters calculated the average cost of the election to be a low of \$1.57 and a high of \$1.94 by looking at the previous statewide special election in 2005. During that election, costs ranged from \$1.08 to \$1.46. The numbers were first indexed for inflation then an additional amount was added to incorporate change in costs.

The number of registered voters was taken from our most recent update on voter registration, which is provided to the Secretary of State. The city used in this example had 70,579 registered voters at the time of the estimate. This amount was increased by 10% to 77,637. Then the number of voters was multiplied by the high and low-end estimates. Finally a recent average cost for measure charges of \$8,500 was added per measure. The final estimate was between \$130,389.93 and \$159,115.59 for a single measure.

The Registrar of Voters charges jurisdictions for participating in elections to recoup the additional costs of their participation. Costs include the additional cost to translate, set up, print, and mail the new measure or race in the sample ballot; the cost to translate, set up and sometimes print additional official ballots when the additional race exceeds the standard one page; the additional cost to translate and set up the electronic voting machines; the additional staff time to manage public questions about the measure or race; and the additional time spent processing the ballots and determining a winner.

If you have any questions and/or need additional information, please contact me at (714) 567-7620.

cc: Tom Mauk, CEO
Rob Richardson, Assistant CEO
Alisa Drakodaidis, Deputy CEO
Ben De Mayo, County Counsel
Darlene Bloom, Clerk of the Board
Frank Kim, Budget Director