OFFICE OF THE CITY CLERK

REPORT

TO THE HONORABLE INTERIM MAYOR AND CITY COUNCIL

DATE: December 12, 2013   REPORT NO.: 13-06

SUBJECT: Proposed Date for Special Run-off Election

BACKGROUND

During the August 28, 2013, Special City Council Meeting, the City Council called for a special election to be held on November 19, 2013, to fill the Mayoral vacancy. Since no candidate received a majority of votes cast in that special election, a special run-off election must be held. In recommending a date for the legislative body to consider, a number of factors were considered:

- State law provides the Registrar of Voters 28 days to certify the results of an election (up to December 17th for the November 19th special election).
- State law also requires early voting 29 days prior to an election date.
- California Elections Code (section 1100) notes that a special election cannot be held the day before, the day of or the day after a state holiday.
- Registrar of Voters logistics, which include:
  - A phased move to their new facility to allow for support of current City of San Diego events as well as anticipated Countywide events;
  - Preparation for the June 2014 Primary (March 7th is the deadline to submit material for June 2014);
  - Enough time to print/translate ballots once the City's special run-off election is called.
- AB 1805 (the state law that reflects the Federal MOVE – Military and Overseas Empowerment Act), which requires overseas ballots to be mailed out 46 days in advance of an election date.
- The various holidays in December and January, which have potential impacts related to staffing, printing, and mailing.

After working closely with the City Attorney's Office and the Registrar of Voters, I recommend February 11, 2014, as the date of the special run-off election:

- Ballots for military and overseas voters can be mailed out 46 days before the election, per AB 1805, **December 27, 2013.**
- Early voting can be accommodated, 29 days prior to the election, **January 13, 2014.**
- There is no conflict with California Elections Code requirements.
- The Registrar of Voters can provide support on this date.
- The City of Solana Beach has called a special election for this date which may allow for some cost sharing regarding Registrar of Voters resources, overtime and operations.

COST PROJECTION

At this time, the Registrar of Voters is projecting the cost of a special run-off election to be between $4.0m - $4.5m. Please note:

a) Starting in 2014, in accordance with State law, there will be additional language translation requirements. In addition to the current requirement for translation into Filipino, Vietnamese, Chinese and Spanish, there will be three additional languages: Korean, Japanese and Khmer, which includes translation and posting of the official ballot and the recruitment of bilingual poll workers. This may impact costs in ways that are difficult to predict.

b) As mentioned above, the City of Solana Beach has called a special election for February 11, 2014. If the City calls the special run-off election for the same day, some election costs may be shared between the City of San Diego and Solana Beach.

The Registrar of Voters will reevaluate the cost projection after the major scope of the election is known, including the number of voting precincts, candidates and/or props, poll workers polling places, etc. The figures provided are a projection based on past elections that were similar in size and scope.
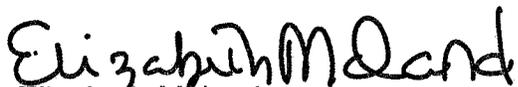
Elizabeth Maland
City Clerk

cc: Jan Goldsmith, City Attorney
       Scott Chadwick, Chief Operating Officer