

**Council Meeting: March 6, 2012****SUBJECT: Consider moving from Odd-Year Elections to Even-Year Elections (Study Issue)****REPORT IN BRIEF**

This issue, ranked for study by Council at the Study Issues Workshop of February 3, 2012, considers whether or not to place on a future election ballot the issue of changing the City of Sunnyvale's municipal elections from odd-numbered years to even-numbered years (see *Attachment A*, Study Issue Paper). Fiscal impacts to the City and voter turn-out data have been compiled for consideration. Staff has no recommendation and requests direction from Council.

BACKGROUND

Pursuant to the Charter of the City of Sunnyvale, elections to fill the offices of City Council are held "in the odd-numbered years on the date established under General Law for the election of governing board members of elementary school districts" (see "Existing Policy" below). Elections of governing board members of school districts are held in November of each odd-numbered year (California Elections Code Section 1302).

The question of whether to change Sunnyvale's municipal elections from odd to even-numbered years has been studied previously (October 19, 2010, RTC 10-274 and April 6, 2004, RTC 04-126, *Attachments B and C*). In 2004, by unanimous vote, Council took action to continue the City's current election schedule with no changes. In 2010, by a 4 – 3 vote, Council took action to approve Alternative 8: Do not switch from odd-year to even-year elections.

With this report, staff presents updated data and possible alternatives for Council's consideration.

EXISTING POLICY

Charter Section 1400. *General Municipal Elections:*

There shall be a General Municipal Election to fill elective offices in the odd-numbered years on the date established under General Law for the election of governing board members of elementary school districts.

Charter Section 601. *Term and Election:*

Seats numbered 1, 2, and 3 shall be filled at the General Municipal Election held in 1977 and every fourth year thereafter. Seats numbered 4, 5, 6, and 7 shall be filled at the General Municipal Election held in 1979 and every fourth year thereafter.

Charter Section 603. *Qualifications:*

No person shall be eligible to serve as a member of the Council for more than two successive four-year elective terms. Any person who has served two successive four-year elective terms shall not serve again until at least four years have passed since that person last held office... Any person may serve as a Councilmember for eight years in any twelve-year period, unless appointed to serve an unexpired term of less than two years in length as provide in this section.

Charter Section 606. *Vice Mayor:*

At the first regular meeting in January, at which the City Council shall certify the election results, following each General Municipal Election, and the first regular meeting in January in odd-numbered years, the City Council shall also designate one of its members as Vice Mayor.

Council Policy B. Conduct elections in accordance with the Charter and state laws.

Action Statements

B.5a Consolidate elections whenever possible

B.5d Explore ways to increase voter turnout in local elections, such as mail ballots.

DISCUSSION

This report provides information to facilitate Council's decision on two primary questions:

1. Should the City of Sunnyvale place before the voters the option to change from odd-year elections to even-year elections?
2. If so, in which year should the City submit to the voters a ballot measure for a charter amendment to conduct even-year elections?

Should the City Place this Issue Before the Voters?

This basic question has been debated several times in the past, and Attachments B and C provide a good review of related issues. In summary, the major arguments in favor of and against such an action are as follows:

Arguments in Favor

- Placing this issue before the voters does not favor odd or even-year elections; it simply allows the voters the option to choose. Providing that choice is a worthwhile effort due to the following benefits associated with changing to even-year elections:
- Despite one-time transition costs, moving to even-year elections would likely result in a significant decrease in ongoing City election costs (see Fiscal Impact section).
- Even-year elections would likely increase voter turn-out, an objective formally captured by Council Policy B.5d (for updated voter turnout data, please see *Attachment E*).

Arguments Against

- This issue has been studied by the City more than once, the result of which has been to recommend against pursuit of such a change each time,
- Voters in even-years have more elective offices and measures to consider and may not give as much time or consideration to City Council elections as they would in odd-years,
- Candidates for Council may feel that they have to spend more money to get their message out to a wider voting public and compete with the cacophony of other campaign ads.

If So, In Which Year?

If Council decides to place this issue before the voters, it can do so either in November, 2012, or November, 2013. While Council could, in theory, choose a later year, there would appear to be no benefit to doing so, and the major argument in favor of any future even year or odd year would mirror those below:

Argument in Favor of 2012 (or any future even year)

- Increased voter turnout associated with even year elections would help to ensure that voter results represented the sentiments of the community
- The sooner the City transitions, the sooner it will realize the benefits associated with even-year elections

Argument in Favor of 2013 (or any future odd year)

- Voters in odd-years would have less elective offices and measures to consider and could better focus on this issue specific to Sunnyvale, thereby helping to ensure that voter results represented the sentiments of the community
- Transitioning during an odd year would be less expensive than transitioning during an even year (see Fiscal Impact section).

Related Issue to Consider

While not considered a key factor influencing the arguments presented above, the following issue is worthy of mention:

If the City changes from odd-year to even-year elections, consideration will need to be given as to how to handle the change in election year in terms of incumbent Councilmembers' terms. The method previously detailed by the City Attorney (*Attachment B*) describes an adjustment to the terms of the incumbent Council seats, by adding one extra year to make the transition.

Depending on whether a charter amendment election is held in 2012 or 2013 (and approved by the voters), there will be varied impacts to incumbent Councilmembers:

November 2012 Election:

- Councilmembers currently holding Seats 1, 2, and 3, whose terms currently would expire in 2013 would continue in office until the even-year election of 2014;
- Councilmembers currently holding Seats 4, 5, 6, and 7, whose terms currently would expire in 2015 would continue in office until the even-year election in 2016.

November 2013 Election:

- Councilmembers in Seats 1 and 2 would not be eligible to run for election in 2013 due to term limits. Newly-elected Councilmembers in 2013 would be the recipients of the one-year extension of their terms;
- As above, Councilmembers whose terms currently would expire in 2015 would continue in office until the even-year election in 2016.

Amendments to Charter Section 603 would be required to allow for these one-time term extensions.

FISCAL IMPACT

One-time Costs

Should the City choose to submit to the voters a ballot measure to amend the charter to change from odd-year elections to even-year elections, one-time costs will be incurred. If the ballot measure election is held in November 2012, a *special election* must be held, and the cost of the election would be approximately \$158,925. If held in November 2013, the cost of the ballot measure would add approximately \$42,350 to the cost of the usual election for City Council.

If the charter amendment is approved by the voters, the City would be charged a one-time cost of approximately \$20,000 to process the changes in the election information management systems of the County Registrar of Voters.

Ongoing costs and potential savings

The County Registrar of Voters' estimated costs of odd-year (UDEL) elections range from \$358,191 to \$397,990. Estimated costs of even-year elections range from \$289,964 (2014) to \$346,820 (2016). The potential savings associated with switching Sunnyvale's elections from odd to even years, therefore, could range from \$11,371 to \$108,026 (See *Attachment D*).

It should be noted, however, that the amounts provided by the County Registrar of Voters are only estimates. There are a number of variables that go into the calculation of estimated election costs, and the variables differ for odd-year as opposed to even-year elections, making "apples to apples" comparisons difficult. Low and high-end costs for UDEL elections are a range of estimates only, based on the number of districts participating in any given odd-year election. UDEL agencies pay for County election services based on actual costs of the election for their ballot type and the costs are shared with only those entities which have overlapping districts. General Election Agencies which hold even-year elections pay a base unit cost rate per registered voter for each issue, in addition to an absentee ballot unit cost, ballot statement unit cost, and shared printing unit cost.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

ALTERNATIVES

- 1- Direct staff to draft the necessary Charter amendments and related resolutions to call a special election and place a measure on the November 6, 2012 ballot to consider changing from odd-year to even-year elections;
- 2- Direct staff to draft the necessary Charter amendments and related resolutions to place a measure on the ballot for November 5, 2013 to consider changing from odd-year to even-year elections;
- 3- Do not further pursue a ballot measure to change from odd-year to even-year elections.
- 4- Other action as determined by Council.

RECOMMENDATION

Staff makes no recommendation.

Reviewed by:

Robert Walker, Director, Office of the City Manager
Prepared by: Kathleen Franco Simmons, City Clerk

Approved by:

Gary M. Luebbbers
City Manager

Attachments

Attachment A: Study Issue OCM 12-02, February 3, 2012

Attachment B: RTC 10-274, October 19, 2010

Attachment C: RTC 04-126, April 6, 2004

Attachment D: Santa Clara County Registrar of Voters Comparative Estimated Costs of UDEL & General Elections for the City of Sunnyvale

Attachment E: County of Santa Clara Official Election Results:

- (1) Presidential Primary Election, June 3, 2008
- (2) Presidential General Election, November 4, 2008
- (3) City of Sunnyvale, November 3, 2009
- (4) Gubernatorial Primary, June 8, 2010
- (5) Gubernatorial Election, November 2, 2010
- (6) City of Sunnyvale, November 8, 2011

2012 Council Study Issue

OCM 12-02 Consider Moving From Odd-Year Elections to Even-Year Elections

Lead Department Office of the City Manager

History 1 year ago None 2 years ago None

1. What are the key elements of the issue? What precipitated it?

This study would consider the pros and cons of moving the City of Sunnyvale's general elections from odd-numbered years (as currently required by the Charter) to even-numbered years. Fiscal impacts to the City would be analyzed, as would potential impacts to voter turn-out.

2. How does this relate to the General Plan or existing City Policy?

City Charter Section 1400. General Municipal Elections.

There shall be a General Municipal Election to fill elective offices in the odd-numbered years on the date established under General Law for the election of governing board members of elementary school districts. (Amended effective December 31, 1975)

Council Policy B.5 Conduct elections in accordance with the Charter and state laws.

B.5a Consolidate elections whenever possible.

B.5b Provide voters with information about election procedures and candidates.

B.5c Provide Council candidates with information to inform them of current City issues.

B.5d Explore ways to increase voter turnout in local elections, such as mail ballots.

3. Origin of issue

Council Member(s) Councilmember Meyering, Councilmember Whittum

4. Staff effort required to conduct study Minor

Briefly explain the level of staff effort required

The City Clerk will coordinate research to provide information and analysis regarding costs, impacts and possible benefits to be gained in switching from odd-year to even-year elections. A review of this was recently conducted by staff in 2010 (Study Issue OCA 10-01 and RTC 10-274, 10/19/2010), therefore updating the results of that study should be a relatively minor endeavor.

5. Multiple Year Project? No **Planned Completion Year** 2012

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No

Does this issue require review by a Board/Commission? No

If so, which?

Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 0



Council Meeting: October 19, 2010

SUBJECT: Study Issue on Publicly-Funded Campaign Financing and Consideration of Moving From Odd-Year to Even-Year Elections

REPORT IN BRIEF

The City Council chose "Publicly Funded Campaign Financing and Consideration of Moving From Odd-Year to Even-Year Elections" as a 2010 study issue.¹

In 1976 the United States Supreme Court decided *Buckley v. Valeo* and set the boundaries for campaign finance reform. Pursuant to the decision, candidates' right to free speech prohibits governments from enacting mandatory campaign expenditure limits and from limiting campaign contributions below an amount that would prevent a candidate from running an effective campaign.

This report discusses how federal, state and local governments attempt to limit campaign spending while navigating the limitations imposed by the *Buckley* decision, and summarizes the Council subcommittee recommendations from the 2006 study issue on public campaign financing. Local governments take a variety of approaches, including no limits on campaign contributions or expenditures, mandatory contribution limits, mandatory contribution limits and voluntary expenditure limits, and voluntary contribution and expenditure limits with incentives.

This Report makes no recommendation on what public campaign finance option, if any, the City of Sunnyvale should adopt. The Report is for Council's information and provides the legal and factual background for a discussion on campaign contribution and expenditure limits and public campaign finance options.

BACKGROUND

PUBLICLY FUNDED CAMPAIGN FINANCING

FEDERAL

The Federal Election Campaign Act of 1971 (FECA), codified under 2 U.S.C. § 431 *et. seq.*, and the *Buckley* decision govern campaign contribution limits and campaign expenditure limits.

¹ The 2006 study issue on "City Council Election Process: Campaign Contribution Limits, Spending Limits, and Election of Council Members By Seat" was the basis of several years of study and discussion but did not result in the adoption of public campaign financing for Sunnyvale.

Campaign Contribution Limits

The United States Supreme Court held in *Buckley v. Valeo* that limits to both campaign contributions and campaign spending “implicate fundamental First Amendment rights to free speech.” The Court explained that campaign contribution limits are justifiable so long as the limit is closely related to the need to prevent corruption or the appearance of corruption. In *Buckley*, the Court upheld the \$1,000 contribution limit for federal elections set by the Federal Election Campaign Act of 1971 (FECA). Contribution limits are not justifiable, however, when they are set so low as to prevent candidates from “amassing the resources necessary for effective [campaign] advocacy.” For example, the Court recently held in the case of *Randall v. Sorrell* (2006), that Vermont’s \$200 contribution limit on statewide elections was “too restrictive” and therefore an unjustified violation of free speech.

Currently, under FECA, contribution limits by individuals to federal candidates are set at \$2,000 per election. Individual contributions to national political parties are limited to \$25,000 and contributions to state political party contributions are capped at \$10,000 per calendar year. Contributions by multi-candidate political committees are limited to \$5,000 to any particular candidate, \$15,000 to political committees established and maintained by a national political party, and \$5,000 to any other committee. Because the Court held in *Buckley* that a “ceiling on personal expenditures by a candidate in furtherance of his own candidacy...clearly and directly interferes with constitutionally protected freedoms,” there is no limit on personal funding of a candidate’s campaign.

Campaign Expenditure Limits and Public Funding

While contribution limits may be acceptable, the *Buckley* Court held that mandatory expenditure limitations “impose significantly more severe restrictions on protected freedoms of political expression and association.” Expenditure limits “necessarily reduce the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached.” Therefore, any expenditure limits must pass strict scrutiny to be valid and are almost always invalid.

Campaign expenditure limits are valid, however, if candidates assume them voluntarily. To encourage presidential candidates to accept a voluntary limit, the federal government enacted the Presidential Campaign Fund Act in 1966, which provides candidates with public funds only if they agree to spend less than the limit (26 U.S.C. §§ 9001-13, 9031-42). The funding created under this Act is provided by taxpayers who indicate on their 1040 federal tax returns that they want to allocate \$3.00 of their taxes towards the Fund. In order to qualify for matching funds, a candidate in the primary election must first raise over \$5,000 in each of 20 states (i.e., over \$100,000), consisting of small contributions (\$250 or less) from individuals. Once this criterion has been

met, the candidate is then eligible for matching funds up to \$250 per individual contribution towards the candidate's primary election campaign. Candidates in the general election receive grants to cover all costs of the general election campaign, based on the 1974 figure of \$20 million, adjusted for inflation. This amounted to \$74.62 million in 2004. The federal government, however, only provides funds for presidential elections and not congressional elections.

STATE

State governments must abide by the general rules taken from the *Buckley* decision; contribution limits are valid so long as they are not set too low and spending limits are always suspect.

Campaign Contribution Limits

All but twelve states (Alabama, Indiana, Iowa, Mississippi, Missouri, Nebraska, North Dakota, Oregon, Pennsylvania, Texas, Utah and Virginia) have individual campaign contribution limits, but the limits vary significantly across the country. The highest individual limits for gubernatorial, senate and house campaigns are \$55,900 (New York), \$22,791 (Ohio) and \$22,791 (Ohio), respectively. The lowest limits for the same offices are \$840 (Arizona), \$320 (Montana) and \$320 (Montana), respectively. In addition to individual contribution limits, most states limit contribution to candidates made by state political parties, political action committees, corporations and unions. Only four states (Missouri, Oregon, Utah and Virginia) have no limit on contributions to political campaigns.

Campaign Expenditure Limits and Public Funding

Campaign expenditure limits are not as wide-spread as contribution limits. Sixteen states (Arizona, Connecticut, Florida, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Jersey, New Mexico, North Carolina, Rhode Island, Vermont and Wisconsin) have voluntary limits and entice candidates to accept such limits by offering public funds. Of those 16 states, seven (Arizona, Connecticut, Maine, New Jersey, New Mexico, North Carolina and Vermont) offer full campaign funding for at least some state offices. The programs vary widely across the country. Some states offer funds for both statewide office and legislative office, while others offer it for one or the other. In addition, Portland, Oregon, and Albuquerque, New Mexico, both offer full public financing of campaigns for select local government positions.

In states and cities that provide full campaign funding, candidates must qualify usually by collecting a specified amount of small contributions (sometimes as low as \$5) from voters within their districts to indicate a broad base of support. After candidates qualify, they pledge not to accept private funding, including self-financing, with the exception of the "seed" money used to raise their qualifying small contributions. Candidates then receive funds to cover their

entire expenses for the primary and are then given additional funds for the general election.

A challenge for governments who seek to limit campaign expenditures is to try to ensure that candidates who agree to participate in the system remain competitive against those who choose not to participate. Governments have tried a number of methods, however, many have run into constitutional challenges. In *Davis v. FEC* (2008), the Supreme Court of the United States ruled that a New York law that gave participating candidates special fundraising privileges if their non-participating opponent spent more than \$350,000 of his own money was unconstitutional. The Court held that it coerced non-participating candidates to not spending their own money, which violates the non-participating candidates First Amendment right to free speech.

Other states provide additional funds when non-participating opponents exceed the campaign expenditure limit, but this too is being challenged as unconstitutional. In Arizona, a number of non-participating candidates filed a law suit arguing that they are limiting their campaign expenditures so as to not trigger the matching funds, which in effect is a limit on their free speech. The Trial Court agreed with the non-participating candidates and issued an injunction to stop payment of additional matching funds. The 9th Circuit then reversed the Trial Court's decision and reinstated the law. However, on June 8, 2010, the Supreme Court issued an order that reinstated District Court's injunction, which indicates that the Court will review the issue during the next term. These cases demonstrate that the constitutionality of providing public funds for campaigns is not a settled issue and that funds provided to a participating candidate should not affect what a non-participating candidate spends.

CALIFORNIA

Provisions 85300, *et. seq.*, of the Political Reform Act, as enacted under Proposition 34, regulates campaign finances of statewide elected positions.

Campaign Contribution Limits

As of 2010, contribution limits from individuals vary by position, from \$3,000 for legislature candidates, \$5,000 for Lt. Governor, Attorney General, Secretary of State, Treasurer, Insurance Commissioner, Controller, Board of Equalization, to \$20,000 for Governor. Contributions from Small Contributor Committees, which must have been in existence for at least 6 months, receive contributions from 100 or more persons of less than \$200, and make contributions to five or more candidates, are limited to \$6,000 to legislative candidates, \$10,000 to Lt. Governor, Attorney General, Secretary of State, Treasurer, Insurance Commissioner, Controller, Board of Equalization, and \$20,000 to Governor. Consistent with the holding in *Buckley*, candidates are not limited in the use of their own funds towards their campaign.

In Santa Clara County, four cities (Gilroy, Milpitas, San Jose and Santa Clara) limit individual campaign contributions, ranging from \$100 to \$350 per contributor. Each of these cities, except for Milpitas, sets voluntary campaign expenditure limits and will increase the contribution limit increases if the candidate agrees to the limit.

Campaign Expenditure Limits and Public Funding

To conform with the holding in *Buckley*, campaign expenditure limits in California for statewide elections are voluntary. State candidates must file a statement accepting or rejecting the spending limits at the same time they file their statement of intention to run for office. A candidate who declined the voluntary spending limits in the primary but did not exceed the limits, may accept them for the general election.

In primary elections, voluntary campaign expenditures are set at \$6,000,000 for Governor, \$1,000,000 for Board of Equalization, \$600,000 for State Senate, \$400,000 for State Assembly, and \$4,000,000 for other statewide positions. In the general election the spending limit is \$10,000,000 for Governor, \$1,500,000 for Board of Equalization, \$900,000 for State Senate, \$700,000 for State Assembly, and \$6,000,000 for other statewide positions. To provide protection against self-financed competitors, a candidate who has accepted the voluntary spending limits is not bound by the limits if an opposing candidate contributes personal funds to his or her own campaign in excess of the spending limits. (85402a)

California does not provide public funds to encourage candidates to accept voluntary campaign expenditure limits. However, candidates who accept the limit are designated in the ballot pamphlet as having done so and only they may purchase space for a 250-word statement in the state ballot pamphlet. California Voters were asked in the June 2010 election to approve a proposition that would have created a pilot program to provide funds for the 2014 and 2018 campaigns for Secretary of State of California. Voters rejected Proposition 15 by a 57.5/42.5 margin.

Additionally, no California local governments provide complete public funding for campaigns to compel candidates to accept expenditure limits. Some, however, do provide partial funding to those candidates who agree to expenditure limits. For example, Oakland matches contributions up to \$100 per contributor up to a maximum of 15% of the campaign expenditure limit, which is between \$.50 and \$1.50 per resident, depending on the office. Sacramento matches every dollar in contributions within 90 days of the election up to \$250 per contributor to a maximum of \$30,000. To qualify for these matching funds, candidates must meet various criteria, such as raising at least 5% of the applicable spending limit in contributions of \$100 or less (Oakland), or \$7,500 in contributions of \$250 or less (Sacramento).

Four cities in Santa Clara County (Gilroy, Mountain View, San Jose and Santa Clara) set voluntary campaign expenditure limits. Gilroy, San Jose and Santa Clara compel candidates to accept the limit by increasing the maximum amount an individual can contribute to participating candidates. In Gilroy, the campaign contribution limit increases from \$100 to \$250 for candidates that agree to spend 50 cents or less per city resident. Similarly, San Jose will increase the campaign contribution limits, which range from \$100 to \$500 for non-participating candidates, to \$250 to \$1000 for those that do participate. Santa Clara will increase the individual contribution limit from \$250 to \$500 if the candidate agrees to spend less than \$29,889 per campaign (adjusted for inflation). In contrast to these cities, Mountain View instead will cover a portion of the costs of printing a 2000 word statement published in a voter pamphlet published by the county registrar of voters. No city in Santa Clara County, however, provides public funds for campaigns.

SUNNYVALE

Sunnyvale does not limit individual campaign contributions or set voluntary spending limits. The City does, however, require that all candidates seeking the office of City Councilmember file with the City a campaign statement for each person who donates a cumulative amount of one hundred dollars or more.

In 2006, the City Council designated "City Council Election Process: Campaign Contribution Limits, Spending Limits, and Election of Council Members by Seat" as a study issue assigned to the City Attorney's Office. The Council subsequently revised the study issue to campaign contributions and expenditure limits and public campaign funding. The study issue report on March 6, 2007, analyzed the applicable laws governing campaign contribution and expenditure limits and public campaign financing.

On March 6, 2007, the City Council tasked the Ethics Sub-Committee (Moylan, Spitaleri and Howe) to explore a structure for public campaign financing, to explore a new funding source and to prepare language for an advisory measure for the November 2007 ballot. The Sub-Committee's proposed advisory measure ballot language was submitted by the Sub-Committee to the Council for approval.

Public Financing Committee Report

On October 7, 2008, the Public Financing Committee (Moylan, Swegles and Lee) issued a report on the possibility of providing public financing for City Council elections. The Committee found that the cost to run a campaign for city council has increased dramatically in recent years. In the three years prior to the report, candidates spend an average of \$31,000 each running their campaigns, and the average winning candidate spent \$43,000. The Committee also found that in ten out of the last eleven races held prior to the report, the winning candidate outspent his/her opponent.

The Committee agreed that the City should adopt a voluntary campaign expenditure limit and that a well-designed public financing program was the best way to convince candidates to accept such a limit. The Committee recommended that the voluntary expenditure limit be set at \$1.00 per registered voter in the City (there are currently around 50,000) and that public campaign financing should be limited to one-half of that amount. To qualify for public financing, the Committee recommended that candidates be required to satisfy three criteria. First, the candidate must have at least one opponent. Second, the candidate signs an agreement to spend less than the expenditure limit. And third, the candidate raises at least \$2,500 in campaign contributions from at least 100 sources other than the candidate. Additionally, each of the 100 contributions must be \$5.00 or more, and 80% of the contributions must be made from Sunnyvale sources.

The Committee estimated that a partial public funding of council elections would cost the City between \$100,000 and \$300,000 every other year, depending on the number of candidates that ran for a council seat. To fund campaigns, the City could either “drop[] an equivalent amount of spending from low-priority programs during an even numbered year (when the programs budget is handled), or ... us[e] the unallocated Service Level Set-Aside fund, which was created for this purpose (adding a new service to an existing program).”

In its report, the Committee explained that there are three options to implement a public campaign financing program. The City could create the program by: (i) council vote, (ii) ballot measure, or (iii) both. City Council, however, declined to take action in 2008, and decided to revisit the matter as a repeat study issue in 2010.

MOVING FROM ODD-YEAR TO EVEN-YEAR ELECTIONS

Sunnyvale is on Odd-Year Election Schedule

As a Charter city, the timing of Sunnyvale’s council elections is established by Section 601 of its Charter. Section 601 provides that Seats 1, 2 and 3 were filled in 1977, and every fourth year thereafter, and Seats 4, 5, 6, and 7 were filled in 1979, and every fourth year thereafter. Consequently, Sunnyvale’s council elections are always in odd years under the Uniform District Election Law (UDEL). In contrast, many federal, state and local elections are held in even years.

Costs of Even and Odd Year Elections

The County Registrar of Voters’ provided a cost estimate for the City’s current odd-year elections of between \$342,000 and \$416,000. The actual costs depend on the number of other jurisdictions sharing election costs with the City. The low estimate of \$342,000 is based on the actual cost when the Cupertino High School district, the Fremont Union High School District and

the Santa Clara Unified School District all had ballot measures on the same November 2009 ballot. If fewer jurisdictions schedule an election on odd years, the costs to the City increase as there are fewer agencies to divide fixed costs by.

The County Registrar of Voters provided a cost estimate if the City of Sunnyvale moves to even-year elections. These estimates are \$315,000 in November 2012 for seats 4, 5, 6, and 7; and \$303,000 in November 2014 for seats 1, 2 and 3.

It follows that changing to even-year elections could save the City between \$39,000 and \$113,000 per election. This is because the total cost of conducting an odd-numbered year election is allocated to a smaller number of participating jurisdictions. The amount chargeable to each jurisdiction in an odd-numbered year election is usually much higher than the amount chargeable in an even-numbered year election. There are many jurisdictions participating in even-year statewide elections. Multiple jurisdictions—federal, state, county, city, school and special districts—share the cost of elections. The portion attributable to federal, state and county, which is approximately 70% of the total cost of an even-year election, is absorbed by the county. As a result, the amount chargeable to each local jurisdiction is lower in an even-year election in comparison to an odd-year election.

Additional Year for Incumbent's Term

If the City moves from odd-year to even-year elections it will need to adjust the terms of the incumbent Council seats by one extra year to make the transition. If the City were to adopt a Charter change in 2011, the first available election to submit the Charter measure, then incumbents whose terms would expire in 2013 would continue in office until the even-year election in 2014, and Council members whose terms would expire in 2015 would continue in office until the even-year election in 2016.

Charter Amendment Required

The City would need to submit a Charter amendment to the voters to change the elections from odd to even years and to extend the terms of incumbents by one year to allow the transition to even-year elections. The cost of a Charter amendment in November 2010 was approximately \$166,000 (the deadline for submitting a ballot measure for the November 2010 ballot was August 2010); the cost of a Charter amendment for the City election in 2011 will be approximately \$40,700 because of the other City ballot measures already on the ballot. There is also a one-time charge of \$20,000 to reprogram the election year change in the Registrar's information management system.

DISCUSSION

Campaign Contribution Limits

The Supreme Court has held that contribution limits are permissible so long as they are “closely drawn” to match a “sufficiently important interest,” such as preventing corruption or the appearance of corruption.

Proponents of campaign contribution limits believe that they help prevent the influence of special interest groups. If candidates cannot accept more than a certain amount, proponents argue that, if elected, candidates will not feel as though they have to “repay” the donor. Additionally, they argue that contribution limits “level the playing field” between those able to solicit large donations and those that cannot.

Opponents argue that because candidates cannot be limited in the amount they spend on their own campaigns, contribution limits disproportionately benefit wealthier candidates who would be able to supplement their campaigns out of their own pocket. They also argue that contribution limits require candidates to spend more time fund raising and less time getting their message out because candidates are required to solicit a greater number of individual contributions rather than receiving a few large donations.

Ordinances governing contribution limits vary greatly by jurisdiction. Often there are different limits applicable to whether the contribution is from an individual, a business, or a political action committee. Additionally, the amount allowed to be donated may vary depending on whether the party is contributing directly to a candidate, to a political party, or to a political action committee. Furthermore, jurisdictions may allow candidates to accept larger donations as an incentive to agree to abide by voluntary spending limits.

Campaign Expenditure Limits

Unlike contribution limits, which may be permissible if not so stringent as to infringe on the First Amendment right to free speech, mandatory expenditure limits are generally deemed to be unconstitutional. Therefore, expenditure limits have been implemented on a voluntary basis, with incentives for compliance. Jurisdictions may compel candidates to accept an expenditure limit by increasing the contributions they may accept, give participating candidates special recognition in city newsletters or websites, or even provide “matching funds” out of a public fund.

Public Funding of Campaigns

Relying on the *Buckley* holding that Congress may “condition acceptance of public funds on an agreement by the candidate to abide by specified expenditure limitations,” some cities and states have various schemes to provide public funds to those candidates who voluntarily agree to expenditure restrictions. Proponents of public financing of campaigns claim that candidates

elected free of special-interest money will be less beholden to traditional funding sources. Further, they believe it will give candidates more time to communicate their message rather than raising funds, and remove the fundraising advantage enjoyed by incumbents. The main opposition to the system is that the money used towards the funding should be spent elsewhere. Opponents also state that monetary donations are one of the most common means for ordinary citizens to participate in politics. Supporters counter that private funding allows wealthy individuals and special interests to have a greater political voice because of the far larger contributions they can afford to make than ordinary citizens. They believe that public funding "levels the playing field" and allows candidates that represent less wealthy constituents to have access to the same amount of campaign funds.

According to proponents of these "clean election" systems, studies of the schemes in Maine and Arizona, which became active in 2000, have shown that the systems have worked to restore voters' faith in the election process, dramatically improved diversity among candidates running for public office and substantially reduced the amount of money spent on campaigns. In Arizona, the percentage of candidates electing to use the public funding has increased each year and the disparity between the campaign financing between incumbents and challengers has decreased. In Arizona's 2004 election, when all 90 state legislators and four Corporation Commissioners were up for election, 109 of 200 of candidates accepted public financing. Clean Elections candidates were elected to all four Corporation Commission seats in 2004, as well as 42 of the 90 seats in the state legislature. In Maine, the number of legislative candidates in primaries has increased 20% since the inception of the public financing system, and as of 2004 71% of primary candidates for Maine's legislature agreed to the voluntary expenditure limits and took advantage of the public campaign financing.

FISCAL IMPACT

The fiscal impact will vary depending on which campaign financing limit, if any, the Council decides to adopt. If mandatory campaign contribution limits are enacted, the fiscal impact will be limited to staff costs for the development, adoption and enforcement of the ordinance. If voluntary campaign expenditure limits are enacted, the fiscal impact for development and adoption of the ordinance will be similar to contribution limits.

If the City includes publicly-funded incentives for contribution or expenditure limits the fiscal impact will depend on the number and scope of the incentives. Fiscal impacts would result from a city pre-election newsletter, consultant costs for reviewing and maintaining campaign finance disclosure statements, and publication of candidate statements at City expense.²

² The City currently pays for candidate statements only if a candidate submits a petition with 250 qualifying signatures.

The options with the greatest fiscal impact would be either City matching of funds for candidates accepting a voluntary expenditure limit or public funding of campaigns. If the City were to set an expenditure limit of \$1 per resident for full public financing of campaigns, public costs for four council seats with two candidates each would be approximately \$1,120,000. (8 x 140,000) If the City were to provide public funds for 50% of the cost of the election based on the same limit, cost would drop to \$560,000 for a four seat election.

The fiscal impact for the proposal of the former Campaign finance Sub-Committee is based on the number of registered voters in the City, with an expenditure limit tied to \$1 per registered voter and the City contributing 50% of the costs. With approximately 50,000 registered voters, the cost to the City for a 3 seat election with 2 candidates for each seat would be approximately \$150,000 and costs for a 4-seat election with 2 candidates each would be approximately \$200,000. Costs would increase or decrease if there are more or less candidates for each seat.

Council requested that the cost savings for moving to even-year elections be included in the public campaign financing RTC as a possible offset of public campaign financing costs, with the cost savings from switching to an even-year election used to fund public campaign financing. Based on the estimates received from the Registrar of Voters, cost savings to the City by switching to even year elections range from \$39,000 to \$113,000 per election. Accordingly, these cost savings could be used to fund some, but not all, of the cost of public campaign financing.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

ALTERNATIVES

1. Accept Study Issue Report on Publicly Funded Campaign Financing and Consideration of Moving from Odd-Year to Even-Year Elections.
2. Do not proceed at this time with publicly funded campaign financing.
3. Direct staff to proceed with drafting an ordinance to enact campaign contribution limits, set amount of contribution limit, and whether limit is voluntary or mandatory.
4. Direct staff to proceed with drafting an ordinance to enact campaign expenditure limits, set amount of expenditure limit, and City-funded incentives.

5. Direct staff to proceed with drafting an ordinance for City-funded public campaign financing, set amount of City funding, and designate funding source for public campaign financing.
6. Provide direction on switching from odd-year to even-year elections and direct staff to draft a charter amendment and related reports to place ballot measure on 2011 ballot.
7. Direct staff to draft a Charter amendment and related reports for the adoption of the proposed public campaign financing and to initiate placing the Charter amendment on the 2011 ballot.
8. Do not switch from odd-year to even-year elections.
9. Other public campaign funding options suggested by Council.

RECOMMENDATION

Staff recommends that the Council approve Alternative 1 and select the appropriate other alternatives that reflect the Council's direction after discussion and debate of public campaign financing.

As discussed in the prior study issue, campaign finance reform and public campaign financing is an important political issue with citizens and candidates holding strong views both for and against campaign contribution and expenditure limits, whether voluntary or mandatory. Campaign contribution limits, expenditure limits and non-resident limits are subject to challenge under First amendment free speech and freedom of association protections. That said, it is possible to enact well-crafted campaign contribution limits, whether voluntary or mandatory. Mandatory campaign expenditure limits, on the other hand, are consistently invalidated as infringing on the First Amendment and any expenditure limit should be voluntary and incentive-based. The cities in Santa Clara County that have a voluntary expenditure limit allow increased contribution caps upon agreement to an expenditure limit but do not provide public campaign funding.

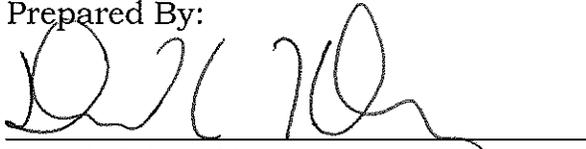
The primary focus of this study issue is public campaign financing. This is an issue with strong proponents and opponents. It is legally permissible and will require spending City general funds for political campaign purposes. If the City changes to even-year instead of odd-year elections, some but not all of the costs of public campaign financing can be offset by election savings.

Whether to adopt campaign expenditure limits with supporting public campaign financing is an important policy decision for the Council. Staff is not recommending for or against an expenditure limit and public campaign financing. This staff report is intended to present an impartial review of the factual and legal issues for Council's information and discussion. The Council will need to provide direction on whether it wants to proceed with adopting a publicly-funded campaign ordinance, submit the issue as a Charter

amendment to the voters, or elect to not pursue public campaign financing at this time. A consideration with a Charter amendment enacting public campaign financing is that it will require another Charter amendment if in the future the Council decides that the publicly-funded campaign financing is not working for the City.

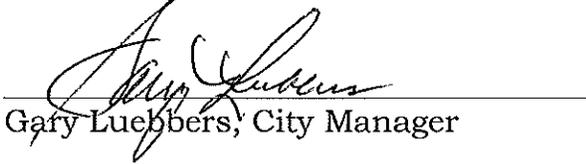
The Council will also need to provide direction on whether to prepare a Charter amendment to change from odd-year to even-year elections.

Prepared By:



David Kahn, City Attorney

Reviewed By:



Gary Luebbers, City Manager

Reviewed By:



Grace Leung, Acting Finance Director

Explanation

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? Yes

Explanation

To implement a change from odd-year elections to even-year elections, a charter amendment would be required. A charter amendment added to the next regular municipal election in the City of Sunnyvale (November 5, 2013) would add an estimated \$40,000 to the cost of the election, charged at the lower "additional issue" rate. A charter amendment held during an off-election year for the City would cost significantly more as the City would pay for this measure at the higher "initial issue" rate, rather than at the "additional issue" rate. Should the charter amendment be approved, the County Registrar of Voters would incur a one-time cost of approximately \$20,000 to process the change in the election information management system, and this cost would be charged to the City. Aside from the cost of the ballot measure and the initial cost of implementation, conducting the City's General Municipal Elections in even-years may result in ongoing savings of \$26,000 to \$100,000.

9. Staff Recommendation

Staff Recommendation None

If 'Support', 'Drop' or 'Defer', explain

This study issue was considered in 2010 as OCA 10-01 and OCM 10-02 and came before Council October 19, 2010 as RTC 12-274. A motion to direct staff to prepare a charter amendment to switch from odd-year to even-year elections failed on a 2 - 5 vote.

Reviewed by



Department Director

1-13-12

Date

Approved by



City Manager

1-16-12

Date



April 6, 2004

SUBJECT: FEASIBILITY OF CONSOLIDATING MUNICIPAL ELECTIONS WITH STATE AND FEDERAL ELECTIONS IN NOVEMBER OF EVEN-NUMBERED YEARS (*CONTINUED FROM MARCH 30, 2004*)

REPORT IN BRIEF

This Study Issue item was reviewed and ranked number 2 for the Office of the City Manager by the City Council at its workshop on December 18, 2003. The issue is to explore the feasibility of consolidating municipal elections with state and federal elections in even-numbered years.

Staff conducted a research on this topic, which is outlined in the report. Staff has also provided Council with alternatives for its consideration. Staff has no recommendation and requests direction from Council.

BACKGROUND

Mayor Howe sponsored this study issue in October 2003 for the purpose of achieving potential cost savings to the City.

Articles VI and XIV of the City Charter sets the General Municipal Election "in the odd-numbered years on the date established under General Law for the election of governing board members of elementary school districts." The election of governing board members of elementary school districts is held in November of odd numbered years. Because the date for Municipal Elections is specified in the Charter, an amendment to the Charter is necessary to alter the election date. An amendment to the City Charter requires a vote of the electorate.

Election Code Section 10403.5 (b) states that any change in date upon which the General Municipal Election is held cannot increase or decrease the term of any sitting member of the Council by more than 12 months. Under the current Charter, Council seats 1, 2 and 3 will expire in November 2005 and seats 4, 5, 6 and 7 will expire in November 2007. For example, a change in election date approved prior to November 2005 could result in terms for seats 1, 2 & 3 extending to November 2006.

EXISTING POLICY

Legislative/Management Sub-Element Goal 7.3 Elections (1): In cooperation with County Registrar of Voters, contain costs of elections as long as the elections process is not adversely affected (i.e., purge voter rolls, limits costs for candidate statements, prevent abuse of absentee ballot process). Support continued state reimbursement of absentee ballot costs.

Legislative/Management Sub-Element Goal 7.3 Elections (2): In cooperation with County of Registrar of Voters, support practices that would increase voter turnout in local elections.

DISCUSSION

For this study, staff took the following approaches and the results are outlined below:

- A survey was conducted with cities in California
- Historical data was retrieved regarding the City's last five elections
- Current Council's terms of office were reviewed
- City and State election codes and regulations were researched and reviewed
- Cost estimates were obtained from the County Registrar of Voters for a special election in November 2004 and for general elections in even and odd numbered years

SURVEY

The City received 33 responses (14 from Santa Clara County) as shown in Attachment A. The results show that many cities hold their regular municipal election in November of even-numbered years. These cities reported benefits in the form of cost savings and higher voter turnout. Conversely, other cities reported that holding their elections separate from the statewide elections allowed voters to focus on the local items/issues on the ballot.

HISTORICAL INFORMATION

The following data for the City of Sunnyvale was obtained from the County Voter Registrar's office for purposes of this study.

<u>Year</u>	<u>Registered Voters</u>	<u>Voter Turnout (%)</u>
2003	57,838	15,455 (26.7%)
2001	55,217	10,671 (19.3%)
2000 (Special)	60,189	43,403 (72.1%) (<i>Fluoridation measure</i>)
1999	54,307	12,861 (23.7%)
1998 (Special)	57,420	35,515 (61.9%) (<i>Binding Arbitration</i>)

As of February 2004, the number of registered voters in the City has slightly increased from last November to 58,005. The results of previous election years since 1998 shows the highest voter turnouts of 72.1% and 61.9% during special elections held in 2000 and 1998 respectively (even numbered years), and the lowest voter turnouts of 19.3% and 23.7% during regular elections held in 2001 and 1999 respectively (odd numbered years). In addition, there is a significant fifty percent increase (50%) in voter turnout in 2000 from 1999. Although one could assume higher voter turnouts during statewide elections, controversial ballot issues and an increase/decrease in registered voters (possibly due to change in population from economic changes) may have contributed to the voter turnout.

Below are election results obtained from the County for cities in Santa Clara County. Voter turnouts were higher in cities that hold elections in even-numbered years.

Election Date:	General 11/00	General 11/01	General 11/02	Primary 3/02	General 11/03
Campbell	68.7%		48.5%		
Cupertino		31.0%			27.2%
Gilroy		27.4%			31.1%
Los Altos		22.5%			43.4%
Los Altos Hills			69.9%		
Los Gatos	75.4%		57.0%		
Milpitas	66.6%		50.2%		
Monte Sereno	82.1%		63.7%		
Morgan Hill	72.9%		51.0%		
Mountain View	72.0%		52.3%		
Palo Alto		5.9%			40.8%
San Jose	68.6%			45.7%	
Santa Clara	70.3%		51.0%		
Saratoga	79.5%		59.9%		
Sunnyvale		19.3%			26.7%

Attached Attachment B is a schedule of local elections by election type for the various agencies and districts that participate in the General, Primary and Uniform District Election Law (UDEL) elections of the County. From this list, there are certainly more agencies/districts that participate in the General elections in even numbered years than in odd-numbered years.

COUNCIL TERMS OF OFFICE

Election Code Section 10403.5 (b) states that *any change in date upon which the General Municipal Election is held cannot increase or decrease the term of any sitting member of the Council by more than 12 months.* If the Council decides to submit a measure on the November 2004 ballot, to change election dates from November of odd numbered years to November of even numbered years, and if it passes, under the new

election date, the City's next general election will be in November 2006. Hence the terms for Council seats 1, 2 and 3 which, under the current election schedule, would have expired in 2005, would be increased by 12 months and will expire in November 2006. Council seats 4, 5, 6 and 7 may be decreased or increased 12 months which could then either expire in November 2006 or 2008.

Please note that if the Council were to increase terms for seats 1-3 and also decrease terms for seats 4-7 by one year, expiring in 2006 instead of 2005 and 2007 respectively, that action would result in having all 7 Council seats being elected all in one year. An amendment to Charter Section 601 to declare certain seats four-year terms and others two-year terms would be necessary in order to establish staggered terms.

Also note that Charter Section 602 states "*no person shall be eligible to serve as a member of the Council for more than two successive four-year elective terms. Any person who has served two successive four-year elective terms shall not serve again until at least four years have passed since that person last held office. Any person who fills an unexpired term of not more than two years in length shall, however, be eligible to serve two successive four-year terms after the expiration of the unexpired term which he/she filled*". Given this and the City's current election schedule, the terms of Council Members currently holding seats 1-3 will expire in November 2005. Seats 1 and 2 would not be eligible for another term until 2009 (four years after the year last served) and Seat 3 would be eligible for a second term ending 2009. Terms for seats 4-7 will expire November 2007 and would be eligible for a second four-year term ending 2011.

Council Members have the option to serve one-four year term or a maximum of two consecutive four-year terms. If a Council Member chooses to serve only one four-year term, he or she can come back at a future election and chose to serve one four-year term or two consecutive four-year terms. The City Charter does not have a lifetime maximum, just a two consecutive term maximum.

ELECTION COST ESTIMATES

Election costs are based on a number of factors such as the number of registered voters, number of participating agencies/districts, number of measures/propositions on the ballot, printing costs due to federally mandated multiple languages, absentee voting, touch screen voting recoup costs, number of candidates and candidate statements, and number of ballot/proposition pages, etc.

If the Council approves placing a measure on the ballot this November, the cost for a special election is estimated at approximately \$108,000 (see Attachment C). If the ballot measure passes, additional cost would be incurred estimated at approximately \$4,500 for mailing and postage to notice all registered voters in the City about the change in election date and Council's terms of office, as required by Election Code Section 10403.5(e). Other anticipated cost would include staff time for pre and post election related activities.

Per the Santa Clara County's estimate, (Attachment D), costs in an even numbered election year could run from \$2.00 to \$3.00 per registered voter as compared to \$5.00 to \$7.00 per registered voter for elections held in odd numbered years, plus Direct Recording Electronic (DRE) costs. (DRE costs are recovery costs for touch screen voting technology, which could run from \$0.10 to \$0.75 per registered voter).

For an estimated 60,000 registered voters in year 2005, election costs could run anywhere between \$300,000 to \$420,000 plus DRE costs, as compared to election costs for the same number of registered voters in year 2006 of anywhere between \$120,000 to \$180,000. Actual costs could be significantly less in each case, subject to the contributing factors identified earlier. For example if the City shared the same pool of voters with a school or special district that also participates in the same election, cost per registered voter will be shared with that school or special district and therefore the City's share could be substantially less.

For purposes of comparing election costs in the last five elections held in Sunnyvale, the following data was obtained:

<u>Year</u>	<u>Registered Voters</u>	<u>Actual Voter Turnout</u>	<u>Actual Election Costs</u>
2003	57,838	15,455 (26.7%)	\$167,330
2001	55,217	10,671 (19.3%)	\$127,918
2000 (Special)	60,189	43,403 (72.1%)	\$ 18,122
1999	54,307	12,861 (23.7%)	\$ 69,550
1998 (Special)	57,420	35,515 (61.9%)	\$ 28,558

EFFECTS OF CHANGING THE ELECTION DATE

The effects of changing the City's election date to November of even numbered years include the following:

- Anticipated cost savings
- Likely higher voter turnout
- Possible reduction in service from the County in response times due to high volume of participants.
- Probable longer ballot (potential drop off and voters losing sight/focus of City candidates and issues)

Due to a large number of agencies/districts participating in the general November even-numbered year elections, the ballots are larger and city issues appear at the end of the ballot. There is also the presence of local candidates/issues competing with county/state/federal campaigns. Hence, there could be a potential drop off of voters. (Voters who tend to not complete their ballots all the way to the end). In discussing this with the County, it was noted that overall the percentage of voter turnout is still higher than elections held in odd-numbered years.

- A change in Council's terms of office.

NEXT STEPS

If Council decides to pursue changing the City's established election date from November of odd numbered years to November of even numbered years, it would be necessary to submit a change in the Charter to the voters. Following are the steps/timelines necessary for this process, assuming a special election in November 2004 to move the 2005 election to 2006:

1. Decide upon the specifics of the change and direct that appropriate language be drafted accordingly and returned to Council for consideration in advance of the August due dates.
2. Adopt a resolution calling for a special general election and setting forth the question (measure) to be presented to the voters and the actual change to the charter language; and to consolidate election services with the County of Santa Clara for this special election (due to County by August 6, 2004)
3. Submit arguments/rebuttals, if any (due to County by August 11 and August 18, 2004).
4. Submit the measure to the voters at a special election (next regularly scheduled election is November 2004)
5. Certify the results of the election on the Charter change
6. If the measure passes, submit the revised Charter language to the Secretary of State for assignment of a Charter chapter number and publication in the state statutes before it officially becomes part of the Charter. Once the Charter language change is official, elections would be held consistent with the new language.
7. Appropriate a budget in fiscal year 2004-05 to cover estimated election costs and related notifications cost.

FISCAL IMPACT

Currently, there is no election budget proposed for fiscal year 2004-05 because it is an off year under the City's current election schedule. If Council decides to put a measure in the November 2004 ballot, Council will need to appropriate an expenditure estimated at \$108,000 in the 2004-05 budget. If the proposed measure passes in November, a budget modification will be needed to the 2004-05 budget to cover an additional cost of approximately \$4,500 to \$6,000 to send notices to all registered voters to advise them of the change in election dates and the change in Council's terms of office.

PUBLIC CONTACT

Public contact was made through posting of the Council agenda on the City's official notice bulletin board, posting of the agenda and report on the City's web page, publication of the Council agenda in the San Jose Mercury News, and the availability of the report in the Library and the City Clerk's Office. Additional public contact would

occur at each stage of the process.

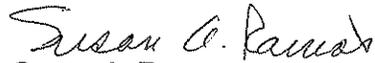
ALTERNATIVES

1. Continue the City's current general municipal election to be held on the first Tuesday after the first Monday of November in each odd numbered year, with no changes.
2. Direct staff to return with proposed language reflecting any changes in election year that Council wishes to consider, in advance of the County's August deadlines and to appropriate related election expenditures in fiscal year 2004-05 budget.

RECOMMENDATION

Staff has no recommendation and requests direction from Council.

Prepared by:


Susan A. Ramos
City Clerk

Approved by:


Amy Chan
City Manager

Attachments

Attachment A: Survey results

Attachment B: County's Scheduled Local Elections by Election Type

Attachment C: County's estimated cost for a special election in November 2004

Attachment D: County's estimated cost of elections through FY 2004-05

ATTACHMENT A

Election Survey – February 17, 2004

City	Current date of Election Month/Year	Previous Date of Election	Benefits from change
Angels Camp	Nov. Even	None	N/A
Berkeley	Nov. Even	April Even	Costs savings, high voter turnout
Burbank	April Odd	None	N/A
Campbell	Nov. Even	None	N/A
Chino	Nov. Even	April Even	Cost savings, high voter turnout
Clovis	March Odd	Nov Even	Higher costs but provided for better focus on local issues
Cupertino	Nov. Odd	June Odd	Costs slightly higher
Del Mar	Nov. Even	April Even	Cost savings, high voter turnout
El Cajon	Nov. Even	June Even	Cost savings, high voter turnout
Fullerton	Nov. Even	None	Cost savings, high voter turnout
Gilroy	Nov. Odd	None	Impact to local issues
Lawndale	April Even	None	N/A
Lodi	Nov. Even	April Even	Cost savings
Los Altos	Nov. Odd	None	N/A
Los Altos Hills	Nov. Even	None	Cost savings
Los Gatos	Nov. Even	None	N/A
Manteca	Nov. Even	Nov. Odd	Cost savings, high voter turnout
Milpitas	Nov. Even	March Even	Costs savings, high voter turnout
Monte Sereno	Nov. Even	June Even	
Morgan Hill	Nov. Even	None	Cost savings
MountainView	Nov. Even		Cost savings
Murrieta	Nov. Even	Nov. Odd	High voter turnout, cost savings
Napa	March Odd	April Even	Currently considering a change to November Even
Palo Alto	Nov. Odd	None	N/A
Rancho Santa Margarita	Nov. Even	None	Cost savings
Redlands	Nov. Odd	April Even	Cost savings, no change in voter turnout
San Jose	Nov. and March Even	None	N/A
Santa Clara	Nov. Even	Nov. Odd	Cost savings, high voter turnout
Saratoga	Nov. Even	None	N/A
Turlock	Nov. Even	April Even	Cost savings, high voter turnout
West Sacramento	Nov. Even	June Even	High voter turnout
Winters	March Even	June Even	Cost savings
Yountville	March Odd	April Even	

Legend: Shaded areas denote cities in Santa Clara County

SCHEDULED LOCAL ELECTIONS BY ELECTION TYPE

ATTACHMENT "B"

GENERAL

S.C. COUNTY BOARD OF EDUCATION *
SANTA CLARA COUNTY OFFICES

CITIES:

- CAMPBELL
- LOS ALTOS HILLS
- LOS GATOS
- MILPITAS
- MONTE SERENO
- MOUNTAIN VIEW
- MORGAN HILL
- SAN JOSE
- SANTA CLARA
- SARATOGA

SPECIAL DISTRICTS:

- EL CAMINO HOSPITAL
- GUADALUPE-COYOTE RES. CONSERVATION
- LOMA PRIETA RESOURCE CONSERVATION
- MIDPENINSULA REGIONAL OPEN SPACE
- PURISSIMA HILLS WATER
- PACHECO PASS WATER
- PACHECO STORM WATER
- RANCHO RINCONADA REC & PARK
- SANTA CLARA VALLEY WATER

ELEMENTARY SCHOOLS:

- ALUM ROCK UNION
- BERRYESSA UNION
- CAMBRIAN
- CAMPBELL UNION
- EVERGREEN
- FRANKLIN-MC KINLEY
- LAKESIDE JOINT
- LOMA PRIETA JOINT UNION
- LOS GATOS UNION
- LUTHER BURBANK
- MORELAND
- MOUNT PLEASANT
- MOUNTAIN VIEW-WHISMAN
- NORTH COUNTY JOINT UNION
- OAK GROVE
- SARATOGA UNION
- UNION

HIGH SCHOOL & UNIFIED DISTRICTS:

- CAMPBELL UNION
- EAST SIDE UNION
- FREMONT UNION
- LOS GATOS - SARATOGA JT UNION
- MT VIEW - LOS ALTOS UNION
- GILROY UNIFIED
- MILPITAS UNIFIED
- MORGAN HILL UNIFIED
- SAN BENITO HIGH SCHOOL
- SAN JOSE UNIFIED *
- SANTA CLARA UNIFIED **

COMMUNITY COLLEGE DISTRICTS:

- GAVILAN JOINT**
- SAN JOSE/EVERGREEN*
- WEST VALLEY/MISSION**
- YOSEMITE JOINT

UDEL

CITIES:

- CUPERTINO
- GILROY
- LOS ALTOS
- PALO ALTO
- SUNNYVALE

SPECIAL DISTRICTS:

- ALDERCROFT HEIGHTS COUNTY WATER
- BURBANK SANITARY
- CUPERTINO SANITARY
- SAN MARTIN COUNTY WATER
- SARATOGA FIRE PROTECTION
- SILVER CREEK VALLEY CC GHAD
- SOUTH S.C. VALLEY MEMORIAL
- SUNOL SANITARY
- WEST BAY SANITARY

ELEMENTARY SCHOOL DISTRICTS:

- CUPERTINO UNION
- LOS ALTOS
- MONTEBELLO
- ORCHARD
- SUNNYVALE

UNIFIED SCHOOL DISTRICTS:

- PALO ALTO
- PATTERSON JOINT

COMMUNITY COLLEGE DISTRICTS:

- FOOTHILL-DE ANZA

PRIMARY

SANTA CLARA COUNTY OFFICES

CITY: SAN JOSE

SPECIAL DISTRICTS:

- S.C. CO. OPEN SPACE AUTHORITY
- SANTA CLARA VALLEY WATER

* TRUSTEES MUST LIVE IN TRUSTEE AREA & ARE VOTED ON BY TRUSTEE AREA VOTERS

** TRUSTEES MUST LIVE IN TRUSTEE AREA & ARE VOTED ON " AT LARGE"

SANTA CLARA COUNTY

LOCAL JURISDICTION ELECTION SCHEDULE

<u>CITY</u>	<u>ELECTION</u>
CAMPBELL	GENERAL
CUPERTINO	UDEL
GILROY	UDEL
LOS ALTOS	UDEL
LOS ALTOS HILLS	GENERAL
LOS GATOS	GENERAL
MILPITAS	GENERAL
MONTE SERENO	GENERAL
MORGAN HILL	GENERAL
MOUNTAIN VIEW	GENERAL
PALO ALTO	UDEL
SAN JOSE	PRIMARY & GENERAL
SANTA CLARA	GENERAL
SARATOGA	GENERAL
SUNNYVALE	UDEL

<u>SANTA CLARA COUNTY</u>	<u>ELECTION</u>
COUNTY OFFICES	PRIMARY & GENERAL

<u>SPECIAL DISTRICT</u>	<u>ELECTION</u>
ALDERCROFT HEIGHTS CO WATER	UDEL
BURBANK SANITARY	UDEL
CUPERTINO SANITARY	UDEL
EL CAMINO HOSPITAL	GENERAL
GUADALUPE-COYOTE RES. CONS.	GENERAL
LOMA PRIETA RESOURCE CONS.	GENERAL
MIDPENINSULA REG. OPEN SPACE	GENERAL
PACHECO PASS WATER	GENERAL
PACHECO STORM WATER	GENERAL
PURISSIMA HILLS WATER	GENERAL
RANCHO RINCONADA REC. & PARK	GENERAL
SAN MARTIN COUNTY WATER	UDEL
S.C. COUNTY OPEN SPACE	PRIMARY
S.C. VALLEY WATER	PRIMARY & GENERAL
SARATOGA FIRE PROTECTION	UDEL
SILVER CREEK VALLEY CC GHAD	UDEL
SOUTH S.C. VALLEY MEMORIAL	UDEL
SUNOL SANITARY	UDEL
WEST BAY SANITARY	UDEL

GENERAL Tues after 1st Mon in Nov
even numbered year

PRIMARY Tues after 1st Mon in March
even numbered year

UDEL Tues after 1st Mon in Nov
odd numbered year

<u>ELEMENTARY SCHOOL</u>	<u>ELECTION</u>
ALUM ROCK UNION	GENERAL
BERRYESSA UNION	GENERAL
CAMBRIAN	GENERAL
CAMPBELL UNION	GENERAL
CUPERTINO UNION	UDEL
EVERGREEN	GENERAL
FRANKLIN-MCKINLEY	GENERAL
LAKESIDE JOINT	GENERAL
LOMA PRIETA JOINT UNION	GENERAL
LOS ALTOS	UDEL
LOS GATOS UNION	GENERAL
LUTHER BURBANK	GENERAL
MONTEBELLO	UDEL
MORELAND	GENERAL
MOUNTAIN VIEW-WHISMAN	GENERAL
MOUNT PLEASANT	GENERAL
NORTH COUNTY JOINT UNION	GENERAL
OAK GROVE	GENERAL
ORCHARD	UDEL
SARATOGA UNION	GENERAL
SUNNYVALE	UDEL
UNION	GENERAL

<u>HIGH SCHOOL DIST.</u>	<u>ELECTION</u>
CAMPBELL UNION	GENERAL
EAST SIDE UNION	GENERAL
FREMONT UNION	GENERAL
LOS GATOS-SARATOGA JOINT	GENERAL
MT VIEW-LOS ALTOS UNION	GENERAL
SAN BENITO	GENERAL

<u>UNIFIED SCHOOL DIST</u>	<u>ELECTION</u>
GILROY	GENERAL
MILPITAS	GENERAL
MORGAN HILL	GENERAL
PALO ALTO	UDEL
PATTERSON JOINT	UDEL
SAN JOSE	GENERAL
SANTA CLARA	GENERAL

<u>COMMUNITY COLLEGE</u>	<u>ELECTION</u>
FOOTHILL-DE ANZA	UDEL
GAVILAN JOINT	GENERAL
SAN JOSE/EVERGREEN	GENERAL
WEST VALLEY/MISSION	GENERAL
YOSEMITE JOINT	GENERAL

<u>S.C. COUNTY BOARD OF ED</u>	<u>ELECTION</u>
	GENERAL

SANTA CLARA COUNTY REGISTRAR OF VOTERS
 ESTIMATED COST OF ELECTION
 2004 NOVEMBER PRESIDENTIAL GENERAL ELECTION
 FOR THE CITY OF SUNNYVALE
 C/O Susan Ramos (408) 730-7474
 email: sramos@cl.sunnyvale.ca.us

ATTACHMENT "C"

	<u>Nov 2004</u>	
Registration as of 2/13/04	58,005	
Projected Registration (110% of 1/29/04 registration)	63,806	
Estimated Sample Ballots Ordered (125% of projected registration)	79,757	
	Unit Cost	Sub-total
a) Basic Election Charge		
1st issue	\$ 1.00	\$ 63,806
b) DRE Recovery Fee (Electronic Voting Equipment)		
1st issue	\$ 0.24	\$ 15,313
c) Absentee Voters Services Fee		
1st issue	\$ 0.13	\$ 8,295
d) Proposition/Measure (6-page prop)		<u>\$ 19,982</u>
Total Estimated Cost of Election - General Election		<u><u>\$ 107,396</u></u>

ESTIMATES ONLY. SUBJECT TO CHANGE WITHOUT NOTICE. ACTUAL COSTS WILL BE AVAILABLE 60 DAYS AFTER ELECTION.

- Footnot a) The base cost is estimated at \$1.00-2.00 per registered voter, including costs of legal publications & ballot printing for five languages.
- b) The DRE (Electronic Voting Machine) Recovery is based on an amortization period of 5 years: \$0.24 cents per registered voter for first issue on ballot and \$0.05 for an additional issue on the ballot for the same registration.
- c) Absentee voter charge for primary & general elections is \$0.13 cents per registered voter for first issue on ballot and \$0.02 for an additional issue on the ballot for the same registration.
- d) Proposition is estimated to be in 6 pages only .

Prepared by:
 Carolina Gomez, Accountant III
 (408) 282-3012

**SANTA CLARA COUNTY REGISTRAR OF VOTERS
ESTIMATED COST OF ELECTIONS
Thru FY 2004-2005**

TYPE OF ELECTION		RANGE OF COSTS	
PRIMARY & GENERAL ELECTIONS		\$2.00-\$3.00 per registered voter	
(March and November of even-numbered years)			
Fixed costs :			
Base Charge	1st issue	\$ 0.58	per registered voter
	Additional Issue		\$0.16 per registered voter on the same registration
DRE Recovery Fee	1st issue	\$ 0.24	per registered voter
	Additional Issue		\$0.05 per registered voter on the same registration
Absentee Voter Charge	1st issue	\$ 0.13	per registered voter
	Additional Issue		\$0.02 per registered voter on the same registration
Total Fixed Costs		<u>\$ 0.95</u>	

Variable Costs:
 Ballot Printing for 5 languages (usually higher for Primaries)
 Legal Publications
 Candidate Statements
 Proposition Pages

UDEL (UNIFORM DISTRICT ELECTION LAW) **\$5.00-\$7.00 per registered voter + DRE Recovery Fee**
 (November of odd-numbered years)

Based on Actual Costs (including Absentee Voter) + DRE Recovery Fee

SPECIAL ELECTIONS **\$7.00-\$10.00 per registered voter + DRE Recovery Fee**
 (All other stand alone elections)

Based on Actual Costs (including Absentee Voter) + DRE Recovery Fee

Below 100,000 registered voters	\$10.00/registered voter+DRE Recovery Fee
From 100,000 to less than 200,000	\$9.00/registered voter+DRE Recovery Fee
From 200,000 to less than 300,000	\$8.00/registered voter+DRE Recovery Fee
300,000 and more	\$7.00/registered voter+DRE Recovery Fee

GENERALLY, THE ABOVE RANGES DO NOT INCLUDE THE COST OF CANDIDATE STATEMENTS AND PROPOSITION PAGES

County of Santa Clara, November 4, 2008. Presidential General Election. Official Results.

2	County of Santa Clara
	President And VP

GRD. Totals - Page 1

	REGISTRATION	BALLOTS CAST	TURNOUT (%)	President And VP Vote for One Party JOHN MCCAIN	CYNTHIA MCKINNEY	ALAN KEYES	RALPH NADER	BARACK OBAMA	BOB BARR
Santa Clara County	788821	678033	86.0%	190039	1801	1755	4781	462241	3918
US Representative, District 11	22785	19879	87.3%	7562	44	85	140	11596	119
US Representative, District 14	192126	170836	88.9%	42749	482	365	1320	121750	1178
US Representative, District 15	302849	260523	86.0%	75753	721	732	1919	174571	1565
US Representative, District 16	271061	226795	83.7%	63975	554	573	1402	154324	1056
State Senate, District 10	63172	51696	81.8%	15716	142	124	357	33738	291
State Senate, District 11	271449	239282	88.2%	65666	608	619	1656	164890	1503
State Senate, District 13	336993	283322	84.1%	71745	847	729	2135	200200	1535
State Senate, District 15	117207	103733	88.5%	36912	204	283	633	63413	589
Assembly District 20	27823	22812	82.0%	7264	52	52	148	14602	101
Assembly District 21	131397	118002	89.8%	32492	288	237	747	81671	742
Assembly District 22	190234	165233	86.9%	41676	512	454	1420	116752	1152
Assembly District 23	149613	120501	80.5%	31821	337	254	673	84098	440
Assembly District 24	221192	193205	87.4%	56942	481	580	1404	128794	1197
Assembly District 27	28081	24451	87.1%	9396	54	94	167	14189	152
Assembly District 28	40481	33829	83.6%	10448	77	84	222	22135	134
State Board Of Equal, District 1	788821	678033	86.0%	190039	1801	1755	4781	462241	3918
Supervisory District 1	175205	153192	87.4%	50726	331	473	987	97084	829
Supervisory District 2	112807	91081	80.7%	21524	256	181	558	66006	380
Supervisory District 3	145131	120468	83.0%	34919	326	305	815	80585	624
Supervisory District 4	163608	143085	87.5%	39938	409	467	1112	97511	936
Supervisory District 5	192070	170207	88.6%	42932	479	329	1309	121055	1149
City of Campbell	19857	17553	88.4%	4964	34	66	143	11921	129
City of Cupertino	27443	23630	86.1%	6369	68	43	189	16365	142
City of Gilroy	18234	15693	86.1%	4787	45	41	119	10343	73
City of Los Altos	19364	17767	91.8%	5260	47	40	116	11915	105
Town of Los Altos Hills	5848	5250	89.8%	1842	15	5	18	3232	49
Town of Los Gatos	18707	16956	90.6%	5371	33	39	81	11093	112
City of Milpitas	25813	21172	82.0%	6714	47	46	134	13580	94
City of Monte Sereno	2442	2213	90.6%	852	2	4	14	1297	16
City of Morgan Hill	18415	16139	87.6%	5920	38	60	107	9635	110
City of Mountain View	33935	30447	89.7%	6171	99	76	299	23025	235
City of Palo Alto	38558	34605	89.8%	6128	105	47	240	27322	242
City of Santa Clara	48570	40046	86.0%	10563	117	132	366	27787	267
City of Saratoga	20016	17468	87.3%	6268	35	37	111	10578	97
City of Sunnyvale	56393	49620	88.0%	12817	150	127	428	34767	354
City of San Jose	389819	328718	84.3%	93478	848	847	2110	222623	1672
Unincorporated Area	47407	40756	86.0%	12535	118	145	306	26758	221

8	City of Sunnyvale Member of City Council CITY OF SUNNYVALE seat 1
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GRD, Totals - Page 6

	REGISTRATION	BALLOTS CAST	TURNOUT (%)		Member of City Council CITY OF SUNNYVALE seat 1 Vote for One ANTHONY (TONY) SPITALERI PAT MEYERNG	
Santa Clara County	53828	18824	35.0%		9518	8177
US Representative, District 14	53828	18824	35.0%		9518	8177
State Senate, District 13	53828	18824	35.0%		9518	8177
Assembly District 22	53828	18824	35.0%		9518	8177
State Board Of Equal, District 1	53828	18824	35.0%		9518	8177
Supervisorial District 3	29698	9162	30.9%		4677	4066
Supervisorial District 5	24130	9652	40.0%		4841	4111
City of Sunnyvale	53828	18824	35.0%		9518	8177

County of Santa Clara June 8, 2010 Gubernatorial Primary

158	County of Santa Clara Proposition 13
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GRD. Totals - Page 102

	REGISTRATION	BALLOTS CAST	TURNOUT (%)	Proposition 13	
				YES	NO
CALIFORNIA	765680	328270	42.9%	268583	41618
US Representative, District 11	22413	9457	42.2%	7915	1131
US Representative, District 14	180952	85805	47.4%	70894	10686
US Representative, District 15	295508	128752	43.6%	105576	16046
US Representative, District 16	266807	104256	39.1%	84198	13755
State Senate, District 10	61423	22699	37.0%	18606	2894
State Senate, District 11	261768	116854	44.6%	96581	14394
State Senate, District 13	328015	134772	41.1%	108041	18429
State Senate, District 15	114474	53945	47.1%	45355	5901
Assembly District 20	27263	10794	39.6%	8953	1308
Assembly District 21	124936	63243	50.6%	52496	7364
Assembly District 22	182513	80134	43.9%	65470	10424
Assembly District 23	146942	54209	36.9%	42807	7697
Assembly District 24	216379	93566	43.3%	77054	11529
Assembly District 27	27612	11586	42.0%	9704	1372
Assembly District 28	40035	14718	36.8%	12099	1924
State Board Of Equal, District 1	765680	328270	42.9%	268583	41618
Supervisorial District 1	172526	74262	43.0%	61820	8742
Supervisorial District 2	111082	40785	36.7%	31916	5958
Supervisorial District 3	140218	52898	37.7%	43177	6917
Supervisorial District 4	160091	74365	46.5%	60341	9558
Supervisorial District 5	181763	85960	47.3%	71329	10443
City of Campbell	19687	8223	41.8%	6685	1107
City of Cupertino	26658	10894	40.9%	9182	1254
City of Gilroy	18327	6982	38.1%	5774	912
City of Los Altos	18770	10853	57.8%	9000	1272
Town of Los Altos Hills	5669	3095	54.6%	2602	337
Town of Los Gatos	18139	9490	52.3%	7859	1103
City of Milpitas	25303	9994	39.5%	8293	1214
City of Monte Sereno	2388	1334	55.9%	1069	146
City of Morgan Hill	18149	7596	41.9%	6345	926
City of Mountain View	31758	14254	44.9%	11504	2021
City of Palo Alto	35785	18109	50.6%	14894	2305
City of Santa Clara	46223	25391	54.9%	20099	3423
City of Saratoga	19366	9058	46.8%	7716	961
City of Sunnyvale	53361	23163	43.4%	19156	2919
City of San Jose	385290	152055	39.5%	123719	19561
Unincorporated Area	40807	17779	43.6%	14666	2157

Santa Clara County - November 2, 2010 Gubernatorial Election

2	County of Santa Clara
Governor	

GRD, Totals - Page 1

	REGISTRATION	BALLOTS CAST	TURNOUT (%)	Governor Vote for One LAURA WELLS	MEG WHITMAN	DALE F. OGDEN	JERRY BROWN	CHELENE NIGHTINGALE	CARLOS ALVAREZ
Evergreen School District	44331	27059	61.0%	210	9560	188	15933	244	185
Franklin-McKinley School District	29295	17469	59.6%	290	5736	158	10118	190	273
Lakeside Joint School District	398	304	76.4%	5	105	4	184	2	1
Los Gatos Union School District	17345	13213	76.2%	114	5507	150	7168	59	16
Luther Burbank School District	1345	778	57.8%	16	145	6	565	9	17
Moreland Elementary School Dist	21639	14704	68.0%	168	5158	181	8661	167	87
Mount Pleasant School District	8166	5001	61.2%	46	1340	32	3317	45	90
Oak Grove School District	45874	28756	62.7%	329	9756	320	17080	374	227
Orchard Elementary School Dist	5269	2845	54.0%	42	936	47	1693	33	19
Saratoga Union School District	13041	9816	75.3%	60	5002	79	4472	36	18
Sunnyvale School District	30484	20811	68.3%	277	6186	295	13282	220	123
Union Elementary School District	24545	17556	71.5%	183	6984	221	9603	173	71
County of Santa Clara	779330	523427	67.2%	5685	178695	5707	314022	4880	3382
San Martin County Water District	1603	1074	67.0%	9	481	14	530	15	8
City of Campbell	20100	13753	68.4%	215	4774	182	8049	197	72
City of Cupertino	26826	18682	69.6%	158	7033	177	10724	127	43
City of Gilroy	18639	12111	65.0%	135	4418	118	6931	165	136
City of Los Altos	19068	14949	78.4%	97	5855	161	8510	73	16
Town of Los Altos Hills	5759	4411	76.6%	24	2159	34	2100	16	4
Town of Los Gatos	18225	13745	75.4%	121	5800	151	7334	77	20
City of Milpitas	25773	15779	61.2%	172	5634	168	9153	126	94
City of Monte Sereno	2396	1901	79.3%	12	981	15	867	1	0
City of Morgan Hill	18177	12810	70.5%	99	5597	158	6510	135	61
City of Mountain View	32549	23740	72.9%	286	6088	290	16273	180	106
City of Palo Alto	36719	28463	77.5%	198	7216	256	20240	81	53
City of Santa Clara	46906	30829	65.7%	432	9572	384	19183	414	189
City of Saratoga	19611	14682	74.9%	107	7179	132	6943	72	25
City of Sunnyvale	54705	38154	69.7%	465	12108	512	23814	396	174
City of San Jose	392573	250581	63.8%	2875	83488	2831	150995	2564	2137
San Jose City Council, District 1	37204	24658	66.3%	248	8592	291	14608	249	141
San Jose City Council, District 2	41526	26158	63.0%	309	9011	289	15406	321	204
San Jose City Council, District 3	30132	17387	57.7%	264	3369	219	12682	174	237
San Jose City Council, District 4	41284	24359	59.0%	309	8302	252	14449	245	206
San Jose City Council, District 5	25485	14644	57.5%	191	3218	115	10136	156	299
San Jose City Council, District 6	47664	32937	69.1%	398	10350	394	20717	316	207
San Jose City Council, District 7	31476	18639	59.2%	305	5893	160	11005	198	316
San Jose City Council, District 8	46093	28126	61.0%	218	9795	197	16784	264	205
San Jose City Council, District 9	47201	33096	70.1%	389	12308	392	18861	371	165
San Jose City Council, District 10	47119	32158	68.3%	273	13126	341	17332	290	175
Unincorporated Area	41302	28837	69.8%	289	10793	336	16396	256	232
Santa Clara Valley Water Dist 1	120644	78133	64.8%	711	30143	763	43453	857	576
Santa Clara Valley Water Dist 2	106009	69980	66.0%	964	20340	879	45126	783	536
Santa Clara Valley Water Dist 3	102261	62249	60.9%	819	20016	720	37998	643	495
Santa Clara Valley Water Dist 4	128091	86370	68.5%	964	32230	1027	49005	980	473
Santa Clara Valley Water Dist 5	117725	83303	70.8%	777	31114	907	47991	665	263
Santa Clara Valley Water Dist 6	76367	44461	58.2%	650	11841	375	28672	489	818

6	City of Sunnyvale Member of City Council CITY OF SUNNYVALE seat 4
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GRD, Totals - Page 4

	REGISTRATION	BALLOTS CAST	TURNOUT (%)	Member of City Council CITY OF SUNNYVALE seat 4 Vote for One DAVID WHITTUM
Santa Clara County	51885	17902	34.5%	14016
US Representative, District 14	51885	17902	34.5%	14016
State Senate, District 13	51885	17902	34.5%	14016
Assembly District 22	51885	17902	34.5%	14016
State Board Of Equal. District 1	51885	17902	34.5%	14016
Supervisorial District 3	28488	8560	30.1%	6815
Supervisorial District 5	23397	9342	39.9%	7201
City of Sunnyvale	51885	17902	34.5%	14016