

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 2.7
(ID # 18209)

MEETING DATE:
Tuesday, January 25, 2022


FROM : REGISTRAR OF VOTERS:

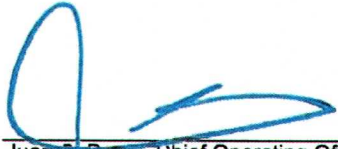
SUBJECT: REGISTRAR OF VOTERS: Request for Change in Election Date, City of Rancho Mirage, District 4. [\$6,500].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve City of Rancho Mirage's request for election date change.

ACTION: Consent

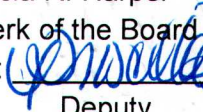

Rebecca Spencer 1/16/2022


Juan C. Perez, Chief Operating Officer 1/20/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: January 25, 2022
xc: R.O.V.

Kecia R. Harper
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 6,500	\$ 0	\$ 6,500	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: City of Rancho Mirage			Budget Adjustment: No	
			For Fiscal Year: 21/22	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The City of Rancho Mirage has submitted the attached ordinance requesting the Board of Supervisors' approval to change the jurisdiction's general municipal election date to occur on the same date as the even-year General Elections. California Elections Code § 10403.5 allows jurisdictions to consolidate their election with Elections held in November of even numbered years with the Board of Supervisors' approval. The code further stipulates that the Board shall approve such request unless the ballot style, voting equipment, or computer capability is such that additional elections or materials cannot be handled. The Registrar of Voters can accommodate this change of election date.

State law also requires that within 30 days after approval of the ordinance, a notice is to be mailed to all registered voters of the jurisdiction informing them of the change in election date and the terms of officeholders which will be changed. The cost of this mailing will be reimbursed by the jurisdiction.

Impact on Residents and Businesses

The change in election date to occur on the same date as the even-year General Election would encourage greater voter participation at no additional cost. Registered voters will save a trip to the polling place voting for both this jurisdictions election and the even-year General Election.

ATTACHMENTS:

ATTACHMENT A. CITY OF RANCHO MIRAGE ORDINANCE No. 1183

ORDINANCE NO. 1183

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, SETTING THE DATE OF GENERAL MUNICIPAL ELECTION ON THE SAME DATE OF STATEWIDE GENERAL ELECTION AND EXTENDING THE TERMS OF CURRENT COUNCIL MEMBERS TO COINCIDE WITH THE SAME

WHEREAS, the City of Rancho Mirage ("City") is a charter city and municipal corporation; and

WHEREAS, a "General Municipal Election" is a regularly scheduled election that includes a ballot to elect members of the City Council; and

WHEREAS, pursuant to Section 1000 of the California Election Code, the dates a city may hold its general municipal election are as follows: (a) the first Tuesday after the first Monday in March of each even-numbered year that is evenly divisible by four; (b) the first Tuesday after the first Monday in March of each odd-numbered year; (c) the second Tuesday of April in each even-numbered year; (d) the first Tuesday after the first Monday in June in each even-numbered year that is not evenly divisible by four; or (e) the first Tuesday after the first Monday in November of each year; and

WHEREAS, the City's General Municipal Election has historically been held on the second Tuesday of April in each even-numbered year pursuant to Section 1000(c) of the California Elections Code; and

WHEREAS, the California Voter Participation Rights Act, which was signed by former Governor Brown on September 1, 2015, and took effect on January 1, 2018, provides that a city shall not hold an election other than on a statewide election date if holding an election on a nonconcurrent date has previously resulted in a significant decrease in voter turnout; and

WHEREAS, Section 14051(b) of the California Elections Code defines "significant decrease in voter turnout" to mean the voter turnout for a regularly scheduled election in a political subdivision is at least 25 percent less than the average voter turnout within that political subdivision for the previous four statewide general elections; and

WHEREAS, Section 14051(b) of the California Elections Code defines "voter turnout" to mean the percentage of voters who are eligible to cast ballots within a given political subdivision who voted; and

WHEREAS, pursuant to Section 1200 of the California Elections Code, Statewide General Elections are held on the first Tuesday after the first Monday in November of each even-numbered year; and

WHEREAS, voter turnout of Rancho Mirage registered voters for the 2018 Rancho Mirage General Municipal Election was 56.09% compared to an average 78.76% voter

turnout of Rancho Mirage registered voters for the previous four Statewide General Elections, which represented a 22.67% difference in voter turnout which was below the 25% voter turnout difference threshold; and

WHEREAS, however, voter turnout of Rancho Mirage registered voters for the 2020 Rancho Mirage General Municipal Election was 51.59% compared to an average 80.18% voter turnout of Rancho Mirage registered voters for the previous four Statewide General Elections, which represents a 28.59% difference in voter turnout, exceeding the 25% voter turnout difference threshold that now requires the City to move its General Municipal Election to coincide with the Statewide General Election held on the first Tuesday after the first Monday in November of each even-numbered year, which means the City's next General Municipal Election must be moved to November 8, 2022; and

WHEREAS, in light of the foregoing, the City Clerk and City Attorney have advised the City Council that moving the City's General Municipal Election to the same date as the Statewide General Election is legally required and they both recommend that the City Council adopt an ordinance pursuant to Section 1301 of the California Elections Code to require the City's General Municipal Election to be held on the same date as the Statewide General Election which is held on the first Tuesday after the first Monday in November of each even-numbered year; and

WHEREAS, pursuant to section 10403.5(b) of the California Elections Code, as a result of the adoption of this ordinance, the current terms of office may be extended to coincide with the Statewide General Election, provided such extensions do not exceed 12 months.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO MIRAGE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1. RECITALS

That the above recitals are true and correct and are incorporated as though fully set forth herein.

Section 2. GENERAL MUNICIPAL ELECTION

That the Rancho Mirage Municipal Code shall be amended to include Chapter 2.05 (General Municipal Election) as follows:

Chapter 2.05

General Municipal Election

2.05.005 Date of General Municipal Election.

The city's general municipal election shall be held on the first Tuesday after the first Monday in November of each even-numbered year to coincide with the statewide general election.

2.05.010 Newspaper Notice.

Not earlier than the 127th nor later than the 113th day before the general municipal election, the city clerk shall publish a notice of election at least once in a newspaper of general circulation pursuant to Section 12101 of the California Elections Code.

2.05.015 Notice Content

The notice must be entitled "Notice of Election" and must contain a statement of the following: (a) the time of the election; and (b) the office to be filled, specifying full term or short term, as the case may be, pursuant to Section 12101(a) of the California Elections Code.

2.05.020 Notice form.

The notice of the general municipal election shall be substantially in the following form:

Notice is hereby given that a ____ (general or special) municipal election will be held in the ____ of ____ on ____, the ____ day of ____, 20__, for the following officers: (name them).

The polls will be open between the hours of __ m. and __ m.

City Clerk: _____

Dated: _____

Section 4. TERMS OF OFFICE

Pursuant to section 10403.5(b) of the California Elections Code, as a result of the adoption of this ordinance, the current terms of office of those council members elected in April 2018 and April 2020 shall be extended accordingly to coincide with moving the City's General Municipal Election to the same dates of the Statewide General Election which are held on the first Tuesday after the first Monday in November of each even-numbered year.

Section 5. BOARD OF SUPERVISORS

Pursuant to Section 1301 of the California Elections Code, the City Clerk shall submit a certified copy of this ordinance to the Riverside County Board of Supervisors for its approval.

Section 6. SEVERABILITY

That the City Council declares that, should any provision, section, paragraph, sentence, or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the

remaining provisions, sections, paragraphs, sentences, or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 7. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Rancho Mirage Municipal Code as heretofore adopted by the City of Rancho Mirage that are in conflict with the provisions of this ordinance are hereby repealed.

Section 8. EFFECTIVE DATE

That this ordinance shall take effect thirty (30) days after its adoption.

Section 9. CITY ATTORNEY REVIEW

That the City Attorney prepared and framed this ordinance pursuant to Section 1.04.010 of the Rancho Mirage Municipal Code and finds that the City Council has the authority to adopt this ordinance, that the ordinance is constitutionally valid, and that the ordinance is consistent with the general powers and purposes of the City as set forth in Section 1.04.031 of the RMMC.

Section 10. CERTIFICATION

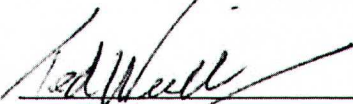
That the City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

The foregoing Ordinance was approved and adopted at a meeting of the City Council held on June 3, 2021, by the following vote:

Ayes: Hobart, Kite, Smotrich, Townsend, Weill.
Noes: None.
Abstain: None.
Absent: None.

CITY OF RANCHO MIRAGE:



Ted Weill, Mayor

ATTEST:



Kristie Ramos, City Clerk

APPROVED AS TO FORM:



For - Steven B. Quintanilla, City Attorney
Daniel Trevino, Deputy City Attorney

ORDINANCE CERTIFICATION

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE)

CITY OF RANCHO MIRAGE)


I, Kristie Ramos, City Clerk of the City of Rancho Mirage, California, do hereby certify under penalty of perjury, that the foregoing Ordinance No. 1183 was introduced by first reading at a regular meeting of the City Council held on May 20, 2021, by the following vote:

AYES: Hobart, Kite, Smotrich, Townsend, Weill.
NOES: None.
ABSENT: None.
ABSTAIN: None.

Ordinance No. 1183 was adopted at a regular meeting of the City Council held on June 3, 2021, by the following vote:

AYES: Hobart, Kite, Smotrich, Townsend, Weill.
NOES: None.
ABSENT: None.
ABSTAIN: None.

I further certify that I have caused Ordinance No. 1183 to be posted and/or published, as required by law (GC Sect. 36933).



Kristie Ramos
City Clerk