

From: Jerry Mungai []
Sent: Tuesday, October 02, 2018 12:19 PM
To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Taber, Toni <toni.taber@sanjoseca.gov>; Sykes, Dave <Dave.Sykes@sanjoseca.gov>; rulescommitteeagmda@sajoseca.gov
Subject: Ballot Measure to hold mayoral elections concurrent presidential elections; Rules Committee 10/3/18 meeting agenda item G.6

Mayor Liccardo and Rules Committee members:

This proposal to change mayoral election to the presidential election cycle from the gubernatorial elections cycle is a curious one. The stated purpose is to increase overall voter participation. We do know that older and generally more conservative voters vote in gubernatorial election cycles than do younger and more liberal voters. So, is this proposal in reality an attempt to increase Democrat turnout, especially young Democrats? I think one could reasonably answer, "Yes."

We already have enough ways to get out the vote, like reducing voter eligibility from age 21 to age 18; vote by mail; DMV mandatory voter registration; ballots in a numerous languages, provisional ballot availability on election day, expanded voting time at voting places on election day; just to mention a few.

We hear constantly that there will be a "blue wave" in November that will result in the Democrats taking control of the House and possibly the Senate. Social media is working quite well to encourage young people to vote; and interest groups like Moveon.org; America Coming Together; America's Voice, etc. have well-funded campaigns to urge people to vote. So, it's safe to say, there will be a large voter turnout in November.

There are enough ballot measures on any given presidential year election cycle; let's continue to use the current system to have more focus on local government candidates and issues during the gubernatorial election cycle.

This proposal is a solution in search for a problem.

The mayor and city council should be focusing on the challenging fiscal issues facing the city today: rising pension costs and deteriorating parks and transportation infrastructure, to name a few. Right now we need cost-effective ways to meet these challenges. Solutions to these problems will only become more pressing with the next inevitable economic downturn.

Measure "T", for example, will NOT eliminate one major problem: the backlog of streets rated "Fair" or "Poor". My street, for example, is rated "Poor"; and I don't expect redress with Measure "T".

And, "T" does NOTHING to address the continuing deterioration of our parks! Fixing our parks, in my view, is more important than seeking a way to increase voter turnout.

I urge Mayor Liccardo and the Rules Committee to vote "no" this proposal.

Jerry Mungai



San Jose
70 South First Street
San Jose, CA 95113
T. 408.286.9800
F. 408.998.4790

October 3, 2018

Joan R. Gallo

Mayor Liccardo and Councilmembers
San Jose City Hall
200 E. Santa Clara Street
San Jose, CA 95113

Re: Concurrent Election Ballot Proposal

Dear Mayor Liccardo and Councilmembers:

I am writing to you on behalf of Working Partnership USA with regard to a proposal to make the Mayoral election concurrent with the Presidential election.

Historical Perspective

Prior to the passage of Measure F in 1978, we had 6 Councilmembers and a Mayor, all elected at large, with a strong City Manager form of government. The Mayor served as the Councilmember who conducted the meetings and was the ceremonial head of the City. At the time of Measure F, the population of the City had rapidly grown to approximately 600,000 residents, up from approximately 400,000 only ten years earlier. With Measure F, we converted to the current 10 district elected Council seats and only the Mayor was elected at large. In the early 1980s, then Mayor McEnry created a Charter Review Committee which proposed a number of changes to the Charter and City procedures to strengthen the role of the Mayor. Today, we have a growing population of over a million residents and the Mayor is unquestionably the leader of the City as well as the only person elected City-wide.

Benefits of the Proposal

An in-depth study of city elections in California in 2002 by the Public Policy Institute demonstrated that concurrency has a huge influence on whether registered voters will participate in municipal elections.¹ In 2016, the Kinder Institute for Urban Research and its Center for Local Elections in American Politics found that in California cities where Mayoral elections coincide with the Presidential elections, voter turnout is more than double that of cities where Mayoral elections are conducted off cycle, Mayoral elections held concurrently with Presidential elections have the highest turnout,

¹ Municipal Elections in California: Turnout, Timing, and Competition by PUBLIC POLICY INSTITUTE OF CALIFORNIA, Zoltan L. Hajnal, Paul G. Lewis, Hugh Louch (2002).
http://www.dcfnpic.org/content/pubs/report/R_302ZHR.pdf

while those held off cycle have the lowest turnout. Those that coincide with midterm Gubernatorial elections fall in the middle. Their summary statistics of all Mayoral elections in San Jose, show the average turnout about 8 percentage points below the average turnout for all Mayoral elections in California.²

While many factors determine voter turnout, the pattern is consistent. There is a very wide gap in San Jose between the participation in the off-year Mayoral election and the Presidential election. In 2012, 77.6% of registered voters voted in the Presidential election and in 2016, 80.5% voted. It appears that 46.2% of registered voters votes were cast in the hotly contested Mayoral run-off election in 2014 and only 36.% in the recent 2018 Mayoral primary.³

Legal Authority

The California Constitution grants San Jose, as a charter city, plenary authority to establish rules governing all aspects of municipal elections. (Cal. Const.Art. XI, Sec.5(b).) Specifically, the Constitution grants charter cities the power to enact election laws that prevail even over the California Elections Code. (*Johnson v. Bradley*, (1992) 4 Cal.4th 389; *Edelstein v. City and County of San Francisco*, (2002) 29 Cal.4th 164). Making the Mayoral election concurrent with the Presidential election and determining how the transition is structured is clearly a municipal affair left to the voters discretion in approving a charter amendment.

The transition to a concurrent Mayoral/Presidential system requires a one-time change in the length of the term of the office. On a one-time only basis, the transitional term of the Mayor preceding the change must either be a single two year term or a single six year term. It seems to us more reasonable to simply extend the Mayoral term beginning on January 1, 2019 to six years.

Conclusion

Representative democracy depends on voter participation. Voter turnout is a fundamental indicator of a healthy democracy. In San Jose, our only city-wide representative is the Mayor. The research discussed above determined that the single step with the most impact to increase participation in a Mayoral election is to hold that

² http://www.owl.net.rice.edu/~marschal/Home_files/Mayoral%20Elections%20in%20California,%201995-2014.pdf

³

YEAR	ELECTION TYPE	NUMBER OF VOTES CAST	% REGISTERED VOTERS
2014	Mayoral general	180,930	46.2
2016	Presidential	360,149	80.5
2018	Mayoral primary	159,346	36.7

election concurrent with the Presidential election. It is an important step that we, as a city, can take. To accomplish concurrency, the Charter needs to be amended to have the Mayoral election in the same year as the Presidential election.

Submitted with this letter is a draft Resolution which would accomplish making the Mayoral election occur in the same year as the Presidential election and to accomplish this change, it would extend the term of Mayor beginning January 1, 2019 for 6 years so that, if approved by the voters, the next Mayoral election would occur with the 2024 Presidential election.

Thank you for your consideration.

Sincerely,

HOPKINS & CARLEY
A Law Corporation

Joan R. Gallo

JRG:md

cc: Rick Doyle, City Attorney
Derecka Mehrens, Executive Director

Ballot Measure to Move Mayoral Elections Concurrent with Presidential Elections (Against)

Triware < >

Wed 10/3/2018 10:51 AM

To: The Office of Mayor Sam Liccardo; Carrasco, Magdalena; Davis, Dev; Jones, Chappie; Khamis, Johnny; Taber, Toni; Sykes, Dave; Rules and Open Government Committee Agendas
Inbox

Dear Rules Committee Members!

Good Morning and appreciate all of your service to our community!

I know all would have been said by now and you all are probably tired of reading... Simple is hard and simple is good per Steve Jobs; so I only have one point to make...

All elections are important and responsible voters should vote in all and every elections and we all should get educated on what we are voting. If we don't care enough to show up to vote or don't know what we are voting – isn't that how the system supposed to work, freedom of choice? That's is American way of life!

Let's stop playing politics and spend time on getting all to vote each and every time on all elections.

Thank you for serving the community and be the voice for doing the right thing!

Best Regards,

Benson Yeung | 杨槟森, Senior Partner
Lifetime Entrepreneur & Non-Linear Thinker

Triware Networkworld Systems, L.L.C.

Ballot Measure to Move Mayoral Elections Concurrent with Presidential Elections (Against)

Jan Schneider <

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Wed 10/3/2018 11:24 AM

To: The Office of Mayor Sam Liccardo; District 5; Jones, Chappie; Davis, Dev; Khamis, Johnny; Rules and Open Government Committee Agendas; Taber, Toni; Sykes, Dave
Inbox

Dear Rules Committee Members:

While I understand the need to get more citizens to exercise their right to vote, I feel strongly that moving the mayoral election cycle to coincide with the presidential elections is bad for San Jose!

As you all know, San Jose is the 3rd largest city in California, the 10th largest in the country, and has a very diverse citizenry. We face numerous housing, business and social challenges. The people of San Jose and those that wish to serve deserve a mayoral election that is not influenced by national partisan politics and one where the focus is on our city and its' challenges.

I hope you will consider my comments.

Respectfully,

Jan Schneider
R & J Jewelry and Loan
San Jose, CA.
CAPA President Elect
CAPA Legislative Committee Chair
<http://randjjewelry.com>