



Memorandum

TO: THE HONORABLE MAYOR &
CITY COUNCIL

FROM: Councilmember Lan Diep

SUBJECT: BALLOT MEASURE TO HOLD
MAYORAL ELECTIONS IN
PRESIDENTIAL ELECTION YEARS

DATE: 4/12/2019

Approved

Date

4/12/19

RECOMMENDATION

Decline to put before voters a ballot measure seeking a City Charter amendment to hold elections-for-mayor concurrently with elections-for-president.

BACKGROUND

It has been proposed that this council seek voter approval of a charter amendment to move the election of San José City mayor to coincide with the election of president. The suggested charter amendment, if adopted by voters, would add two years to the mayoral term beginning in 2019 to account for the gap created by such a change, but would otherwise keep a mayoral term at four years.

The stated rationale for moving the election of mayor to presidential election years is that the current election cycle “fails to encourage high levels of voter participation in elections for Mayor.” The proposed charter amendment would address this perceived problem not by increasing voter interest in the mayor’s race, but by making it convenient for voters to vote for our city’s mayor at the same time they cast their ballot for our nation’s president. Voter participation nationwide is higher for presidential elections than midterm elections. Regardless of whether elections are held in presidential or midterm years, turnout is significantly lower for primary elections than turnout for general elections.

The barriers to voting in California are not any different in presidential or midterm election years. California automatically registers eligible persons to vote at the DMV, accepts provisional ballots, allows early voting, allows vote-by-mail, and accepts all mail-in-ballots postmarked by Election Day and received within three days. Starting with the March 2020 election, every registered voter in Santa Clara County will receive a vote-by-mail ballot.

ARGUMENT

Since our nation’s founding, our democratic system of government has served as a source of inspiration and hope to all peoples around the world. The system that we now take for

granted was in its time a radical idea: that leaders of nation-states do not have a right to rule by virtue of bloodline, military conquest, or the Mandate of Heaven, but rather are granted their legitimacy and authority to govern directly from those who would be governed. The strength of our democracy and the legitimacy of our elected officials depend on the robust participation of our electorate.

However, implicit in the idea of a government “of the people, by the people, and for the people” is the expectation that we, the people, will be informed and engaged. Democracy is as much of a responsibility as it is a right. The proposal to move the election of mayor to coincide with presidential elections focuses on the right but ignores the responsibility.

People who care vote. While there are certainly systemic barriers to voting in many parts of this country, those barriers have been greatly reduced in California. To the extent such barriers still exist in Santa Clara County, they exist equally in both midterm and presidential year elections. The only reasonable explanation for the variation in voter turnout between gubernatorial and presidential year elections is voter interest.

Accordingly, the key to “encourage high levels of voter participation in elections for Mayor” is to make voters invested in the issues and candidates. The proposed change does not do this. Instead, it simply hopes that voters will also cast a ballot for mayor while voting for president if both are on the same ballot. Without increasing voter interest in the mayor race however, there is no guarantee that the down-ballot race won’t be skipped. The additional votes cast for mayor by individuals who would not otherwise vote during a midterm election will likely be unconsidered votes. Such an outcome is undesirable. The voter who votes randomly injects chaos into our democracy, potentially elevating unqualified candidates. The uninformed voter who votes along party lines or in accordance with endorsements only strengthens the grasp of money and special interests over our politics. Increasing participation in elections for participation’s sake is harmful to our democracy.

CONCLUSION

The worthy goal of increasing voter participation in elections for mayor is best achieved when potential voters understand the issues and can express a considered preference between candidates. Rather than relying on the presidential race to turn out voters, we must do more to help voters understand the role local elections have on their day-to-day quality of life so that voters’ interest in who is mayor rivals their interest in who is president. This is unlikely to happen when mayoral candidates must compete for attention with presidential candidates.

Moreover, moving the mayor’s race to coincide with the presidential election is an implicit admission of our inability to motivate voters and would undermine efforts to boost voter turnout in midterm elections. Asking voters to vote for mayor while they’ve shown up to vote in another race they presumably care more about may increase participation in absolute numbers, but it is a losing strategy to create an informed and engaged electorate. The Council should keep the mayoral race schedule as is and redouble our efforts to ensure our constituents understand how our work affects their lives.