

**City of Burbank
City Attorney's Impartial Analysis of Measure V
Election Charter Amendments**

Measure V:

City Attorney's Impartial Analysis:

California Voter Participation Rights Act's purpose is to increase voter participation and requires a City to change its elections from odd-numbered years to even-numbered years, if there has been a significant decrease in voter turnout. "Significant decrease" means turnout for a regularly scheduled Burbank election is at least 25% less than the average Burbank turnout for the previous four statewide general elections.

Burbank voter data for the last four statewide general elections shows an average turnout of 60.43%. In the last four odd-numbered year, all mail ballot general elections, Burbank's average voter turnout was 16.95%, which is 43.48% less voter turnout.

City Council placed this Measure on the ballot amending the City Charter regarding City elections. Starting in 2020 it changes City's odd-numbered year general election to November of even-numbered years coinciding with State/Federal elections following California Voter Participation Rights Act. Since November of even-numbered year, statewide elections in Burbank experience higher voter turnout, this should increase voter participation.

Amended Charter Section (§) 800 eliminates the primary and general runoff election process in 2019. Instead, City officials will be elected at one general election in November of even-numbered years, combined with statewide elections, conducted by Los Angeles County. Candidate receiving the highest number of votes for that office is elected. §800 also simplifies the election process by allowing procedural details to be governed by ordinance/state election law.

Burbank's primary election is eliminated, in part, because the state primary changes to March in 2020, which would make election season 10 months, January-November. California Voter Participation Rights Act does not allow a different primary date.

Transitioning to November of even-numbered year elections in 2020 requires a one-time extension of existing elected City officials' terms, as follows (§805):

- Terms of Council Members elected/seated in May 2015, will be changed from four years to five years and eight months (one year and eight month extension).
- Terms of Council Members, City Clerk, and City Treasurer, elected/seated in May 2017, will be changed from four years to five years and eight months (one year and eight month extension).
- Elected City officials revert to four year terms starting with those elected in November 2020 and at each subsequent election.

With a November general election, Council's reorganization meeting (seating the new council and choosing a mayor) can no longer be in May. The new date will be set by Council ordinance, most likely December or January (§400).

A "no" vote would mean elections for City officials will remain in odd-numbered year February primary and April general elections. Under California Voter Participation Rights Act, a local voter may sue the City to change to even-numbered year, statewide elections because of the decrease in voter participation.

A "yes" vote approves the Charter amendments relating to elections. If a majority say yes, starting in 2020 elections for City officials will change to November of even-numbered years coinciding with state/federal elections. With a "yes" vote the City will be following the California Voter Participation Rights Act and voter participation should increase.

Amy Albano
Burbank City Attorney

The above statement is an impartial analysis of Measure V. If you desire a copy of the measure, please call the Burbank City Clerk's Office at (818) 238-5851 and a copy will be mailed to you at no cost. You may also access the full text of the measure and other election material from the internet on the City's home page at www.burbankca.gov