



2008-2009 Grand Jury

COUNTY OF SAN MATEO

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June 30, 2009

The Honorable Mark Church
President
San Mateo County Board of Supervisors
400 County Center
Redwood City, CA 94063-1655

Subject: Grand Jury support for district elections for the San Mateo County Board of Supervisors

Dear Supervisor Church:

The 2008-2009 San Mateo County Civil Grand Jury understands that in 2010, a Charter Review Committee will be convened. As a result of research and interviews, the Grand Jury has come to believe that district elections should replace the current system of countywide elections for the Board of Supervisors. We are asking that the Charter Review Committee consider the following concerns. These are in addition to the Grand Jury's recommendations issued in the report titled "APPOINTMENT VS ELECTION: How Should the Vacated Board of Supervisor Seats Be Filled?"

During its research, the Grand Jury found the following:

- 1) San Mateo County is the only county in California to have countywide elections to elect its Board of Supervisors.
- 2) Run-off elections for the Board of Supervisors have been required four times during the last 30 years. Run-off elections occur when no candidate has received more than 50% of the vote in an initial election.
- 3) During run-off elections for the Board of Supervisors, voter turnout has exceeded 70%.
- 4) District elections are considered by the courts to be more representative (*Maria Esther Rey, Jesse Lopez, and Carlo Uranga v. Madera Unified School District, Madera County Board of Education, Madera Unified Governing Board of Trustees, and Rebecca Martinez*). Sufficient demographics information was not available on a district basis in the County.
- 5) During the last 40 years, only one supervisor was elected from the coastal area of the County.
- 6) In charter counties, charters are changed by the electorate through a ballot initiative or by the Board of Supervisors.
- 7) Many charter counties, such as Tehama and Orange Counties, easily changed their charters to deal with election issues.
- 8) On two occasions, elected Supervisors did not win in the district in which they resided, both in June 1974 in District 2 and District 3.

The Grand Jury believes that:

- 1) District elections may encourage competitive elections by:

- a. Lowering the cost barrier to entry for some candidates so that new candidates will consider running for election to the Board of Supervisors,
 - b. Publicly airing and debating issues that cannot be effectively challenged without a competitive election,
 - c. Encouraging a broad range of candidates with more local concerns, which in turn increases the interest in government by voters, and
 - d. Providing the opportunity for a higher number of candidates to run due to the reduced cost of campaigning in a district rather than the entire county.
- 2) District elections may encourage more diverse candidates to run for election because outreach to a smaller number of constituents in a community is less of a barrier than reaching more than 700,000 residents countywide.
 - 3) Public agencies should take into account *Maria Esther Rey, Jesse Lopez, and Carlo Uranga v. Madera Unified School District, Madera County Board of Education, Madera Unified Governing Board of Trustees, and Rebecca Martinez* when reviewing methods of elections.
 - 4) The current charter is flawed because it allows supervisors to represent districts in which they have been rejected by the electorate.
 - 5) District elections may open up opportunities for better representation in the rural, less populated areas of the County, since most campaigns are carried out in the densely-populated urban areas.
 - 6) An instant run-off election or ranked election* could reduce cost to the County and the candidates because it would:
 - a. make run-off elections unnecessary,
 - b. potentially induce a wider variety of candidates to run, and
 - c. increase voter interest because voters could vote for the candidate they favor without feeling like they are throwing away a vote.

On behalf of the 2008-2009 San Mateo County Civil Grand Jury, I appreciate your cooperation in forwarding this advisory letter to the Charter Review Committee for its consideration to amend the county charter to have the San Mateo County Board of Supervisors elected via district elections.

Respectfully submitted,



Virginia Chang Kiraly
Foreperson
2008-2009 San Mateo County Civil Grand Jury

cc: Supvr. Rose Jacobs Gibson
Supvr. Richard Gordon
Supvr. Carole Groom
Supvr. Adrienne Tissier
David S. Boesch, County Manager
Honorable George A. Miram
Mike Murphy
Brenda Carlson

*An instant run-off election is a system used for single-winner elections, in which voters rank candidates in order of preference. If no candidate is the first preference of a majority of voters, the candidate with the fewest number of first-preference rankings is eliminated, and that candidate's ballots are redistributed at full value to the remaining candidates according to the next ranking on each ballot. This process is repeated until one candidate obtains a majority of votes among candidates not eliminated.