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September 11, 2026

Lena Shumway
City Clerk, City of Newport Beach
100 Civic Center Drive
Newport Beach, California 92660
Email: LShumway@newportbeachca.gov

Re: City of Newport Beach Resolution No. 2026-83 requesting County election services

Dear Ms. Shumway,

I am writing in response to the City of Newport Beach's Resolution No. 2026-83 requesting election services pursuant to Elections Code Section 10002, which the City Council approved today and sent to me this afternoon.

The City's official request was made less than two months before the statewide November 3, 2026 General Election as well as only one week before federal and state law requires ballots to be issued to military and overseas voters and California law requires ballots to be mailed to all active Newport Beach voters. It is also the first time a city or district has requested separate election services from the County of Orange Registrar of Voters ("Registrar") at the same time the Registrar was administering a regular statewide election.

As an initial matter, the City did not timely request consolidation of its municipal special election with the 2026 General Election. Elections Code Section 10403 requires a request for consolidation no later than 88 days before election day, which was August 7, 2026. These statutory deadlines exist to ensure the Registrar can effectively plan and administer a statewide election, which is a massive logistical undertaking in a county with over 1.9 million registered voters. To further facilitate the ability to conduct a statewide election, the consolidation statutes require the city to agree that the County will conduct the election in accordance with the provisions of law regulating a statewide election. Elec. Code, §§ 10403, 10418. For similar reasons, Elections Code Section 10402.5 generally encourages cities to timely consolidate city elections that are conducted on statewide election days.

To illustrate the complexity of our task, administering the upcoming general election requires coordinating the production of approximately 549 ballot types, each of which must be translated into five languages—resulting in roughly 2,745 unique ballot variations—and preparing additional reference ballots in eight more languages. It also involves printing and mailing comprehensive Voter Information Guides containing candidate statements, impartial analyses, arguments, and sample ballots, including fully translated versions for approximately 121,000 voters who must receive election materials

in Chinese, Korean, Spanish, or Vietnamese. Tight statutory deadlines required that all ballot and guide materials be finalized and sent to printers earlier this week to allow timely mailing to military and overseas (“UOCAVA”) voters as well as the rest of the electorate, during a period when printing vendors are operating 24 hours a day to meet statewide demand. Even small changes can cascade into redesigning multiple ballot types, reformatting dozens of pages, conducting multi-language translations, and potentially requiring hand-processing of tens of thousands of ballot mailings—illustrating the enormous scale and precision necessary to administer the County’s general election. Ballots were issued today to UOCAVA voters who prefer to receive their ballots by mail.

In contrast, the City’s extensive request for election services under Section 10002 would require substantially *more* County resources than have already been dedicated to the consolidated 2026 General Election and require the County to perform such services in a much shorter period than a consolidated election. The request would necessitate supporting a complex dual-track election during a shortened timeframe, even as certain election deadlines have already begun to expire.

Among the additional burdens the City asks of the Registrar, the Registrar would be required to provide continual registration updates and eligibility coordination (pp. 2, 11); maintain completely separate participation and activity records for the City and statewide elections (pp. 11–12); identify, secure, and transfer misdirected ballots and election documents between jurisdictions (p. 12); furnish precinct identifiers, boundary files, and maps (p. 12); establish secure data-transfer methods, credentials, and technical file specifications (pp. 3–4, 12–13); accommodate City-funded personnel at County Vote Centers (p. 13); generate detailed implementation plans specifying authorities, timelines, conditions, and responsible departments (pp. 4, 13); and provide any partial services the County can lawfully deliver while also requiring the Registrar to identify alternatives where full provision is not possible (pp. 3, 14).

Indeed, despite its length, the Resolution is also uncertain because it places the burden on the Registrar to “promptly identify lawful and operationally workable alternatives” if the Registrar determines it cannot provide any requested item as described. The City’s request is, therefore, incompatible with Elections Code Section 10002, which places the burden on the City to specify the election services it seeks, rather than the Registrar to propose such services.

The Resolution is also not responsive to my earlier correspondence, which explained that any Resolution submitted under Section 10002 must include an assurance that the requested services would not interfere with the administration of the statewide November 3, 2026, General Election or create confusion among Newport Beach voters. The City did not provide this assurance. Instead, the City states it is compelled to call an election pursuant to a writ issued in litigation to which the Registrar is not a party.

The earliest date on which this matter could hypothetically be brought before the Orange County Board of Supervisors is September 29, 2026, which is a mere 35 days prior to the election. Additionally, several critical election deadlines are expiring or near expiration, further constraining the ability of the Registrar to administer any City-requested services.

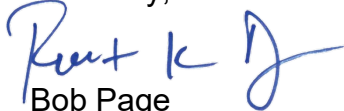
On September 9, 2026, my office provided the City with as much information as is feasible absent a City Council-adopted Section 10002 request, including a Newport Beach voter file identifying UOCAVA voters with their preferred method of receiving their ballots and instructions regarding how to download GIS-format precinct maps for Newport Beach from the Registrar's website. However, requiring the County to develop and provide services in support of a stand-alone City election on the same date as the statewide general election would interfere with the Registrar's ability to conduct the General Election and pose unacceptable risks.

For example, chain-of-custody complications would inevitably arise from ballots being misdelivered to the wrong elections official, such as City ballots placed in County drop boxes and vice versa. Even procedures designed to address these issues fail to resolve operational problems such as identifying a City ballot mistakenly inserted into a County envelope after that envelope has been opened and separated from its contents. These types of foreseeable issues risk not only confusion, but also disenfranchisement. They further underscore why the Legislature generally requires city elections to be consolidated on a timely basis with statewide elections administered by counties rather than held separately on the same date.

For these reasons, the Orange County Registrar of Voters will not recommend that the Orange County Board of Supervisors authorize the broad range of services described in Resolution No. 2026-83.

Please feel free to contact our office should the City wish to discuss any future election planning consistent with applicable statutory timelines and requirements.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bob Page", with a stylized flourish at the end.

Bob Page
Registrar of Voters