

Agenda Report

October 22, 2012

TO: Honorable Mayor and City Council

FROM: City Clerk

SUBJECT: AUTHORIZATION TO ENTER INTO CONTRACT WITH MARTIN & CHAPMAN COMPANY FOR PROFESSIONAL ELECTION SERVICES AND SUPPLIES FOR AN AMOUNT NOT TO EXCEED \$390,000

RECOMMENDATION:

It is recommended that the City Council:

- (1) Authorize the City Clerk to enter into a contract with Martin & Chapman Company, without competitive bidding pursuant to City Charter Section 1002(F) (contracts for professional or unique services) for professional election services and supplies for the March 5, 2013 consolidated City of Pasadena and Pasadena Unified School District Primary Nominating Election, and the April 16, 2013, General Municipal Election for an amount not to exceed \$390,000.
- (2) Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

BACKGROUND:

The proposed contract with Martin & Chapman Company is for specialized election-related services, which includes typesetting and printing of official ballots and sample ballot pamphlets; voting materials and supplies, including all polling place supplies and notices, translated into Spanish, Chinese, and Korean for full compliance with the Federal Voting Rights Act and requirements of the Department of Justice; vote by mail supplies; delivery and pickup of precinct supplies; state-approved ballot tally software; etc.

Martin & Chapman has been the City's election supplier since the 1950's (with the exception of 1985, 1987 and 1989 when Sequoia Pacific Election Consultant was utilized). Having been the City's primary election supplier for over 50 years, Martin & Chapman is especially familiar with the City of Pasadena's election process, the City's

Charter provisions pertaining to the conduct of local elections, and the logistics and process for tabulating ballots on election night. An added advantage in utilizing Martin & Chapman's election services is that the proximity of the company's printing plant within the City's regional area, enabling the ability to print and deliver rush orders, either the same day or following morning, for official ballots and vote by mail supplies.

In complying with the Federal Voting Rights Act ("FVRA"), the City utilizes recent census data and language assistance information received by the Los Angeles County Registrar Recorder in identifying at least 3% of a single language minority within a voting precinct as being limited-English proficient. In the case of Pasadena, the languages identified as having met the 3% criteria are Spanish, Chinese, and Korean. Due to Pasadena's large Latino population, it has been the City's policy to print and mail a bilingual English/Spanish sample ballot pamphlet to all voters. Incorporated in this requested contract amount, Martin & Chapman will provide the printing and mailing of the bilingual English/Spanish sample ballot pamphlets to all voters, and bilingual English/Chinese and English/Korean sample ballot pamphlets to those voters requesting translations within the precincts identified by the Registrar of Voters as having met the 3% criteria requiring language assistance.

Martin & Chapman also provides assistance in complying with policies and requirements dictated by the Department of Justice (DOJ). Martin & Chapman prepares and translates all election related materials utilized at polling locations and viewed by voters, and works to ensure that voters within the required languages of Los Angeles County are able to comfortably navigate through the voting process at City polling locations. Ballots, ballot materials, instructions, signage, etc., prepared by Martin & Chapman are all provided uniformly to comply with DOJ standards.

An additional area where Martin & Chapman's years of experience and election expertise will be an important asset during the the upcoming 2013 election cycle is regarding a change to the election method for the Pasadena Unified School District. In June 2012, the voters of PUSD approved a Charter Amendment Measure changing the voting format for the Board of Education from an at-large election process to a geographic sub-district process. This change creates an entirely new overlay of City and PUSD election boundaries, new voting districts, and increases the number of ballot groups necessary to accommodate the consolidated elections. City Clerk staff have already been meeting with Martin & Chapman to implement the changes in voting districts with the Los Angeles County Registrar and proactively working to ensure that potential issues relating to these changes will be fully mitigated.

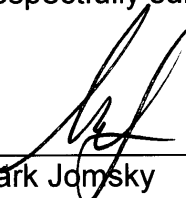
FISCAL IMPACT:

Funding for this contract is available in the approved FY 2013 Elections Budget, Account 8114-101-263000. The Pasadena Unified School District (PUSD) consolidates the Board of Education election with our municipal elections, and PUSD reimburses the City its pro-rata share, based on a formula determined by the County, of the total primary election costs. If there is a run-off for City Council seats and Board of Education seats, PUSD will again reimburse the City its pro-rata share. If there is a run-off for the Board of Education only, or the City Council only, the entity having candidates on the general election ballot will pay the full costs for a run-off election.

The proposed contract complies with the Living Wage Ordinance.

The total estimated cost of this contract excludes the printing of candidate statements in English or any other language not required by the Federal Voting Rights Act. Costs for printing the statements in English or non-required languages under the FVRA will be billed to and paid by the candidates. The City and School District absorb the portion of costs for printing candidate statements in required languages to comply with the Federal Voting Rights Act requirements.

Respectfully submitted,



Mark Jomsky
City Clerk, CMC

Reviewed by:



Theresa Fuentes
Assistant City Attorney