

Agenda Report

October 20, 2014

TO: Honorable Mayor and City Council

FROM: City Clerk

SUBJECT: RESOLUTIONS RELATED TO THE CALLING OF THE REGULAR MARCH 10, 2015 PRIMARY NOMINATING ELECTION AND THE APRIL 21, 2015 GENERAL MUNICIPAL ELECTION, IF NECESSARY; CONSOLIDATION OF THE PASADENA BOARD OF EDUCATION WITH SAID ELECTIONS; AND OTHER RELATED MATTERS

RECOMMENDATION:

It is recommended that the City Council adopt the following resolutions:

- (1) A resolution of the City Council of the City of Pasadena calling for the holding of a Primary Nominating Election on March 10, 2015 for the Office of Mayor and members of the City Council in Districts 1, 2, 4, and 6 of said City, and consolidating said Election with the Pasadena Unified School District Primary Nominating Election for Board of Education Districts 2, 4 and 6; and calling for the holding, if necessary, of a General Municipal Election on April 21, 2015; and authorizing the City Clerk to enter into a contract with PUSD for the City Clerk to provide election services to the PUSD.
- (2) A resolution of the City Council of the City of Pasadena requesting the Board of Supervisors of Los Angeles County to permit the Registrar of Voters of said County to render specified services to said City relating to the conduct of a consolidated City of Pasadena and Pasadena Board of Education Primary Nominating Election to be held on March 10, 2015 and, if necessary, a General Municipal Election to be held on April 21, 2015.
- (3) A resolution of the City Council of the City of Pasadena setting forth regulations relating to candidate statements for the March 10, 2015 Primary Nominating Election and the April 21, 2015 General Municipal Election.

BACKGROUND:

Resolution Calling and Consolidating Election (First Resolution)

Section 1208 of the City Charter ("Charter") and the California Elections Code, Section 12001, provides that elections be called by ordinance or resolution. Accordingly, the first resolution stipulates general information regarding the date of the primary nominating election, offices to be elected, the method by which candidates shall be selected, time of opening and closing polls, polling places and election officers, and the canvass to be conducted by the City Clerk. The date of the City primary nominating election is established by Section 1202 of the Charter.

Section 703 of the Charter provides for the primary nominating election of the Pasadena Unified School District (PUSD) Board of Education to be held at the same time as the City primary nominating election. California Elections Code Sections 10400, et seq., permit the consolidation of elections and the Pasadena Unified School District has requested consolidation as noted in its October 9, 2014 letter (Attachment 1).

The resolution calling the election also sets forth the stipend amounts for poll workers. It is recommended that the stipend be \$110 for an inspector and \$85 for a clerk (equal to the amounts paid in the previous two election cycles). Workers receive an additional \$25 stipend for attending poll worker training and a \$15 bilingual stipend (as needed, and to be determined by the City Clerk's Office) when demonstrating proficiency in Spanish, Chinese, or Korean, the required minority languages for the Pasadena area under the Federal Voting Rights Act. It is also recommended that the custodial fee be \$15 and the polling place rental fee be \$30. Funds are available in the Election budget to cover the expenses for all stipends and fees as detailed in this agenda report.

Resolution Requesting Election Services (Second Resolution)

California Elections Code Section 10002 permits the County of Los Angeles to provide election services to cities, if requested. This second resolution is necessary in order to request that the Board of Supervisors of Los Angeles County approve certain services to be performed by the County Registrar of Voters. The requested services include access to County records identifying names and addresses of all eligible registered voters in the designated voting areas; delivery of precinct maps for consolidation of County precincts; verification of signatures on nomination papers and vote by mail ballot applications, as necessary; and providing the cost allocation formula used to determine the amounts paid by the City of Pasadena and the Pasadena Unified School District for election expenses, in accordance with the California Education Code and other applicable provisions of law. All election related services provided by the County will be billed to the City and PUSD based on a pro-rata share of costs.

Candidate Statements/Compliance with Federal Voting Rights Act (Third Resolution)

The third resolution sets forth regulations pertaining to candidate statements for the primary and general municipal elections. Candidates will be required to pay actual costs for printing candidate statements in English in the City and PUSD sample ballot pamphlet. Both the City and PUSD will absorb translation costs in complying with the Federal Voting Rights Act (as detailed in the next paragraph), including costs associated with printing candidate statements in required translated sample ballot pamphlets.

Spanish, Chinese, and Korean are languages within Pasadena and the PUSD area that have been identified by 2010 Census data and the County of Los Angeles as single-language minorities and limited-English proficient; and where 3% or more of voters in certain precincts have requested language assistance in one of these three required languages. Due to Pasadena's large Latino population, it has historically been the City's policy to print a bilingual English/Spanish sample ballot pamphlet for all voters. Chinese and Korean translated sample ballot pamphlets will be prepared for certain precincts where voters have requested translations and/or the required languages have met the 3% criterion.

Under the regulations set forth in the resolution, candidates will be required to pay a deposit for the actual costs of printing candidate statements in English. Based on current voter registration figures and a cost estimate provided by the City's election supplier, the proposed deposit amounts are as follows:

MARCH 2015 PRIMARY ELECTION								
	Mayor	Council 1	Council 2	Council 4	Council 6	PUSD 2	PUSD 4	PUSD 6
English	2600.00	300.00	650.00	650.00	300.00	650.00	650.00	650.00

Candidates who wish to include translations of their candidate statements for any languages not required to be translated and printed under the Federal Voting Rights Act shall pay estimated translation and printing costs at the time nomination papers and candidate's statements are filed, with the costs being equal to the amount required for the printing of English statements.

For the general (run-off) election, candidates electing to have a statement printed may use the same statement or they may file a new statement. A new deposit in the respective amount detailed above will be required to be filed by the deadline of Friday, March 13, 2015, with either a new candidate statement for the general election or a written request directing the City Clerk to use the same statement used in the primary election. The deadline is strictly enforced due to the limited time available for translations, proofreading, printing, affixing labels to the pamphlets, and meeting the legal requirement to have the pamphlets mailed at least three weeks in advance of the election.

The third resolution also requests the California Secretary of State's Office to conduct a randomized alphabetical drawing on Thursday, December 18, 2014, to determine the order of names on the primary election ballot, and a second drawing on Friday, March 13, 2015, to determine the order of names for the general election ballot, in the event a run-off election is required.

EARLY VOTING PROGRAM:

In an effort to better serve the voters of Pasadena and the School District, the City Clerk's Office will continue to provide an "Early Voting" option, which allows for voting in person at City Hall prior to Election Day. Registered voters can visit the Office of the City Clerk, complete a Vote by Mail (VBM) application, receive a ballot and election materials, and vote the ballot in a voting booth located in the office. The voted ballot is sealed in a VBM envelope, which is signed by the voter and returned to the Elections Official.

For the March Primary Election, voters will have the opportunity for Early Voting at the City Clerk's Office on weekdays when City Hall is open beginning Tuesday, February 24, 2015, from 8:00 a.m. to 5:00 p.m. The City Clerk's Office will also be open for Early Voting on Saturday, March 7, 2015 (the Saturday prior to Election Day), from 10:00 a.m. to 2:00 p.m., to provide those with busy work schedules an opportunity to utilize this service.

FISCAL IMPACT:

The adopted Fiscal Year 2015 Election Budget is approximately \$750,000, which includes costs for election supplies and services for both the primary and general municipal elections. Actual election costs may vary based on several factors such as the number of candidates on the ballot, an increase in voter registration, greater demand by voters to vote by mail, and the number of seats requiring a run-off election. The chart below provides a statistical comparison of relevant factors impacting the City's election related expenses:

	2011	2013	2015
Registered Voters	114,514	80,873	103,300*
Ballot Types	8	11	12
Offices/Districts Active for Election	8	7	8
Permanent Vote by Mail Voters	21,000	26,000	35,000*
Voting Precincts	71	47	61*
Candidates	17	15	28**


* Estimated numbers

** Estimated number of candidates, assumes four candidates per office

The Pasadena Unified School District will reimburse the City its pro-rated share of the costs for the primary and general elections per a formula established by the County. Funds for the City's share of election costs have been budgeted in the Fiscal Year 2015 Elections Budget Account No. 101-263000.

In the event that there is a significant increase in the anticipated budget, staff will return to the City Council after the close of the nomination period detailing the variances, and, if necessary, requesting additional funds beyond what is currently approved in the budget.

Respectfully submitted,



Mark Johns
City Clerk, CMC

Reviewed by:



Theresa Fuentes
Assistant City Attorney

Attachment 1 – Letter from PUSD

Resolutions:

Calling and Consolidating Election
Requesting Election Services from County of Los Angeles
Related to Candidate Statements/Compliance with Federal Voting Rights Act