

Agenda Report

October 24, 2016

TO: Honorable Mayor and City Council

FROM: City Clerk

SUBJECT: AUTHORIZATION TO ENTER INTO A CONTRACT WITH MARTIN & CHAPMAN COMPANY FOR PROFESSIONAL ELECTION SERVICES AND SUPPLIES FOR AN AMOUNT NOT-TO-EXCEED \$415,000

RECOMMENDATION:

It is recommended that the City Council:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;
- (2) 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 7, 2017 consolidated City of Pasadena and Pasadena Unified School District Primary Nominating Election, and the April 18, 2017, General Municipal Election for an amount not-to-exceed \$415,000; and
- (3) 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 to administer the March 7, 2017 Primary Nominating Election and the April 18, 2017 General Municipal Election, which includes typesetting and printing of official ballots and sample ballot/voter information pamphlets, as well as voting materials and supplies, including all polling place supplies and notices, in compliance with the Federal Voting Rights Act and Department of Justice requirements.

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 over 50 years of experience with Pasadena City and School District elections, Martin & Chapman is especially familiar with the City'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 in the Pasadena area 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.

SPECIAL COUNTYWIDE ELECTION ON MARCH 7, 2017

Due to unique circumstances associated with the March 7, 2017 Primary Nominating Election, the City may choose to consolidate the City and School District Elections with a proposed Special Countywide Election to be held on that same date and to be conducted by the Los Angeles County Registrar-Recorder/County Clerk as one election. If so ordered, the races for City Council Districts 3, 5, and 7, and Board of Education Districts 1, 3, 5, and 7 would be placed on the County's ballot, and nearly all facets of the election would be administered by the Registrar-Recorder/County Clerk. City staff is recommending the action to consolidate with the County, subject to the Board of Supervisors placing one or more measures on the March 7, 2017 Election ballot. As stated in the agenda report calling the 2017 Primary Nominating and General Municipal Elections, staff agrees that conducting concurrent elections (separate City and County elections on the same date) should be avoided given that such a process will likely cause voter confusion and is generally viewed as an inefficient use of public resources.

The services of Martin & Chapman Company will still be needed and utilized for the March 7th Election, even if the City consolidates with the County, though the services provided will be greatly reduced in scope and scale. Assuming said consolidation, staff is recommending the printing and mailing of a separate City and School District Supplemental Voter Information Pamphlet for voters within City Council Districts 3, 5, and 7, and Board of Education Districts 1, 3, 5, and 7. If approved, the Supplemental Pamphlet will be prepared and mailed by Martin & Chapman Company. The estimated expense for the additional pamphlet is approximately \$130,000, and includes nomination supplies and materials, election consulting services, printing and mailing of the Supplemental Pamphlet, postage, and pass-through payments from candidates for the printing of candidate statements in English (candidates are responsible for those printing costs as described). Sufficient funds are available in the Election budget to cover the proposed expenses.

Although the County prepares and mails a Sample Ballot Pamphlet of its own when conducting elections, some cities such as Burbank, Santa Monica, and Redondo Beach have in the past printed and mailed separate Supplemental Voter Information Pamphlets when consolidating with County-run elections. This ensures that City-specific races and issues are presented separately to voters, in a recognizable local election format.

Estimated Election Expenses for both consolidated and stand-alone elections:

	March Consolidated	March Stand-Alone	April General
Martin & Chapman	\$130,000	\$310,000	\$105,000
County of Los Angeles	\$235,000	\$5,000	\$2,000
Miscellaneous City Expenses	\$35,000	\$110,000	\$40,000
Total Election Expenses	\$400,000	\$425,000	\$147,000

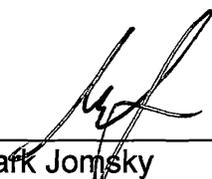
FISCAL IMPACT:

Funding for this contract is available in the approved FY 2017 Elections Budget, Account 10113002. Pursuant to the provisions of the Pasadena City Charter, Pasadena Unified School District (PUSD) consolidates the Board of Education election with the City's municipal elections, with the School District responsible for reimbursing the City its pro-rata share based on a formula determined by the County Registrar-Recorder/County Clerk, of the total Primary Nominating Election costs. If there is a run-off for City Council seats and Board of Education seats, PUSD will reimburse the City its pro-rata share for those costs as well. 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 includes 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 as a pass-through expense from the City to the vendor. The City and School District will absorb only 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