



# Agenda Report

February 15, 2018

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** CITY CLERK

**SUBJECT: ADOPTION OF RESOLUTIONS RELATED TO THE CALLING OF A SPECIAL ELECTION OF THE CITY OF PASADENA CONSOLIDATED WITH THE STATEWIDE PRIMARY ELECTION HELD ON TUESDAY, JUNE 5, 2018, TO SUBMIT A CHARTER AMENDMENT MEASURE TO CHANGE THE TIMING OF FUTURE CITY ELECTIONS, AND AMEND THE FISCAL YEAR (FY) 2018 ADOPTED OPERATING BUDGET TO COVER ELECTION RELATED EXPENSES**

**RECOMMENDATION:**

It is recommended that the City Council:

- (1) Find that the proposed action is not a project subject to California Environmental Quality Act (CEQA) as defined in Section 21065 and Section 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project;
- (2) Adopt a resolution of the City Council of the City of Pasadena calling and giving notice of a special election of the City of Pasadena on Tuesday, June 5, 2018, for the submission of a Charter amendment measure to change the timing of future City elections to occur on statewide election dates held in even years, consistent with state law;
- (3) Adopt a resolution of the City Council of the City of Pasadena requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of said special election of the City of Pasadena with the Statewide Primary Election to be held on Tuesday, June 5, 2018, and requesting the Los Angeles County Clerk/Registrar of Voters to administer said election on behalf of the City;
- (4) Adopt a resolution of the City Council of the City of Pasadena setting priorities for filing written arguments pertaining to a proposed City Charter amendment measure changing the timing of City of Pasadena elections, and directing the City Attorney to prepare an impartial analysis;
- (5) Adopt a resolution of the City Council of the City of Pasadena providing for the filing of rebuttal arguments with respect to the City of Pasadena's proposed Charter amendment; and
- (6) Amend the Fiscal Year (FY) 2018 Adopted Operating Budget by appropriating \$147,000 from the City's General Fund balance to Account No. 10113002-811400 to cover election related expenses for the June 5, 2018 special municipal election.

**BACKGROUND:**

On January 8, 2018, the City Council unanimously approved an action to submit a Charter Amendment measure for voter approval to change the timing of future City elections to occur on statewide election dates held in even years, which is consistent with the California Voter Participation Rights Act (CVPRA). In addition, the City Council decided to maintain the current format of City elections, requiring candidates for the offices of Mayor and City Council to receive a 50%+1 majority in either the statewide Primary or statewide General elections to be successfully elected. Lastly, in order to transition to statewide dates, the terms of office for the Mayor and City Council are proposed to be extended on a one-time basis by 19 months to facilitate the start of the terms in December of even years.

**Proposed Charter Changes**

At the January 23, 2018 Legislative Policy Committee meeting, staff presented proposed Charter changes to the Committee for review. Subsequently, staff met with the City Attorney's Office and outside legal counsel to review the draft language for accuracy and legal compliance. A strike-out version of the proposed Charter amendment text is attached as Exhibit A to the first resolution calling the election. Following is a section-by-section summary of the proposed changes:

- **Charter Section 401. – NUMBER AND TERM.:** Creates subsections A, B, and C, such that: Section A details the composition of the City Council, states that Councilmembers are nominated and elected by district, and establishes the term of office as four years for the Mayor and City Council; Section B preserves the City's right to call a regular election in November 2018, and details the one-time 19-month extension of terms for the current Mayor and City Council; and Section C designates the timing of the start of terms in even years for Mayor and City Council in 2020 and 2022, and respectively every four years thereafter, as well as sets the timing of the start of terms occurring at the City Council's Organizational meeting held five weeks following the November General election.
- **Charter Section 406. – THE MAYOR.:** Refers to Section 401(B), which extends the Mayor's current term of office on a one-time basis in order to transition to the statewide election cycle, and removes Charter language that is no longer necessary.
- **Charter Section 902. – PREPARATION OF BUDGET.:** Provides additional time for the Mayor to deliver the thematic budget message (State of the City Address). This is believed to be beneficial for a newly-elected Mayor when he or she takes office.
- **Charter Section 1202. – PRIMARY ELECTIONS.:** Beginning in the year 2020, changes the timing of the City's primary election to coincide with the statewide primary election dates in each even years.

- **Charter Section 1205. – GENERAL MUNICIPAL ELECTIONS.:** Creates subsections A and B, such that: Section A preserves the rights of the City to conduct a regular general municipal election in 2018; and Section B clarifies that the while the November 2018 is a regular general municipal election, no election for Mayor or Councilmembers can occur due to the transition to statewide dates.
- **Charter Section 1207. – CANVASS OF ELECTIONS.:** Sets the timing for the City Clerk to submit the canvass to the City Council for approval on the fifth Monday following the election.

Proposed Ballot Measure Language

The Legislative Policy Committee also reviewed the ballot question that will appear on the June 5<sup>th</sup> ballot. The question clarifies that the proposed changes are in response to the CVPRA adopted by the State, and also notes that the proposed extension of terms for the Mayor and City Council are required to transition from the current election timing in odd years to the proposed statewide election cycle occurring in even years. It also notes the additional time provided to the Mayor to present the thematic budget message. As with the proposed Charter changes, the ballot question has been reviewed by the City Attorney’s Office and outside legal counsel for accuracy and legal compliance. Following, is the full text of the ballot measure question:

Consistent with state law, shall the Pasadena City Charter be amended to: 1) change the City’s primary and general election dates to coincide with statewide primary and general election dates, beginning with the November 2018 general election; 2) extend the current terms for the Mayor and Councilmembers by 19 months on a one-time basis in order to transition to the statewide election cycle; and 3) change the timing of the Mayor’s thematic budget message?	<b>YES</b>	
	<b>NO</b>	

Adoption of Resolutions

Adoption of the four resolutions will accomplish the following: (1) formally call the special election for submission of the Charter amendment measure to City of Pasadena voters; (2) request the Board of Supervisors to order the consolidation of this special election with the Statewide Primary Election on Tuesday, June 5, 2018 and direct the Los Angeles County Registrar of Voters to conduct the election on behalf of the City; (3) set priority order for the filing of arguments, authorize those designated by the Mayor to file a written argument in favor of the measure and a rebuttal argument, and direct the City Attorney to prepare an impartial analysis; and (4) authorize the filing of rebuttal arguments for the measure.

**FISCAL IMPACT:**

Along with the City's proposed Charter Amendment measure to change the timing of future City elections, Pasadena Unified School District is also contemplating a similar measure to change the timing of future School District elections. The combined estimated election total for these two ballot measures to be submitted to the voters as part of the June 5, 2018 election is \$262,000. A majority of this expense is related to the printing of the Charter Amendment ballot questions and text in the County's Voter Information Pamphlet (includes the printing for each measure of the strikeout version of the amended language, primary arguments in favor and in opposition to the measure, and rebuttal arguments).

The shared total cost for two ballot measures (one for City and one for PUSD) within City of Pasadena boundaries is \$172,000. The estimated cost for the PUSD ballot measure outside of Pasadena is \$90,000. The following chart provides a breakdown of these projected election expenses:

<i>Voter Count</i>		<i>CITY/PUSD</i>	<i>PUSD ADDED</i>
Registered Voters (RV)		82407	43730
Permanent Vote By Mail (PVBM)		38685	19196
<b><i>Processing Fees</i></b>	<b><i>Fee Breakdown</i></b>		
Election Operations ( <i>fees * (RV - PVBM)</i> )	\$2 2969 * 68256	\$100,425 06	\$56,352 14
Vote By Mail Processing ( <i>fees * PVBM</i> )	\$0 9956 * 38685	\$38,514 79	\$19,111 54
<b><i>Sample Ballot Processing and Printing Fees</i></b>			
Measures(s) ( <i>fees * No. of Measures * (RV - PVBM)</i> )	\$0 0087 * 2 * 68256	\$760 76	\$213 45
Measure Text ( <i>fees * No. of Text Pages for all measures * (RV - PVBM)</i> )	\$0 0350 * 16 * 68256	\$24,484 32	\$6,869 52
<b>TOTAL (without Election Preparation Cost)</b>		<b>\$164,184.93</b>	<b>\$82,546.65</b>
<b>Election Preparation Cost (One time per jurisdiction)</b>		\$7,595.31	\$7,595.31
<b>TOTAL PER JURISDICTION</b>		<b>\$171,780.24</b>	<b>\$90,141.96</b>
<b>TOTAL</b>		<b>\$261,922.20</b>	

Currently, there is \$115,000 of undesignated funds remaining in the City Clerk's adopted budget for a Charter study committee. Staff plans to utilize the remaining funds to cover a portion of the anticipated costs for the June 5, 2018 special election. In order to cover the remaining election expenses, the City Council is asked to appropriate an additional \$147,000 to Account No. 10113002-811400 from the City's General Fund balance. PUSD will be invoiced its share of the costs after all invoices for the special municipal election have been received and costs tabulated.

Respectfully submitted,



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Mark Jorisky, CMC  
City Clerk

Resolutions:

Calling and Consolidating Election  
Requesting Election Services from County of Los Angeles  
Setting Priorities for Filing Arguments and Rebuttals  
Authorizing the Filing of Rebuttal Arguments