



Agenda Report

February 15, 2018

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: CITY CLERK

SUBJECT: ADOPTION OF RESOLUTIONS CALLING A SPECIAL MUNICIPAL ELECTION OF THE PASADENA UNIFIED SCHOOL DISTRICT CONSOLIDATED WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON TUESDAY, JUNE 5, 2018, FOR THE PURPOSE OF SUBMITTING A CHARTER AMENDMENT MEASURE TO CHANGE THE TIMING AND FORMAT OF FUTURE SCHOOL DISTRICT ELECTIONS

RECOMMENDATION:

It is recommended that the City Council, on behalf of the Pasadena Unified School District, take the following actions:

(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 municipal election of the Pasadena Unified School District to be held in said City and in the territory annexed thereto for Pasadena Unified School District purposes on Tuesday, June 5, 2018, for the purpose of submitting a Charter amendment measure to change the timing and format of future School District elections to occur on Statewide General 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 municipal election of the City of Pasadena and the territory annexed thereto for Pasadena Unified School District purposes 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 School District;

(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 to change the timing and format of future Pasadena Unified School District elections, and directing the City Attorney to prepare an impartial analysis; and

(5) Adopt a resolution of the City Council of the City of Pasadena providing for the filing of rebuttal arguments with respect to the Pasadena Unified School District proposed Charter amendment measure.

BACKGROUND:

On January 25, 2018, the Board of Education unanimously an action to submit a Charter Amendment measure for voter approval to change the timing of future School District elections to occur on Statewide General election dates held in even years, consistent with the California Voter Participation Rights Act (CVPRA). In addition, it was agreed that Charter Amendment would propose to change the format of electing Board of Education members to the plurality voting format, with successful candidates required to receive the most votes for each Board race at the Statewide General election to be elected. Lastly, in order to transition to statewide dates, the terms of office of the Board of Education are proposed to be extended on a one-time basis by 19 months.

Proposed Charter Changes

At an informal meeting with three Board Members, staff presented the proposed Charter changes for the Board Members' 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 702. – TERM OF OFFICE.:** Creates subsections A, B, and C, such that: Section A establishes the term of office as four years for the Board of Education; Section B details the one-time 19-month extension of terms for current Board Members; and Section C designates the timing of the start of terms in even years for Board of Education representing geographic sub-districts 2, 4, and 6 in 2020 and geographic sub-districts 1, 3, 5, and 7 in 2022, and respectively every four years thereafter. In addition, it sets the timing of the start of terms for newly-elected Board of Education at the organizational meeting occurring five weeks following the November General election.
- **Charter Section 703. – ELECTION.:** Changes the format of future Board of Education elections to the plurality voting format to occur on statewide general election dates in even years, and removes Charter language that is no longer necessary.
- **Charter Section 706. – ELECTION AT THE GENERAL ELECTION.:** Provides the details regarding the plurality voting method to be used to elect Board of Education members at statewide general elections in even years. Removes Charter language detailing the Primary/General election format that is no longer necessary.
- **Charter Section 707. – CANVASS OF ELECTIONS.:** Sets the timing for the City Clerk acting in his or her capacity as Assistant Secretary to the Board of Education to submit the canvass for approval on the fifth Tuesday following the statewide general election.

- **Charter Section 709. – MEETINGS OF THE BOARD OF EDUCATION.:** Changes the timing for the start of terms and the annual organizational meeting of the Board of Education to the fifth Tuesday after the statewide general election held in even years.
- **Charter Section 710. – ANNUAL ADDRESS BY PRESIDENT OF THE BOARD OF EDUCATION.:** Changes the timing of the Board President’s State of the Schools Address to occur at the end of the school year.
- **Charter Section 713. – GEOGRAPHIC SUB-DISTRICTS.:** Removes language of sub-section A that is no longer necessary, and renames sub-sections A-F.

Proposed Ballot Measure Language

Staff also prepared the ballot measure question that will appear on the June 5th ballot. The question clarifies that the proposed changes are in response to the CVPRa adopted by the State, changes the timing and format of Board of Education elections, and proposes the extension of terms of the Board of Education as required to transition from the current election timing in odd years to statewide general election dates occurring in even years. It also notes the change in timing of the Board President’s annual address. As with the proposed Charter amendment language, 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 Pasadena Unified School District’s election dates to coincide with statewide general election dates utilizing plurality voting, beginning with the November 2020 general election; 2) extend the current terms of Board Members by 19 months on a one-time basis in order to transition to the statewide election cycle; and 3) change the timing of the Board President’s State of the School address?	YES	
	NO	

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 Pasadena Unified School District 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; (3) set priority order for the filing of arguments, authorize those designated by the Board President 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:

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
<i>Processing Fees</i>	<i>Fee Breakdown</i>		
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
<i>Sample Ballot Processing and Printing Fees</i>			
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
TOTAL (without Election Preparation Cost)		\$164,184.93	\$82,546.65
Election Preparation Cost (One time per jurisdiction)		\$7,595.31	\$7,595.31
TOTAL PER JURISDICTION		\$171,780.24	\$90,141.96
TOTAL		\$261,922.20	

PUSD will be invoiced the School District's share of the costs for the special municipal election after all invoices have been received and costs tabulated.

Respectfully submitted,



 Mark Jonsky, 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