

Agenda Report

January 8, 2018

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: CITY CLERK
SUBJECT: DETERMINATION ON THE FUTURE FORMAT OF CITY ELECTIONS TO BE HELD ON STATEWIDE ELECTION DATES IN EVEN YEARS CONSISTENT WITH THE CALIFORNIA VOTER PARTICIPATION RIGHTS ACT (CVPRA) AND DIRECTION TO STAFF TO PREPARE APPROPRIATE CHARTER AMENDMENT BALLOT MEASURE LANGUAGE TO BE SUBMITTED FOR VOTER APPROVAL AT THE JUNE 5, 2018 STATEWIDE PRIMARY ELECTION

RECOMMENDATION:

It is recommended that the City Council:

- (1) Find that the proposed action is exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15061(b)(3) ("General Rule");
- (2) Determine an agreed upon format for future City elections to occur on statewide election dates in even years consistent with the California Voter Participation Rights Act (CVPRA), from the following options:
 - Option A:** Continue to utilize the current Primary and General election format for the offices of Mayor and members of the City Council, requiring the successful candidate for any office to receive a 50%+1 majority to be elected in either the Primary or General elections held in even years, necessitating a one-time 19-month extension of the current terms of the Mayor and members of the City Council to facilitate the transition to statewide election dates; or
 - Option B:** Transition to plurality voting for the offices of Mayor and members of the City Council, wherein the successful candidate for any office must receive the highest number of votes for that office to be elected, with the election to occur on:
 1. Statewide Primary election dates, requiring a one-time 11-month extension of the current terms for the Mayor and members of the City Council to facilitate the transition to statewide election dates; or
 2. Statewide General election dates, requiring a one-time 19-month extension of the current terms for the Mayor and members of the City Council to facilitate the transition to statewide election dates
- (3) Direct staff to prepare appropriate Charter Amendment language consistent with the City Council's determination related to the future format of City elections, with the Charter Amendment measure to be submitted for voter approval at the June 5, 2018 Statewide Primary Election.

BACKGROUND:

At the October 16, 2017 Council meeting, the City Council agreed by informal "straw poll" vote to change the timing of future City elections to be consistent with the CVPRA. At the December 11, 2017 meeting, the City Council adopted a resolution to formalize this intent regarding the future timing of City elections. The City Council must now determine the details of the changes associated with the CVPRA; whether the Charter Amendment measure to submit for voter approval will maintain the current election format of Primary and Runoff elections to ensure a 50%+1 majority winner in each race, or transition to plurality elections where the highest number of votes cast for one candidate in each race is needed to be elected.

Options to Consider

Currently, the City's Primary and General elections occur in March and April of odd years for the offices of Mayor and members of the City Council. A successful candidate for any office must receive a 50%+1 majority in that race to be elected. If a majority winner is not determined in the Primary election, a General (run-off) election is held for the top two candidates receiving the highest number of votes in the Primary.

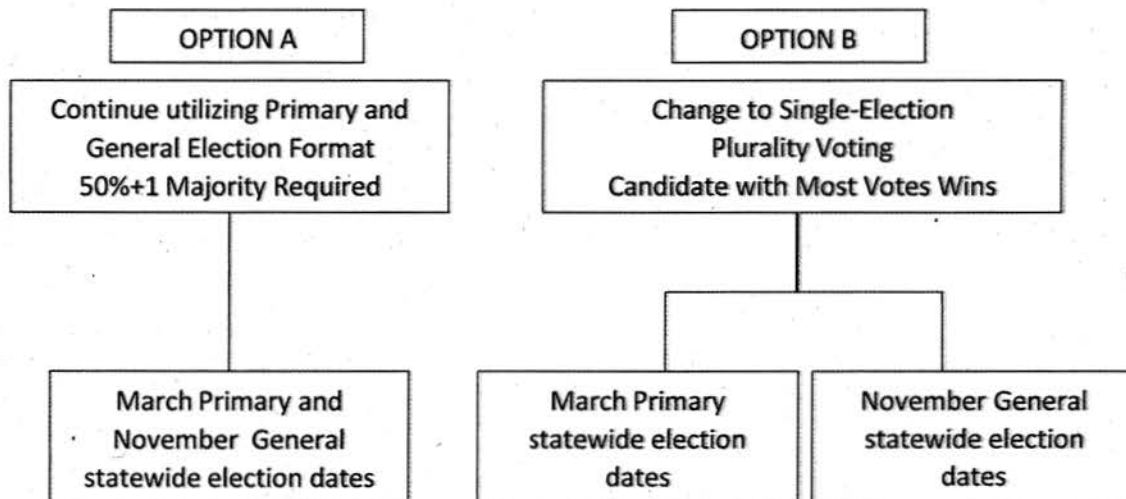
In considering changes to the timing of City elections and transitioning to statewide dates, the City Council has also discussed the potential for changing the format of City elections. The two options that were primarily discussed were either to maintain the current format of elections (Option A), or transition to a plurality format (Option B), as follows:

Option A: Maintain the current Primary and General election format for the offices of Mayor and City Council:

- City Primary election date (held in March of odd years) is moved and consolidated with statewide Primary election date (held in March of even years);
- City General election date (held in April of odd years) is moved and consolidated with statewide General election date (held in November of even years);
- A successful candidate for the Office of Mayor or for any City Council District race must receive a 50%+1 majority in either the statewide Primary election or the statewide General election (the General election will include only the top two candidates receiving the highest number of votes in the Primary);
- Change the starting time of the term of office for the Mayor and City Council from May of odd years to December of even years, thereby extending the current terms of office for Mayor and City Council by 19 months to facilitate the one-time transition to the statewide election cycle.

Option B: Utilize plurality voting for Mayoral and City Council district elections:

- A successful candidate for Mayor or any City Council district race must receive the highest number of votes cast for that race at a single election;
- Determine if Mayoral and City Council district elections should consolidate with, and occur on, statewide Primary election dates (March of even years), or on statewide General election dates (November of even years);
- Change the starting time of the term of office for the Mayor and City Council from May of odd years to either April of even years (Statewide Primary), or December of even years (Statewide General); and
- Extend current terms of office for Mayor and City Council by either 11 months (if Primary election) or 19 months (if General election).



Voter Choice Option

It has also been suggested that the decision regarding the format of future City elections should be determined by the voters. If such an approach was approved by the City Council, the City could submit a multi-question ballot measure for the voters to consider, with the questions likely to be framed in some fashion similar to the following:

- I. Shall the City Charter be amended to change the timing of future City elections to coincide and consolidate with statewide election dates held in even years to be consistent with state law?
- II. If the change in timing is approved, shall the format for future City elections be: (VOTE FOR ONE OPTION ONLY)
Primary and General Run-off Option: Continue to maintain the current Primary and General election format for the offices of Mayor and members of the City Council, requiring the successful candidate for any office to receive a 50%+1 majority to be elected in either the Primary or General elections held in even years, necessitating a one-time 19-month extension of the current terms of the Mayor and members of the City Council to facilitate the transition to statewide election dates

Statewide Primary Plurality Option: Transition to plurality voting for the offices of Mayor and members of the City Council, where the successful candidate for any office must receive the highest number of votes for that office to be elected, with the election to occur on Statewide Primary election dates, requiring a one-time 11-month extension of the current terms for the Mayor and members of the City Council to facilitate the transition to statewide election dates

Statewide General Plurality Option: Transition to plurality voting for the offices of Mayor and members of the City Council, where the successful candidate for any office must receive the highest number of votes for that office to be elected, with the election to occur on Statewide General election dates, requiring a one-time 19-month extension of the current terms for the Mayor and members of the City Council to facilitate the transition to statewide election dates

Next Steps

Once a determination has been made on how to move forward with the transition to statewide election dates, the following represents a tentative timeline for future next steps needed to finalize the proposed Charter Amendment language and submit the issue for voter approval at the June 5, 2018 Statewide Primary Election:

- January 23, 2018 – Legislative Policy Committee to review proposed Charter Amendment Language
- February 15, 2018 – Joint meeting of City and PUSD to finalize Charter Amendment Language and direct City Clerk to bring back resolutions calling election
- February 26, 2018 – City Council to adopt resolutions calling a special election submitting Charter Amendment measures to the voters for approval at the June 5, 2018 Statewide Primary Election

Pasadena Unified School District

On December 14, 2017, the Pasadena Unified School District (PUSD) Board of Education considered its own plan regarding the CVPRA and adopted a resolution stating its intent to transition to statewide dates. The School Board is now preparing to consider the question of the format of future Board of Education elections at the January 11, 2018 Board meeting. Staff will report back to the City Council on the outcome of PUSD's deliberations.

FISCAL IMPACT

As detailed above, an action to amend the City Charter requires voters to approve the changes to the Charter, with staff recommending that this occur at the June 5, 2018 Statewide Primary Election. If the City Council approves an action to proceed with a special election, staff will return with the appropriate resolutions calling the election, as well as a request for funds to cover anticipated election expenses.

Respectfully submitted,



Mark Jonsky, CMC
City Clerk