

Agenda Report

July 9, 2018

TO: Honorable Mayor and City Council

FROM: City Clerk

SUBJECT: ADOPTION OF A RESOLUTION ACCEPTING THE CERTIFICATE OF CANVASS OF ELECTION RETURNS AS PREPARED AND CERTIFIED BY THE LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK FOR THE PASADENA SPECIAL MUNICIPAL ELECTION CONSOLIDATED WITH THE JUNE 5, 2018 STATEWIDE GUBERNATORIAL PRIMARY ELECTION

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; and
- (2) Adopt a resolution accepting the Certificate of Canvass of Election Returns (Exhibit A to the resolution) as prepared and certified by the Los Angeles County Registrar-Recorder/County Clerk for the Pasadena Special Municipal Election, which was consolidated with the Statewide Gubernatorial Primary Election held on June 5, 2018.

BACKGROUND:

On February 15, 2018 and February 26, 2018, the City Council placed four ballot measures on the June 5, 2018 Statewide Election ballot: Measures AA and BB, City Charter amendment measures changing the timing of Mayor, City Council, and Pasadena Unified School District Board of Education elections; and Measures CC and DD, City ordinance measures allowing for a limited number of commercial cannabis businesses to operate in Pasadena, repealing the City's ban on commercial cannabis businesses, and establishing a tax on commercial cannabis activities.

Following the June 5, 2018, the Los Angeles County Registrar-Recorder/County Clerk canvassed the votes cast in the City of Pasadena, and Pasadena Unified School District, and certified the election results for the four measures, as follows:

Measure AA

Shall the Pasadena City Charter be amended consistent with state law 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) move the Mayor's thematic budget message to February?

The election resulted in the passage of Measure AA by the following vote:

Yes: 21,470 votes (83.01 %) No: 4,394 votes (16.99 %)

Measure BB

Shall the Pasadena City Charter be amended consistent with state law to: 1) change the Pasadena Unified School District's election dates to coincide with statewide general election dates, utilizing the plurality voting format, 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 annual address to May?

The election resulted in the passage of Measure BB by the following vote:

Yes: 34,549 votes (85.07 %) No: 6,064 votes (14.93 %)

Measure CC

Shall an ordinance be adopted to allow a limited number of commercial cannabis businesses to operate in Pasadena, subject to business, health and land use regulations, and to repeal the City of Pasadena's current ban on commercial cannabis businesses, provided that: (1) the ordinance shall not take effect unless voters approve a Cannabis Business Tax, and (2) the City Council retains authority to amend existing ordinances and adopt future ordinances regarding commercial cannabis business activities?

The election resulted in the passage of Measure CC by the following vote.

Yes: 16,099 votes (60.82 %) No: 10,370 votes (39.18 %)

Measure DD

Shall the City tax cannabis (marijuana) businesses at annual rates not to exceed \$10.00 per canopy square foot for cultivation (adjustable for inflation), 6% of gross receipts for retail cannabis businesses, and 4% for all other cannabis businesses to fund unrestricted general revenue purposes such as police, fire, roads and recreation; which is expected to generate an estimated \$1.4 to \$2.1 million annually and will be levied until repealed by the voters or City Council?

The election resulted in the passage of Measure DD by the following vote:

Yes: 19,699 votes (75.95 %) No: 6,237 votes (24.05 %)

Attachment A to the agenda report is Ordinance No. 7326, adopted by a vote of the people, creating commercial cannabis regulations and repealing of the City's ban on commercial cannabis businesses. Attachment B to the agenda report is Ordinance No. 7327, adopted by a vote of the people, imposing a Cannabis Business Tax. Following the City Council's acceptance of the Los Angeles County Registrar's certification of election results, both ordinances will be codified and incorporated in the Pasadena Municipal Code.

In addition, the City Clerk's staff will file with the California Secretary of State's Office the certified election results, along with the amendments to the Pasadena City Charter as approved by voters of the City of Pasadena and Pasadena Unified School District, and coordinate a reprint of the full City Charter, 2018 Edition.

FISCAL IMPACT:


The June 5, 2018 Special Municipal Election was conducted by the Los Angeles County Registrar-Recorder/County Clerk (RRCC) as a consolidated election on behalf of the City and the Pasadena Unified School District. The total cost for the consolidated election is estimated as follows:

<i>Voter Count</i>		<i>CITY/PUSD</i>	<i>PUSD ONLY</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>Processing Fees Subtotals</i>		\$138,939 85	\$75,463 68
<i>Sample Ballot Processing and Printing Fees</i>			
Measures(s) (<i>fees * No. of Measures * (RV - PVBM)</i>)	\$0 0087 * 4 * 68256	\$1,521 53	\$213 45
Measure Text (<i>fees * No. of Text Pages for all measures *(RV - PVBM)</i>)	\$0 0350 * 32 * 68256	\$48,968 64	\$6,869 52
TOTAL (without Election Preparation Cost)		\$50,490.17	\$7,082.97
Election Preparation Cost (One time per jurisdiction)		\$7,595.31	\$7,595.31
TOTAL PER JURISDICTION		\$197,025.32	\$90,141.96
TOTAL ESTIMATED ELECTION COST		\$287,167.28	

Sufficient funds are available in the City Clerk's Fiscal Year 2018 Operating Budget, Account No. 10113002-811400, to cover these expenses. The Pasadena Unified School District will be billed for the portion of election expenses incurred outside the City of Pasadena, which is estimated to be \$90,142.

As stated above, the City Clerk's Office will coordinate a reprint of the Pasadena City Charter, 2018 Edition. The estimated cost to reprint the City Charter is expected to be less than \$10,000. Sufficient funds are available in the City Clerk's Fiscal Year 2019 Operating Budget, Account No. 10113006-860700, to cover these expenses.

Respectfully submitted,



Mark Jomsky, CMC
City Clerk

Attachments:

Attachment A - Ordinance No. 7326

Attachment B - Ordinance No. 7327

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