



# Agenda Report

October 20, 2014

**TO:** Honorable Mayor and City Council

**FROM:** City Clerk

**SUBJECT: AUTHORIZATION TO ENTER INTO CONTRACT WITH MARTIN & CHAPMAN COMPANY FOR PROFESSIONAL ELECTION SERVICES AND SUPPLIES FOR AN AMOUNT NOT TO EXCEED \$445,000**

**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 10, 2015 consolidated City of Pasadena and Pasadena Unified School District Primary Nominating Election, and the April 21, 2015, General Municipal Election for an amount not to exceed \$445,000; 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, which includes typesetting and printing of official ballots and sample ballot pamphlets; election materials and supplies, including all polling place supplies and notices, translated into Spanish, Chinese, and Korean for full compliance with the Federal Voting Rights Act as required by the Department of Justice; vote by mail supplies; delivery and pickup of precinct supplies; state-approved ballot tally software; etc.

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 been the City's primary election supplier for over 60 years, Martin & Chapman is especially familiar with the City of Pasadena'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 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 short, no other election supplier has the combination of experience, location, and expertise specific to the City of Pasadena and Pasadena Unified School District.

To comply with the Federal Voting Rights Act ("FVRA"), the City utilizes recent census data and language assistance information provided by the Los Angeles County Registrar Recorder to identify those voting precincts that meet the minimum 3% threshold of a single language minority 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, while preparing bilingual English/Chinese and English/Korean sample ballot pamphlets 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 of Los Angeles County are able to navigate through the voting process at City and PUSD polling locations. Ballots, ballot materials, instructions, signage, etc., prepared by Martin & Chapman are all provided uniformly to comply with DOJ standards.

An additional area where Martin & Chapman's years of experience and election expertise will be an important asset during the the upcoming 2015 election cycle is related to the new election method for the Pasadena Unified School District. In June 2012, the voters of PUSD approved a Charter Amendment Measure changing the voting format for the Board of Education from an at-large election process to a geographic sub-district process. This change creates an entirely new overlay of City and PUSD election boundaries (similar to the 2013 election cycle), with new voting districts and increases in the number of ballot groups necessary to accommodate the consolidated elections. City Clerk staff have been meeting with Martin & Chapman, the City's GIS team, and the Los Angeles County Registrar of Voters to implement changes to the new voting districts. This work will proactively ensure that potential issues related to the new voting districts will be fully mitigated and addressed.

**FISCAL IMPACT:**

Martin & Chapman Company submitted a proposal for election services in the amount of \$544,000 to cover the cost of service for both the March and April 2015 Primary and General Municipal elections. The vendor's proposal is an estimate based on a number of unknown factors (e.g. number of candidates on the ballot, number of candidate statements to print, number of seats requiring run-off election, etc.) that will be more determinable following the close of the candidate nomination period. Rather than request maximum funds at this time, staff is recommending that the City Council approve a contract amount of \$445,000 with Martin & Chapman Company, which is available as part of the adopted Fiscal Year 2015 Elections Budget, Account No. 101-263000. In the event there is a need for additional funds to cover increased costs for election services, staff will return to the City Council after the close of the nomination period detailing the variances, request an increase to the contract amount, and, if necessary, request that additional funds be added to the FY 2015 Election Budget.

The Pasadena Unified School District (PUSD) consolidates the Board of Education election with City's municipal election, and PUSD reimburses the City its pro-rata share, based on a formula determined by the County, of the total primary election costs. In the event of a run-off election for the Mayor or City Council seats and any Board of Education seats, PUSD will again reimburse the City its pro-rata share. Should a run-off election be necessary for the Board of Education only, or for the City 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. There is no anticipated impact to other City operational programs as a result of this action.

The total estimated cost of this contract excludes the printing of candidate statements in English or any other language not required by the Federal Voting Rights Act, which will be billed to and paid by the candidates. The City and School District absorb the portion of costs for printing candidate statements in required languages in compliance with the Federal Voting Rights Act.

Respectfully submitted,

  
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Mark Jorns  
City Clerk, CMC

Reviewed by:

  
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Theresa Fuentes  
Assistant City Attorney