

## McMillan, Acquanette (Netta)

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**From:** Martin Gordon  
**Sent:** Wednesday, December 14, 2022 7:07 PM  
**To:** PublicComment-AutoResponse; Gordo, Victor; Williams, Felicia; Rivas, Jessica; Masuda, Gene; Hampton, Tyron; Madison, Steve; Lyon, Jason  
**Subject:** Special Meeting for District 3 appointment

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Political Dumbo 2.0

IS THERE VOTER SUPPRESSION IN PASADENA?

Senator Warnock talked about voter suppression after his victory and Georgia's voters ability to overcome it.

It made it even more clear that the current charter in Pasadena which applies to the upcoming council appointment is the city's form of voter suppression. It allows the council to vote without conscience or guidelines in any way they see fit for the council's benefit and not the people. It is one of the highest forms of voter suppression we have experienced in Pasadena ever.

The Mayor recently stated that he is impressed by an applicant's 5 year plan for himself but, makes no mention of the candidate's IQ on issues facing District 3. Duh! What is it that the council is doing here? Is this an interview for a job with the city? If so, send the applicants to the HR dept. and create this appointment as a job. Then interview for what is best for this new job, instead of pretending this is representation for District #3.

This appointment process has been bizarre and disconnected from the community. There has been little talk about the issues facing district 3 and an applicant's qualifications and work on those issues in the District. Transparency is right, but it is the Council who must be transparent. Is this appointment about the will of the people of District 3 or the Council's wish to round out the council to benefit their agenda without regard to the wishes of District 3? With two African American men competing for the job all of a sudden there is a call for an arrest record report by the self-appointed voice of the council. How insulting is this to the African American applicants? Has this ever happened in a process involving white applicants (of course not)? With the propensity for AA men in particular to be falsely accused and arrested what would be the purpose? To further highlight the divide between the community and the PPD? Is this the Pasadena version of provide your birth certificate? Should we now request that every council member have an arrest record report? That might be quite interesting!!!!

A significant group of District 3 residents feel that Mr. Lamar is the de facto council member of District 3 based on his ongoing work and advocacy for the community. The Council never explained its choice for District 3 councilmember to the community in its first appointment but now it is suggested they would need to explain a vote in favor of community will if a different applicant is chosen? That burden does not exist and is contrived to avoid the real issue. Will you vote the will of the people or your own agenda. This is a soul search for each council member.

The council will do what it does as they have no guideline or restraint on their authority under the current charter. But, make no mistake this is just wrong! Yes, the charter must be changed. Yes, there should have been a special election. This issue will return for the upcoming election cycle as a few councilmembers eye higher office and will potentially leave vacant council seats. Will you want an election then or be satisfied that the council to choose your district rep or that whoever is the rotating vice mayor become the new mayor? Once again Steve Madison is on the right track. We need to immediately begin to look at the Charter, clean it up so we don't have another fiasco and outright voter suppression again! A community member asked: do you think this would ever happen in District 7? Good question!

Applicants, this is not your issue. Please come forward on December 15th and make your case that you are the best applicant to represent the interests of the people of District 3. District 3 and the entire city of Pasadena will be watching.

12/15/2022

Item 3

In speaking to colleagues throughout the country they say this is actually a bigger deal than we realize. Voter suppression is real and on the rise. Will Pasadena become the next test case?

Martin A. Gordon  
Pasadena Community Coalition

Sent from my iPad

## McMillan, Acquanette (Netta)

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**From:** Yadi  
**Sent:** Tuesday, December 13, 2022 1:31 PM  
**To:** PublicComment-AutoResponse  
**Subject:** Public Comment - Pasadena City Council Special Meeting 12/15/22  
**Attachments:** Public Comment - Pasadena City Council 12-15-2022 District 3 Appointment.pdf

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Hi,

Please find attached my public comment for the December 15, 2022 Pasadena City Council Special Meeting, agenda item 3. Appointment of District 3 Councilmember.

Thanks,

Yadi  
(Attachments: 1)

## **Pasadena City Council appointment of District 3 Councilmember disenfranchises voters and is undemocratic.**

### **Amend the City Charter\* and allow special elections to fill vacancies.**


\*The Charter's Vacancy—Appointment clause has already been amended...twice.

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Yadi  
Pasadena City Council Special Meeting  
December 15, 2022  
3. Appointment of District 3 Councilmember

## **Pasadena City Council Seat To Be Filled by Appointment. Should It Be?**

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 [coloradoboulevard.net/pasadena-city-council-seat-to-be-filled-by-appointment-should-it-be/](https://coloradoboulevard.net/pasadena-city-council-seat-to-be-filled-by-appointment-should-it-be/)

By Sean McMorris

December 19, 2020

**Article IV, Section 404 of the Pasadena City Charter states that vacated City Council seats *SHALL* be filled by appointment agreed upon by a majority of the Council or by chosen lot if the Council does not come to a majority agreement.**

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***By Sean McMorris***

A Pasadena City Council seat must be filled within 75 days from the time the seat is vacated. The appointee holds the seat until it is filled at the next general municipal election where the appointee may run as an incumbent candidate.

Newly elected Pasadena Mayor Victor Gordo's vacated City Council seat must be filled within the next 3 months. It will not be filled by a majority of voters in District 5, but by the City Council. The appointed councilmember then holds office until the City's next general election. This means that District 5 residents will have an unelected councilmember representing them for roughly two years. That may rub some Pasadena District 5 residents the wrong way.

Filling vacant city council seats by appointment is not uncommon, but many would argue it is not ideal. It seems counter to democratic principles. An incumbent almost always has a campaign fundraising advantage and, consequently, an increased likelihood of winning re-election. There is also the danger of cronyism or corruption, or its appearance, when filling elected seats by appointment. For that reason, Alhambra residents recently voted for comprehensive election reforms that included, amongst other things, a clause that requires that vacant city council seats be filled by special or general election.

For context, general law cities, which are cities governed by municipal laws in the state's constitution, may fill vacant city council seats either by appointment or election. General law cities comprise over 70% of all California cities but a little less than half the state's population. Charter cities, like Pasadena, are often larger and create their own municipal codes that do not have to adhere to municipal laws prescribed in the state's constitution, so long as the charter does not violate federal and non-municipal state laws.

Thus, most California cities may fill city council vacancies by appointment, like Pasadena, OR special election, unlike Pasadena. **Not allowing the option to hold an election to fill avacant city council seat seems unduly restrictive and, quite frankly, undemocratic.**

**In comparison to Pasadena, all surrounding cities may fill city council vacancies by election.** South Pasadena, San Marino, San Gabriel, Monterey Park, La Canada Flintridge, Sierra Madre, and Rosemead are all general law cities, and none of them have ordinances that require the filling of city council vacancies by appointment.

Arcadia, Temple City, Glendale, and Los Angeles are charter cities. All of them, except Alhambra, allow council vacancies to be filled by appointment or election. Alhambra's charter requires that city council vacancies be filled via special or general election.

**Pasadena is the only city in the immediate area that mandates in its charter that vacant city council seats be filled by appointment.**

If Pasadenans want this to change, then a charter amendment ballot measure is likely required. The Pasadena charter's Vacancy—Appointment clause has been amended twice by the people at the ballot box, in 1993 and 1998.