

**RESOLUTION NO. CC-0204-030**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF LAWDALE CALIFORNIA,  
RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION  
HELD ON APRIL 9, 2002, DECLARING THE RESULT  
AND SUCH OTHER MATTERS AS PROVIDED BY LAW**

WHEREAS, a General Municipal Election was held and conducted in the City of Lawndale, California, on Tuesday, April 9, 2002, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, pursuant to Resolution No. CC-0111-105 adopted November 5, 2001, the Assistant City Clerk, the City's Elections Official canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAWDALE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the whole number of ballots cast in the precincts except absent voter ballots and provisional ballots was 971.

That the whole number of absent voter ballots cast in the City was 472, the whole number of provisional ballots cast in the City was 6, making a total of 478 ballots cast in the City.

SECTION 2. That the names of persons voted for at the election for Mayor were as follows:

Harold E. Hofmann  
Enrique "Kiko" Salazar  
Fred Siegel

That the names of persons voted for at the election for Member of the City Council were as follows:

Kenneth Bryant  
Gary M. McDonald  
David J. Murry, Sr.  
James D. "Jim" Ramsey  
Larry Rudolph

That the names of the persons voted for at the election for City Clerk were as follows:

Ilona Grothe  
Paula Hartwill  
Uffe Moller

That the measures voted upon at the election were as follows:

MEASURE A

Shall the utility users tax, Ordinance No. 757-94, adopted by the City Council on June 16, 1994, be continued (and ratified) in order to maintain essential city services such as police and fire protection, street and sidewalk maintenance, parks, and senior and youth programs, as well as the exemptions from the tax for senior citizens, the disabled, very low income families, and residents of certain government assisted housing?

MEASURE B

Advisory Measure Only

Shall the City of Lawndale continue to permit the sale and use of safe and sane fireworks during the 4th of July holiday?

SECTION 3. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates and for and against the measures were as listed in Exhibit "A" attached.

SECTION 4. The City Council does declare and determine that:

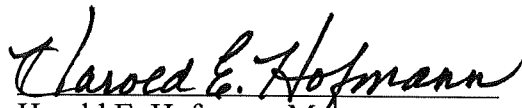
- A) Harold E. Hofmann was elected as Mayor for the full term of two years;
- B) Larry Rudolph was elected as Member of the City Council for the full term of four years;
- C) James D. "Jim" Ramsey was elected as Member of the City Council for the full term of four years;
- D) Paula Hartwill was elected as City Clerk for the full term of four years; and
- E) As a result of the election, a majority of the voters voting on the measure relating to the City's Utility Users Tax, Measure A, did vote in favor of it, and that the measure was carried, and shall be deemed adopted and ratified.
- F) As a result of the election, a majority of the voters voting on the measure relating to the sale and discharge of "safe and sane" fireworks, Measure B, did vote in favor of it, and that the measure was carried, and shall be deemed adopted and ratified.

SECTION 5. The Assistant City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) the whole number of ballots cast in the City; (2) the names of the persons voted for; (3) the measures voted upon; (4) for what office each person was voted for; (5) the number of votes given at each precinct to each person, and for and against each measure; (6) the total number of votes given to each person, and for and against each measure.

SECTION 6. The Assistant City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the Assistant City Clerk and authenticated; that the Assistant City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED on the 23rd day of April, 2002.

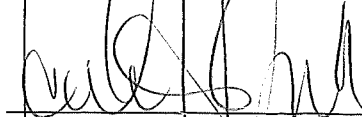
  
Harold E. Hofmann, Mayor

ATTEST:

State of California )  
County of Los Angeles ) SS  
City of Lawndale )

I, Paula Hartwill, City Clerk of the City of Lawndale, do hereby certify that the foregoing Resolution No. CC-0204-030 was duly approved and adopted by the City Council of the City of Lawndale at an adjourned regular meeting of said Council held on the 23rd day of April, 2002, by the following roll call vote:

AYES: Hofmann, McKee, Rudolph, Rhodes, Roth  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
Paula Hartwill, City Clerk

APPROVED AS TO FORM

  
William W. Winder, City Attorney

## ELECTION OFFICIAL'S CERTIFICATE OF CANVASS


I, Pamela L. Giamario, Assistant City Clerk of the City of Lawndale, authorized by Resolution No. CC-0111-105, adopted by the City Council on November 5, 2001, do certify that I have canvassed the returns of the General Municipal Election held on April 9, 2002, and find that the number of votes given at each precinct and the number of votes given in the City to persons voted for, the respective offices for which the persons were candidates, and the number of votes given for and against the measures were as follows:

### VOTES CAST - FINAL TABULATION

	PRECINCTS						2nd Run AV, Provisional	TOTAL VOTES CAST
	1	4	6	7	12	1st Run AV		
<b>MAYOR</b>								
Harold E. Hofmann	175	91	160	163	113	292	67	1,061
Fred Siegel	48	43	34	39	38	80	16	298
Enrique "Kiko" Salazar	2	2	8	16	4	6	2	40
<b>MEMBER OF CITY COUNCIL</b>								
Larry Rudolph	161	96	121	130	88	257	62	915
James D. "Jim" Ramsey	94	42	68	109	66	142	22	543
Gary M. McDonald	90	46	81	69	57	150	20	513
David J. Murry, Sr.	36	33	54	52	35	94	27	331
Kenneth Bryant	32	9	33	21	25	38	8	166
<b>CITY CLERK</b>								
Paula Hartwill	104	53	106	113	66	201	43	686
Uffe Moller	79	47	59	69	56	99	22	431
Ilona Grothe	39	35	34	33	27	66	14	248
<b>MEASURE A - Utility User's Tax</b>								
Yes	175	98	147	170	114	325	69	1,098
No	47	35	47	48	41	63	13	294
<b>MEASURE B - Fireworks</b>								
Yes	158	102	142	140	116	239	57	954
No	68	30	54	83	40	146	29	450

**VOTER TURNOUT**

	PRECINCTS					TOTAL BALLOTS
	1	4	6	7	12	
<b>Ballots Cast at Precinct</b>	236	137	207	228	163	971
<b>Absentee &amp; Provisional Ballots Cast</b>	112	71	77	144	74	478
<b>Total Ballots Cast</b>	348	208	284	372	237	1,449
<b>Registered Voters</b>	2,046	2,040	2,029	2,957	2,128	11,200
<b>Voter Turnout</b>	17%	10.2%	14.0%	12.6%	11.1%	12.9%

  
 \_\_\_\_\_  
 Pamela L. Giamario  
 Assistant City Clerk

April 22, 2002  
 Date



# CITY OF LAWDALE

14717 BURIN AVENUE, LAWDALE, CALIFORNIA 90260  
PHONE (310) 970-2100, FAX (310) 644-4556

DATE: April 23, 2002  
TO: Honorable Mayor and City Council  
FROM: Vangie Schock, City Manager *[Signature]*  
PREPARED BY: Pamela L. Giamario, Assistant City Clerk *[Signature]*  
SUBJECT: General Municipal Election 2002 - Declaration of Results

## BACKGROUND

The City of Lawndale conducts its general election on the second Tuesday of April in each even-numbered year. In accordance with state law, the election process officially begins at least 127 days prior to the election when the City Council calls for the election, and ends two weeks subsequent to the election when the City Council declares the results of the election. The following report includes 1) a general description of the election process, 2) a review of election day, 3) a description of the official canvass, and 4) a summary of the results of the election.

## STAFF REVIEW

### The Election Process

The City Clerk's Department began preparing for the 2002 general election in June 2001 by conducting a comprehensive review of prior election files, election procedures manuals, the candidate handbook, and state election laws, and soliciting proposals for an election services supplier/consultant. On October 1, 2001, the City Council approved an agreement with Martin & Chapman Co. to provide supplies and materials, equipment and software, and professional advice necessary for the proper conduct of a municipal election.

On November 5, 2001, the City Council adopted a series of five resolutions which officially initiated the election process. These resolutions 1) called and gave notice of the election, 2) requested county assistance, 3) adopted candidate statement regulations, 4) ordered that the official canvass be made by the elections official, and 5) ordered that a special election be held should there be a tie vote. On December 3, 2001, the City Council adopted a sixth resolution calling for the election to include two ballot measures pertaining to the City's utility user's tax and to the sale and discharge of safe and sane fireworks.

The candidate nomination period opened on December 17, 2001. Between that date and January 11, 2002, 11 individuals were issued nomination papers and received a 300+ page candidate handbook, including a calendar of important dates, information about the City organization, various laws related to elections and campaigns, and all required and optional

forms pertaining to their candidacy. When the regular nomination period closed on January 11, one incumbent had not filed nomination papers, Councilmember Virginia Rhodes. Therefore, the nomination period was extended until January 16. By the close of the extended nomination period, 10 individuals had submitted nomination papers, all of whom were later qualified as candidates. (To qualify, all candidates must be registered to vote in the City, and must be nominated by 20 to 30 individuals whose voter registration and signatures are verified, and who have not nominated more candidates to any office than there are seats.)

During the period from January 17 through March 10, the City Clerk's Department engaged in the following activities: 1) published and posted notices as required by state law, 2) qualified the City Attorney's impartial analysis and the arguments pertaining to the ballot measures (no rebuttals were submitted), 3) directed the preparation and mailing sample ballot pamphlets, 4) established the number and boundaries of voter precincts (consolidating the 11 county precincts into five city precincts), 5) arranged for polling places, 6) recruited precinct officers, 7) assisted candidates with campaign finance disclosure requirements and other campaign issues, 8) mailed voter pamphlets to out-of-state voters and voters requesting Spanish translations, and 9) publicized the election.

Only one event marred this period in the election process. Four candidates had requested Spanish translations of their candidate statements to be printed in the sample ballot pamphlets. After the pamphlets had been printed, it was discovered that the translations had been omitted. However, since the pamphlets had not yet been mailed, arrangements were made to include an insert for the translations. Though not pleased with the situation, the affected candidates indicated they were satisfied that the best possible solution had been implemented.

The absentee voting period began on March 11 and ended April 2, 2002. During that time ballots were mailed to 742 voters. Of these, 301 were registered as permanent absentee voters, a dramatic increase from the April 2000 election, at which time there were only 43 permanent absentee voters. This increase is consistent with the experience of other jurisdictions across the state since January 2001 when the disability requirement was eliminated as a condition for permanent absentee status. Absentee voter participation for the two elections is enumerated in the following table.

	<b>Perm AVs</b>	<b>Voting PAVs</b>	<b>% Return</b>	<b>Regular AVs</b>	<b>Voting RAVs</b>	<b>% Return</b>	<b>Total AVs</b>	<b>% Return</b>
<b>2000</b>	43	21	49%	471	346	73%	514	71%
<b>2002</b>	301	151	50%	441	340	77%	742	66%

Examination of the number of permanent absentees versus applications for absentee ballots, and the percentage of ballots returned from each group, as well as the returns from both groups combined reveals that Lawndale appears to exhibit a pattern already noted by election officials statewide. In past years, conventional wisdom held that absentee voter turnout is much higher than that of the rest of the electorate. However, election officials now predict that as more voters elect to register as permanent absentees in order to automatically receive their ballots in the mail, the disparity between the two populations will narrow. That is, absentee voters will also participate much more in statewide and national elections than in municipal elections.

The filing period for write-in candidates began on February 11 and ended March 26. One individual received a nomination paper and later filed it with the Elections Official. The petition was qualified and arrangements made to prepare additional supplies and instructions for election workers which are necessitated when there is a qualified write-in candidate.

Other activities engaged in during the final weeks prior to the election included: 1) publication and posting of notices, 2) continued recruitment of precinct officers as needed (five officers out of 25 originally recruited in February dropped out by election day), 3) administration of a second campaign expenditure filing period, 4) recruitment of election night central counting place workers, 5) coordination of election related activities by Municipal Services, Public Works, Cable Television, Information Systems and the Sheriff's departments, 6) receipt and inspection of precinct supplies and voting booths, and delivery to precinct inspectors, 7) training of precinct officers, 8) recordation of absentee voters in precinct rosters, and 9) preparation of instructional materials and supplies for election night workers.

### Election Day

Reports from and about the polls and two inspections by staff at each polling place indicate a fairly smooth election. All precinct boards arrived at their polling places no later than 6:30 a.m., with only one individual being a "no show". Prior to the 7:00 a.m. opening of the polls, all boards had completed their preparations. Three voting booths were set up at each polling place, each containing a ballot punch machine and displaying four required notices. In addition, seven notices were required to be displayed inside the polling place and 14 types of supplies or lists were placed on the polling place work table.

At City Hall, staff experienced a quieter than usual election day. One caller reported that the back entrance to the Municipal Yard was closed. Only a few voters called to receive polling place information. Staff received only a handful of advice requests from precinct inspectors. The greatest difficulty reported from the polls pertained to the ballot punch machines. A number of voters had difficulty aligning the punch with the indicator on the ballot card. (In retrospect, staff has concluded that the voters' difficulties could have been somewhat avoided with better training of the trainers, the poll workers.) A significant number of voters, however, commented favorably on the change.

Election night workers were assembled in City Hall just after 5:00 p.m. for a light supper and training. Just after the polls closed at 7:00 p.m., their work began. The absentee processing board unsealed 395 ballots after confirming that voter signatures had been verified. The board also inspected ballot envelopes from absentee voters whose name, address or signature could not be confirmed by staff, and made the final determination whether or not to count the ballots.

The absentee processing board then assumed a new role, that of the ballot inspection board, whose responsibility is to duplicate damaged ballots and ensure that all punches are cleanly made. A number of "hanging chads" were encountered during the ballot inspection process, all of which were determined by the board to be attached by a mere thread and were, therefore, removed. (In contrast, not a single hanging chad was discovered in the precinct ballots.)

In addition, ballots containing write-in votes were forwarded to a write-in processing board whose function was to determine whether a valid write-in vote had been cast. It is interesting to note that the rules for making that determination vary depending on whether the ballot was cast



at the precinct or by an absentee voter. Because the absentee voter is not able to request assistance of a qualified election official while voting, election laws allow for a determination of the voter's intent. In the case of a write-in vote on an absentee ballot, the vote was allowed to be counted if the qualified write-in candidate's name was written and the votes marked by pen or pencil. However, for write-in votes from precinct ballots, the voter must have written the name and punched the proper space for the vote to count.

By the time inspection of absentee ballots was complete, the five precincts had already begun to deliver voted ballots and supplies. As each delivery was received, voted ballots were forwarded to the ballot inspection board to check for damage, incomplete punches and write-in votes, and manually counted as a cross-check of the precinct officers' counts. All other materials, including absentee, provisional and spoiled ballots, were set aside for later processing.

Ballots were processed by the ballot counter beginning just after 9:00 p.m. with the absentee vote. The results were projected in the Council Chambers and posted on the City's website, and forwarded to a telephone receptionist to respond to public inquiries. The total counts were determined and the results posted before 10:00 p.m.

Shortly after the last of the results were posted, it was discovered, when the ballot counter was subjected to a routine test, that it was not producing accurate vote counts. At my direction, the ballots were then repeatedly recounted. A second and third ballot counter, and a second operator were engaged in the process. At approximately midnight, after the ballots had been counted a total of six times, producing identical results on the last three passes, the semi-official canvass was declared officially complete. Three days later, on Friday, April 18, the ballots were counted a final time, using a fourth ballot counter, with the same results.

#### The Official Canvass

The official canvass was conducted during the period April 10 through 16. A detailed examination was made of all precinct supplies, including verification of the number of voted, provisional, unused, spoiled, and absentee ballots, and a review of voter rosters. A few irregularities, which are not considered significant, were noted during the canvass. The findings of the canvass are as follows:

- Only minor irregularities were found in the counts of ballots and voter signatures in the voter rosters. However, a sufficient accounting was made of all ballots and precinct voters to satisfy legal requirements.
- A comparison of absentee and provisional ballot envelopes against the precinct voter rosters revealed no evidence of double voting or other fraudulent activity.
- Five provisional ballots were disqualified, primarily due to the voter's failure to properly register.
- A four member panel was convened on April 15 to verify the automated ballot counter totals via a complete manual count of all ballots from one precinct. The three hour process confirmed the complete accuracy of the machine counter. It is notable, however, that human error was discovered, as follows: a) The number of write-in votes recorded by the machine counter was three higher than the count arrived at in the manual recount. However, three ballots were improperly voted (the write-in area was punched, but no candidate name written on the ballot) and should have been duplicated on election night so that the punches were not

counted. b) The manual recount board counted one more vote against Measure B than did the machine counter. However, later re-inspection by staff determined that the manual recount was incorrect and the machine count was, in fact, correct.

The Election Results

The final vote tallies of the 2002 Lawndale General Municipal Election are now presented for the City Council's review in the form of the Elections Official's Certificate of Canvass, attached to Resolution No. CC-0204-030 as Exhibit "A". The resolution itself reports the following final results of the election:

1. Harold E. Hofmann was elected to the office of Mayor for a full term of two years.
2. Larry Rudolph and James Ramsey were elected to the office of Member of the City Council for a full term of four years.
3. Paula Hartwill was elected to the office of City Clerk for a full term of four years.
4. Measures A and B were approved.

COMMISSION REVIEW

None required

LEGAL REVIEW

The City Attorney has reviewed Resolution No. CC-0204-030 and has approved it as to form.

FUNDING

No additional funding required

RECOMMENDATION

STAFF RECOMMENDS THAT the City Council approve the Election Official's Certificate of Canvass and declare the results of the election by adopting Resolution No. CC-0204-030.

Attachments: Resolution No. CC-0204-030

Reviewed and Approved:

  
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Vilko Domic, Finance Director

\_\_\_\_\_  
Vangie Schock, City Manager