

RESOLUTION NO. CC-0404-033

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LAWNSDALE CALIFORNIA,
RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION
HELD ON APRIL 13, 2004, DECLARING THE RESULT
AND SUCH OTHER MATTERS AS PROVIDED BY LAW**

WHEREAS, a General Municipal Election was held and conducted in the City of Lawnsdale, California, on Tuesday, April 13, 2004, 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, the City Clerk 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 LAWNSDALE, 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 992.

That the whole number of absent voter ballots cast in the City was 520, the whole number of provisional ballots cast in the City was 30, making a total of 1,542 ballots cast in the City.

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

James D. "Jim" Ramsey
Harold E. Hofmann
Nancy McKee

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

Virginia Rhodes
Gary M. McDonald
David J. Murry, Sr.
Uffe Moller
Kenneth M. Fine
Fred Siegel
Robert Pullen-Miles
Pat Kearney

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 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) Robert Pullen-Miles was elected as Member of the City Council for the full term of four years; and
- C) Virginia Rhodes was elected as Member of the City Council for the full term of four years.

SECTION 5. The 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) for what office each person was voted for; (4) the number of votes given at each precinct to each person; and (5) the total number of votes given to each person.

SECTION 6. The City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the 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 26th day of April, 2004.



 Harold E. Hofmann, Mayor

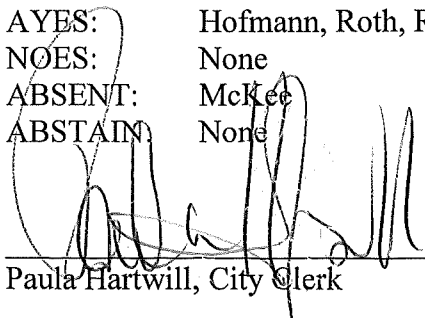
ATTEST:

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-0404-033 was duly approved and adopted by the City Council of the City of


Lawndale at a special meeting of said Council held on the 26th day of April, 2004, by the following roll call vote:

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



Paula Hartwill, City Clerk

APPROVED AS TO FORM



William W. Wynder, City Attorney

ELECTION OFFICIAL'S CERTIFICATE OF CANVASS

I, Paula Hartwill, City Clerk of the City of Lawndale, do certify that I have canvassed the returns of the General Municipal Election held on April 13, 2004, and find that the number of votes given at each precinct and the number of votes given in the City to persons voted for and the respective offices for which the persons were candidates were as follows:

VOTES CAST - FINAL TABULATION

	PRECINCTS						2nd Run AV, Provisional	TOTAL VOTES CAST
	1	4	6	7	12	1st Run AV		
MAYOR								
Harold E. Hofmann	82	77	117	114	76	237	70	773
Nancy McKee	107	38	56	68	55	143	31	498
James R. "Jim" Ramsey	44	23	34	49	34	50	20	254
MEMBER OF CITY COUNCIL								
Robert Pullen-Miles	120	73	85	106	88	153	62	687
Virginia Rhodes	58	34	72	88	41	175	39	507
Pat Kearney	74	33	47	71	53	120	31	429
Kenneth M. Fine	75	16	54	53	55	120	28	401
Uffe Moller	29	34	45	34	16	91	23	272
Fred Siegel	32	37	23	47	16	63	15	233
Gary McDonald	30	14	53	22	25	61	16	221
David J. Murry, Sr.	11	10	11	14	10	34	8	98

VOTER TURNOUT

	PRECINCTS					TOTAL BALLOTS
	1	4	6	7	12	
Ballots Cast at Precinct	238	141	210	235	168	992
Absentee & Provisional Ballots Cast	119	101	95	153	82	550
Total Ballots Cast	357	242	305	388	250	1542
Registered Voters	1681	1707	1697	2570	1732	9387
Voter Turnout	21%	14%	18%	15%	14%	16.4%

Paula Hartwill
City Clerk

Date



CITY OF LAWNDALE

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

DATE: April 26, 2004
TO: Honorable Mayor and City Council
FROM: Paula Hartwill, City Clerk *PH*
PREPARED BY: Pamela L. Giamario, Assistant City Clerk *PLG*
SUBJECT: General Municipal Election 2004 - 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 no later than the third Friday subsequent to the election at which time the City Council must declare the results of the election and new officers are installed. 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

On November 3, 2003, the City Council adopted four 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, and 4) ordered that a special election be held should there be a tie vote. Two weeks later, the City Council approved an election services agreement with Martin & Chapman Co. to provide consulting services, and election materials and supplies for the election.

The candidate nomination period opened on December 22, 2003. Between that date and January 21, 2004, 12 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 and their obligations related to the California Political Reform Act. At the closing of the regular nomination period, one incumbent had neither been issued nor filed a nomination paper, Mayor Pro Tem Neil K. Roth. Therefore, the nomination period was extended one extra day as required by state law. By the close of the extended nomination period, 11 individuals had submitted nomination papers, all of whom were later qualified to be included on the ballot.

During the period from January 22 through March 15, the City Clerk's Department engaged in the following activities: 1) published and posted notices as required by state law, 2) directed the preparation and mailing sample ballot pamphlets, 3) established the number and boundaries of voter precincts (consolidating the 11 county precincts into five city precincts), 4) arranged for polling places, 5) recruited precinct officers, 6) assisted candidates with campaign finance disclosure requirements and other campaign issues, and 7) mailed voter pamphlets to out-of-state voters and voters requesting Spanish translations.

The absentee voting period began on March 15 and ended April 6, 2004. During that time ballots were mailed to 846 voters. An additional 28 voters applied for but were not issued absentee ballots (22 were not registered and 6 applications were received after the deadline to apply). 409 of the voters who received ballots by mail were registered as permanent absentee voters. The number of permanent absentee voters has steadily increased since January 2001 when the disability requirement was eliminated as a condition for permanent absentee status. In the past, common wisdom held that absentee voters were far more likely to participate in municipal elections, if for no other reason than that the voter was required to submit an application in order to receive a ballot and vote by mail. Permanent absentee voters, on the other hand, automatically receive their ballots in the mail. In order to follow turnout trends over time, the City Clerk's Department has compiled separate figures for permanent absentee voters and those who must apply. As can be seen in the following table, the number of permanent absentees has increased 36% since the 2002 election and, as occurred two years ago, they did not vote in this election at the same rate as those who applied. As a result, overall absentee voter turnout has dropped by ten percentage points since the 2000 election.

	Perm AVs	Voting PAVs	% Return	Regular AVs	Voting RAVs	% Return	Total AVs	% Return
2000	43	21	49%	471	346	73%	514	71%
2002	301	151	50%	441	340	77%	742	66%
2004	409	215	54%	437	305	70%	846	61%

Other activities engaged in during the final weeks prior to the election included: 1) publication and posting of notices, 2) continued administration of campaign expenditure filing requirements, 3) recruitment of workers to perform the semi-official and final canvass of votes, 4) coordination of election related activities by other City departments, 5) coordination of facility use and publicity for a League of Women Voters sponsored candidate forum, 6) receipt and inspection of precinct supplies and voting booths, and delivery to precinct inspectors, 7) training of precinct officers, and 8) preparation of instructional materials and supplies for election night workers.

Election Day

On election day, the city's five polling places, located at the Civic Center, Municipal Yard, Wesleyan Church and Bollinger Gymnasium, were fully staffed and ready to assist voters on schedule. As usual, the polls were open from 7:00 a.m. until 7:00 p.m. Reports from and about the polls and two inspections by staff indicated a relatively problem-free election. During the entire day, only one request for advice was received by City staff from the precinct officers. Otherwise, no complaints were received or problems reported by candidates or voters. One caller did, however, express concern that illegal campaign activity may have occurred just outside of one polling place in that two individuals were seen collecting petition signatures. By

the time City staff was able to check the location, however, there was no such activity in evidence.

Thirteen election night workers were assembled in City Hall just after 6:00 p.m. to conduct the semi-official canvass. The absentee processing board was convened shortly after 7:00 p.m. and were responsible for 1) confirming that 441 absentee ballots should be counted that evening because the voter signatures on the envelopes matched voter registration files, 2) unsealing the envelopes and removing the ballots, and 3) inspecting the ballots for damage or hanging chads, duplicating ballots where necessary. In addition, the board assisted in making the final determination that six absentee ballots should not be counted because the voter failed to sign the envelope as required and that five ballots should not be counted because the signature on the envelope did not appear to match the voter registration file.

By the time inspection of absentee ballots was complete, precinct officers 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 and incomplete punches. All other materials, including absentee and provisional ballots, were set aside for processing during the final canvass.

Ballots were processed by the ballot counter beginning with precinct ballots and ending with absentee ballots. The preliminary totals were projected in the Council Chambers and posted on the City's website by approximately 10:00 p.m., as follows:

	PRECINCTS						Total	%
	1	4	6	7	12	AV		
MAYOR								
Hofmann	82	77	117	114	76	237	703	50
McKee	107	38	56	68	55	143	467	33
Ramsey	44	23	34	49	34	50	234	17
						Total:	1404	100
COUNCILMEMBER								
Pullen-Miles	120	73	85	106	88	153	625	24
Rhodes	58	34	72	88	41	175	468	18
Kearney	74	33	47	71	53	120	398	15
Fine	75	16	54	53	55	120	373	14
Moller	29	34	45	34	16	91	249	9
Siegel	32	37	23	47	16	63	218	8
McDonald	30	14	53	22	25	61	205	8
Murry	11	10	11	14	10	34	90	3
						Total:	2626	100

The Official Canvass

The official canvass was conducted during the period beginning April 14 and ending April 20. 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 comparison of absentee and provisional ballot envelopes against the precinct voter rosters revealed no evidence of double voting or other fraudulent activity.

Precinct ballots which were not counted on election night included 34 absentee ballots and 34 provisional ballots. The names, addresses and signatures on the ballot envelopes were compared to voter registration files. It was determined that six ballots should not be counted, four voters not being found in registration files at all and two whose signatures could not be verified.

In addition, 65 absentee ballots returned to City Hall had not been included in the semi-official canvass on election night because signatures had yet not been verified by the time the semi-official canvass was performed. During the final canvass all signatures were able to be confirmed. However, four additional absentee ballots were delivered by the U.S. Postal Service too late to be counted.

A four member board was convened on April 19 to perform a manual count of the 127 absentee and provisional ballots which remained to be counted. Two separate tallies were taken of the votes and the counts confirmed as accurate. In addition, the board performed a manual recount of one precinct's ballots to verify the election night ballot counter totals. While the board was unable to immediately confirm the semi-official canvass figures, further staff analysis concluded that the preliminary figures were, in fact, correct.

The Election Results

The final vote tallies of the 2004 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-0404-033 as Exhibit "A". The resolution itself reports the final results of the election as follows: 1) Harold E. Hofmann was elected to the office of Mayor for a full term of two years, and 2. Robert Pullen-Miles and Virginia Rhodes were elected to the office of Member of the City Council for a full term of four years.

COMMISSION REVIEW

None required

LEGAL REVIEW

The City Attorney has reviewed Resolution No. CC-0404-033 and has approved it as to form.

FUNDING

No additional funding required

RECOMMENDATION

The City Clerk recommends that the City Council approve the Election Official's Certificate of Canvass and adopt Resolution No. CC-0404-033.

Attachments: Resolution No. CC-0404-033