

RESOLUTION NO. CC-1004-022

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LAWNSDALE, CALIFORNIA,
RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION
HELD ON APRIL 13, 2010, 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 13, 2010, 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 Assistant 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 vote by mail voter ballots and provisional ballots was 498. That the whole number of vote by mail voter ballots cast in the City was 604, the whole number of provisional ballots cast in the City was 18, making a total of 1120 ballots cast in the City.

SECTION 2. (a) That the name of the person voted for at the election for Mayor was as follows: Harold E. Hofmann;

(b) That the names of the persons voted for at the election for Member of the City Council were as follows: Pat Kearney, James "Jim" Ramsey, and Larry Rudolph; and

(c) That the names of the persons voted for at the election for City Clerk were as follows: Marge Heinemann and Paula Hartwill.

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.

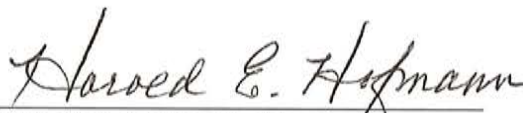
SECTION 4. The City Council does declare and determine that: Harold E. Hofmann was elected as Mayor for the full term of two years; Pat Kearney was elected as Member of the City Council for the full term of four years; Larry Rudolph was elected as Member of the City Council for the full term of four years; and Paula Hartwill was elected as City Clerk 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. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the Election Official and authenticated; that the City Clerk or her designee 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 City's legislative record.

PASSED, APPROVED AND ADOPTED this 26th day of April, 2010.

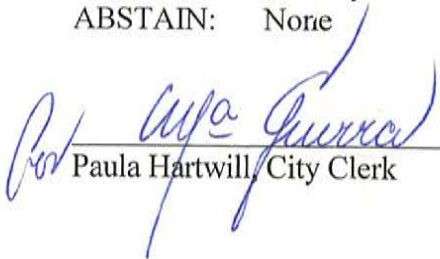

Harold E. Hofmann, Mayor

ATTEST:

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

I, Paula Hartwill, City Clerk of the City of Lawndale, California, do hereby certify that the City Council of the City of Lawndale duly approved and adopted the foregoing Resolution No. CC-1004-022 at a regular meeting of said Council held on the 26th day of April, 2010, by the following roll call vote:

AYES: Hofmann, Rudolph, Pullen-Miles, Osborne
NOES: None
ABSENT: Ramsey
ABSTAIN: None


Paula Hartwill, City Clerk

APPROVED AS TO FORM:


Tiffany J. Israel, City Attorney

ELECTION OFFICIAL'S CERTIFICATE OF CANVASS

I, Pamela L. Giamario, Assistant City Clerk of the City of Lawndale, do certify that I have canvassed the returns of the general municipal election held on April 13, 2010, and find that the number of votes given at each precinct, the number of votes given in the City to persons voted for and the respective offices for which the persons were candidates, and the number of ballots counted in said election were as follows:

VOTES CAST - FINAL TABULATION

CANDIDATE	PRECINCTS				Total	% of Vote
	1	4	7	9		
MAYOR						
Harold E. Hofmann	319	191	252	238	1000	89%
COUNCILMEMBER						
Pat Kearney	209	121	149	157	636	57%
James "Jim" Ramsey	138	82	121	130	471	42%
Larry Rudolph	250	142	191	167	750	67%
CITY CLERK						
Marge Heinemann	112	62	90	135	399	36%
Paula Hartwill	207	137	161	128	633	57%

BALLOTS COUNTED

Precinct #	Cast at Polling Place	Vote by Mail	Provisional Ballots
1	169	174	6
4	94	118	8
7	102	165	2
9	133	147	2
Subtotals	498	604	18
TOTAL = 1,120 (registered voters = 11,576)			

Furthermore, in accordance with Section 15360 of the California Elections Code, a manual tally of all ballots from precinct 9 was conducted on April 19, 2010. No discrepancies were found between the electronic voting system and the manual tally.

Pamela L. Giamario
Assistant City Clerk

Date

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 Pamela L. Giamario
 Assistant City Clerk



 Date



CITY OF LAWDALE

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PHONE (310) 973-3200, FAX (310) 644-4556
www.lawndalecity.org



DATE: April 26, 2010

TO: Honorable Mayor and City Council

FROM: Keith M. Breskin, City Manager *KMB*

PREPARED BY: Pamela L. Giamario, Assistant City Clerk *PLG*

SUBJECT: Results of the General Municipal Election

BACKGROUND

The City of Lawndale's general election was held on Tuesday, April 13 to elect a mayor, two members of the City Council and a city clerk. In accordance with state law, the City Council must declare the results of the election and new officers must be installed no later than the fourth Friday subsequent to the election.

STAFF REVIEW

This report summarizes 1) the election process generally, 2) support of foreign language voters, 3) election day activities, 4) the official canvass, and 5) voter turnout.

The Election Process. On November 2, 2009, the City Council adopted three resolutions which officially initiated the election process. With the approval of these resolutions, the City Council called for the election to be held to elect a mayor for a two year term, two councilmembers for four year terms, and a city clerk for a four year term, and approved various other matters related to the conduct of municipal elections.

The candidate nomination period opened on December 21, 2009 and ended January 19, 2010. During that period, six individuals were issued nomination papers and received a 300+ page candidate handbook containing information pertinent to their candidacy. By the close of the nomination period, all six had filed their nomination papers and were later qualified to be included on the ballot.

Beginning in January and until election day, the City Clerk's Department engaged in the following activities: 1) posted legally required notices, some of which were also published in English, Spanish and Vietnamese language newspapers, 2) coordinated the preparation and mailing of trilingual sample ballot pamphlets to 11,576 registered voters, 3) established the boundaries of four consolidated voter precincts, 4) arranged for polling places, 5) recruited and trained 26 precinct officers, including eight Spanish speakers and six Vietnamese speakers, 6) assisted candidates with campaign finance disclosure requirements and other campaign issues, 7) ordered and assembled supplies and informational material for use in the polling places, including approximately 40 different posters,

instructions, forms, storage materials, and other supplies, 8) recruited 11 workers to assist with the semi-official and final canvass of votes, 9) prepared instructional materials and supplies for election night activities, and 10) processed applications and ballots from 1,531 vote by mail voters.

Support of Foreign Language Voters

The federal Voting Rights Act requires Lawndale to provide support to voters whose native language is either Spanish or Vietnamese and who are not English proficient. Pursuant to the act, the election ballots, the sample ballot pamphlet, notices required by law to be posted and published, and information posted on the city's website were all translated into Spanish and Vietnamese. Spanish notices were published in La Opinion and Vietnamese notices were published in Nguoi Viet. In addition, we are required to provide foreign language assistance at the polling places and were able to successfully place at least one Spanish speaking poll worker and one Vietnamese speaking poll worker on each precinct board.

Election Day Activities

On election day, the city's four polling places, located at the Lawndale Library, the Lawndale Christian Church, Bollinger Gymnasium, and the Wesleyan Church, were fully staffed and ready to assist voters on schedule. As usual, the polls were opened at 7:00 a.m.

Reports from and about the polls and inspections by staff indicated a very quiet day with few notable problems. One Vietnamese speaking poll worker failed to report for his duties at precinct 9, but was replaced by an alternate within a few hours. Staff follow-up with the precinct inspector revealed that no particular difficulties had resulted from this lapse in foreign language support.

The only complaint received from the public was a report of difficulty experienced by three voters in locating the polling place at the Lawndale Christian Church. Having duly noted this, we plan to increase signage at that site in future elections.

Four election workers assembled in City Hall during the afternoon to process vote by mail ballots. This involved confirming that the voters were qualified to participate in the election, confirming that the ballots were correctly by the voters' precinct, removing the mailed ballots from their envelopes, and auditing the count of ballots and envelopes. Normally we prepare vote by mail ballots after the polls close. However, for this election, we decided to alter the schedule in an effort to produce preliminary results earlier. This proved to be successful and we plan to continue this practice in future elections.

During the early evening, seven workers were trained in their duties related to the conduct of the semi-official canvass, a process which began shortly after the polls closed. Precinct officers began delivering voted ballots and supplies at approximately 8:30 p.m. As each delivery was received, the election materials and precinct records were audited before the precinct inspectors were released. The ballots cast both at the polling places and by mail were individually inspected. A few ballots were duplicated because it was determined that the ballot counter would not correctly count the votes though the voters' intent was clear. Other voter markings on ballots were over-marked with a special highlighter to ensure that the votes would be detected. The vote by mail and provisional ballots turned in at the polling places were set aside for processing during the final canvass. Once the ballots had been inspected, the votes were counted one precinct at a time. No significant problems were encountered, nor were any significant delays experienced during the tally of votes. All precinct vote counts were completed and posted by approximately 10:00 p.m.

The results indicated that Harold Hofmann was re-elected as mayor, Larry Rudolph was re-elected as councilmember, Pat Kearney was elected as councilmember, and Paula Hartwill was re-elected as city clerk, as follows:

	Precincts				Total	% of Votes
	1	4	7	9		
For Mayor						
Harold E. Hofmann	308	189	246	230	973	100
For Member of the City Council						
Pat Kearney	207	110	144	150	611	34
James "Jim" Ramsey	135	77	117	125	454	25
Larry Rudolph	242	133	188	164	727	41
For City Clerk						
Marge Heinemann	109	58	89	131	387	39
Paula Hartwill	201	127	156	123	607	61

The Official Canvass

Pursuant to California Elections Code Section 15302, the official canvass includes a) an inspection of all precinct materials; b) reconciliation of the number of signatures on the roster with the number of ballots cast; c) reconciliation of the number of ballots counted, spoiled, canceled, or invalidated with the number of votes recorded; d) counting any valid vote by mail and provisional ballots not included in the semifinal official canvass; and d) reporting final results to the City Council.

The official canvass was conducted during the period April 14 through April 20. During the canvass, precinct ballots and vote by mail ballots were thoroughly audited to confirm that every ballot was accounted for, whether voted, spoiled or unused, and that records prepared by precinct officers were accurate. Additionally, vote by mail records and precinct rosters were reviewed for evidence of double voting. None was found.

Ballots not counted on election night included a) vote by mail ballots returned at the polls, b) provisional ballots returned at the polls and c) two ballots received by mail from voters whose eligibility had not yet been confirmed. Voter information and signatures were compared to voter registration records to determine which of these ballots should be counted.

A four member board was convened on April 19 to manually count 43 vote by mail and provisional ballots. In addition, the board performed a manual recount of all ballots from one precinct as required by law (precinct 9 was randomly selected) and verified that the election night ballot counter totals were accurate. To ensure accuracy of the results, separate tallies were taken by two teams. Their figures were identical for every candidate, which is the ideal result of the manual tally.

Having completed the canvass, the City Clerk's Department concludes the following regarding voter participation in the 2010 general municipal election. A total of 1,156 registered voters cast ballots in this election. Of those, 36 ballots were not counted because the voters were not registered to vote, did not sign the vote by mail ballot envelope, signed the envelope but the signature did not match the voter registration record, or their ballots were returned after the close of polls on election day.

The final vote tallies for the 2010 Lawndale general municipal election are now presented for the City Council's review in the form of the Election Official's Certificate of Canvass, attached to Resolution No. CC-1004-022 as Exhibit "A".

It should be noted that in the final tabulation of votes, we have expressed the percentage of votes received by each candidate differently than we did on election night. The preliminary results showed the number of votes each candidate received as a percentage of all votes cast for that particular office. Therefore, on election night, the sum total of the percentages given for all candidates for each office is 100. The certificate of canvass, on the other hand, reflects the percentage of ballots that contained votes for the given candidate. In other words, it reflects what percentage of voters who participated in the election voted for that candidate.

By adopting the resolution, you will accept the certificate of canvass and officially declare the results of the election.

Voting Turnout

Several years ago, the City Clerk's Department began compiling election data to track overall voter turnout, beginning with the 1990 general election, and turnout for vote by mail voters from 1998 (see attachment 2). The data show that this election's turnout of 10 percent is consistent with past general elections. For the 11 elections conducted from April 1990 to present, turnout ranged from a low of eight percent in 2006 to a high of 23 percent in 1992 for an average of 13.6%. It is interesting to note that five of the lowest turnout elections occurred between 2000 and 2010.

Not surprisingly, turnout at special elections is much higher when the city election is consolidated with an election for county, state and federal offices and when there is a ballot measure which draws voter attention. The City has had five special elections during the 20 year period, three of which occurred when Lawndale's voters chose their congressional representative, state senator, assembly member, and county supervisor. In those same elections, the voters were also asked to approve the general plan, increase the public facilities expenditure limit and allow eminent domain in commercial and industrial zones. In those elections, overall turnout ranged from 38 to 84 percent.

We have also closely followed voting by mail, also reported in Attachment 2. It is notable that since 2001, when the disability requirement was eliminated as a condition for permanent absentee status, the number of permanent vote by mail voters has steadily increased from 43 in 2000 to 1,267 in 2010. Vote by mail turnout is consistently in the 70% range, if one counts only those voters who apply to vote by mail for the specific election. This did not change in the 2010 election. Permanent vote by mail voters, on the other hand, automatically receive their ballots in the mail and turn out in much smaller numbers. Not surprisingly, with the number of permanent vote by mailers increasing, the data show that over time, overall turnout of vote by mail voters has decreased. In 2000, just before the state law was changed, 71 percent of vote by mail voters cast their ballots compared to only 42% this year.

COMMISSION REVIEW

None required

LEGAL REVIEW

City Attorney Tiffany Israel reviewed Resolution No. CC-1004-022 and has approved it as to form.

FUNDING


No additional funding required

RECOMMENDATION

Staff recommends that the City Council declare the results of the 2010 general municipal election by adopting Resolution No. CC-1004-022.

Attachments: Resolution No. CC-1004-022
 Voter turnout statistics

Reviewed and Approved:



Keith M. Breskin, City Manager



Kenneth Louie, Finance Director

ELECTION TURNOUT BEGINNING 1990

Election Date	Offices Elected	Measures Voted Upon	Precinct Ballots	¹Vote by Mail & Prov Ballots	Total Ballots	Registered Voters	²Turnout
Apr 1990	Mayor (4 candidates) 2 Council (10 candidates)	None	1,031	141 (12.0%)	1,172	8,805	13.3%
Nov 1990	Council (4 candidates)	None	3,721	461 (11.0%)	4,182	N/A	(47.5%)
Apr 1992	Mayor (3 candidates) 2 Council (5 candidates)	General Plan Approval	1,590	336 (17.4%)	1,926	8,339	23.1%
Nov 1992	No municipal officers (36th US Cong, 25th State Senate, 51st State Assembly, 2nd County Supervisorial, 4th Bd of Equal Districts)	General Plan Approval	6,313	707 (10.1%)	7,020	N/A	(84.2%)
Apr 1994	Mayor (2 candidates) 2 Council (3 candidates) City Clerk (2 candidates)	Eminent Domain Prohibition	1,101	110 (8.1%)	1,356	9,260	14.6%
Apr 1996	Mayor (2 candidates) 2 Council (5 candidates)	None	989	308 (23.7%)	1,297	9,265	14.0%
Nov 1997	No municipal officers (El Camino Comm Clg, CVUHSD, LESD)	1) Appointed City Clerk 2) 2 Year Mayoral Term 3) 4 Year Mayoral Term	1,030	325 (24.0%)	1,355	9,765	13.9%
Apr 1998	Mayor (2 candidates) 2 Council (4 candidates) City Clerk (2 candidates)	Hawthorne Boulevard Revitalization Project expenditure	1,057	422 (28.5%)	1,479	9,937 (0 PVBMs)	14.9%
Apr 2000	Mayor (2 candidates) 2 Council (3 candidates)	None	700	395 (36.1%) [43 PVBM]	1,095	10,544	10.4%

¹ The percentage of the total ballots returned which were vote by mail ballots is expressed within parentheses

² Where voter registration figures were unavailable, the most recently available figures were used and the percentage turnout expressed within parentheses

Election Date	Offices Elected	Measures Voted Upon	Precinct Ballots	¹Vote by Mail & Prov Ballots	Total Ballots	Registered Voters	²Turnout
Nov 2000	City Clerk (2 candidates) (36th US Cong, 25th State Senate, 51st State Assembly, 2nd County Supervisorial, 4th Bd of Equal Districts)	Public facilities expenditure limit	5,499	1,043	6,542 (5,349 for candidates, 4697 for measure)	10,728	60.9% (49.8% for candidates and 43.8% for measure)
Apr 2002	Mayor (2 candidates, plus 1 write-in) 2 Council (5 candidates) City Clerk (3 candidates)	1) Utility users tax 2) Sale and discharge of safe and sane fireworks	971	478 (33%) PVBM 301	1,449	11,200	12.9%
Nov 2002	No municipal officers (35th US Cong, 25th State Senate, 51st State Assembly, 2nd County Supervisorial, 4th Bd of Equal	Allow eminent domain in commercial and industrial zones	3,163	696 (18%)	3,859	10,156	38%
Apr 2004	Mayor (3 candidates) 2 Council (8 candidates)	None	992	550 total PVBM 215 of 409 (54%) AVBM 305 of 437 (70%)	1,542	9,387	16.4%
Apr 2006	Mayor (1 candidate) 2 Council (3 candidates) City Clerk (2 candidates)	None	413	373 total (40%) PVBM 224 of 714 (31%) AVBM 149 of 221 (67%)	812	9,987	8%
Apr 2008	Mayor (3 candidates) 2 Council (4 candidates)	Construction of new community center	626	594	1,220	10,120	12.1%
Apr 2010	Mayor (1 candidate) Council (3 candidates) City Clerk (2 candidates)	None	498	658	1,156	11,576	10%

SURVEY OF VOTE BY MAIL VOTING, BEGINNING 1998
GENERAL ELECTIONS ONLY

	Registered PVBMs	# PVBMs Ballots Returned	% PVBMs Ballots Returned	# AVBM Appl Received	# AVBM Ballots Returned	% AVBM Ballots Returned	Total VBMs (Applicants plus Perm)	% VBM Ballots Returned	Total Turnout
1998	0	0	0	Unknown	Unknown	Unknown	Unknown	Unknown	14.9%
2000	43	21	49%	471	346	73%	514	71%	10.4%
2002	301	151	50%	441	340	77%	742	66%	12.9%
2004	409	215	54%	437	305	70%	846	61%	16.4%
2006	714	224	31%	221	149	67%	935	40%	8%
2008	888	372	42%	263	201	76%	1,151	50%	12.1%
2010	1,267	432	34%	264	206	78%	1,531	42%	10%