

RESOLUTION NO. CC-1404-014

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LAWNSDALE, CALIFORNIA,
RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION
HELD ON APRIL 8, 2014, 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 8, 2014; and

WHEREAS, notice of the election was given in time, form and manner as provided by law, voting precincts were properly established, polling places were designated, and election officers were appointed; and

WHEREAS, a sample ballot and a voter information pamphlet were prepared and published, and delivered to persons registered to vote in the city of Lawndale; and

WHEREAS, 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's election 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" to this resolution.

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

SECTION 1. The whole number of ballots cast in the precincts except vote by mail voter ballots and provisional ballots was 698; the whole number of vote by mail voter ballots cast in the city was 783; and the whole number of provisional ballots cast in the city was 50. The total number of ballots cast in the city was 1,531.

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

For mayor	Robert Pullen-Miles Daniel Reid
For member of the City Council	Gary M. McDonald Pat Kearney Larry Rudolph
For city clerk	Bernadette Suarez Marge Heinemann

SECTION 3. The whole number of ballots cast in the city, the number of votes given at each precinct, and the number of votes given to each of the persons above named for the respective offices for which the persons were candidates are as listed in Exhibit "A", attached hereto.

SECTION 4. The City Council does declare and determine the following:

- a) Robert Pullen-Miles 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) Pat Kearney was elected as member of the City Council for the full term of four years; and
- (d) Bernadette Suarez was elected as city clerk for the full term of four years.

SECTION 5. 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. 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 6. 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 28th day of April, 2014.



Pat Kearney, Mayor Pro Tem

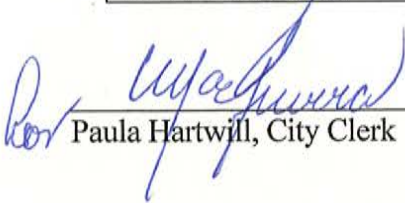
ATTEST:

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-1404-014 at a regular meeting of said Council held on the 28th day of April, 2014, by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Pat Kearney, Mayor Pro Tem	X				
Larry Rudolph	X				
Robert Pullen-Miles	X				
James H. Osborne	X				


 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 8, 2014, 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	3	4	9		
Mayor						
Robert Pullen-Miles	207	216	163	222	808	54.7%
Daniel Reid	220	145	127	162	654	44.2%
Member of the City Council						
Pat Kearney	318	236	181	244	979	66.2%
Larry Rudolph	302	249	181	245	977	66.1%
Gary McDonald	78	84	55	105	322	21.8%
City Clerk						
Bernadette Suarez	262	170	176	163	771	52.2%
Marge Heinemann	156	176	91	204	627	42.4%

BALLOTS COUNTED

Precinct #	Cast at Polling Place	Vote by Mail	Provisional Ballots
1	231	191	10
3	149	207	9
4	122	158	12
9	196	180	13
Subtotals	698	736	44
TOTAL = 1,478 (registered voters = 14,125)			

Furthermore, in accordance with Section 15360 of the California Elections Code, I conducted a manual tally of all ballots from precinct 3 on April 14, 2014. I found minor discrepancies between the electronic voting system and the manual tally. Specifically, the voting system undercounted by one the votes for candidates Daniel Reid, Larry Rudolph and Bernadette Suarez. The voting system undercounted by two the votes for Pat Kearney. I determined that all discrepancies were attributable to stray marks on ballots that led to the voting system detecting an overvote and, therefore, not counting votes that the voter clearly intended to be counted.


Pamela L. Giamario
Assistant City Clerk

4/22/14
Date



CITY OF LAWNDALE

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DATE: April 28, 2014
TO: Honorable Mayor Pro Tem and City Council
FROM: Stephen N. Mandoki, City Manager *SM*
PREPARED BY: Pamela L. Giamario, Assistant City Clerk *PLG*
SUBJECT: General Municipal Election - April 8, 2014

BACKGROUND

The City of Lawndale's general election was held on Tuesday, April 8. Pursuant to California Elections Code (EC) Section 10262, the election official must complete the canvass of votes and certify the results to the City Council no later than the fourth Friday after the election. Furthermore, EC 10263 requires the City Council to adopt a resolution reciting the fact of the election and stating the results of 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 4, 2013, the City Council adopted Resolution No. CC-1310-051 which officially initiated the election process by calling for the election to be held on April 8, 2014 to elect a mayor, two councilmembers, and a city clerk.

The candidate nomination period opened on December 16, 2013 and ended January 13, 2014. The nomination period for the city clerk position only was extended until January 15 because the incumbent, Paula Hartwill, did not file a nomination paper. The number of individuals who were issued nomination papers, filed nomination papers, and qualified for the ballot were as follows:

Office to be Elected	Nomination Papers Issued	Papers Filed	Candidates Qualified
Mayor	6	3	2
City Council Member	7	4	3
City Clerk	3	3	2

From January until election day, the City Clerk's Department engaged in the following activities:

- Published and posted seven required notices in three languages,
- Coordinated the preparation and mailing of approximately 11,000 trilingual sample ballot pamphlets to registered voters, and approximately 3800 voter information pamphlets and ballots to voters registered to vote by mail,

- Established four consolidated voter precincts,
- Arranged for polling places,
- Recruited and trained 22 precinct officers,
- Assisted candidates with campaign finance disclosure requirements and other campaign issues,
- Ordered and assembled precinct supplies and materials, including approximately 40 different posters, instructions, forms, storage materials, and other supplies for each polling place,
- Recruited 12 workers to assist with the semi-official and final canvass of votes,
- Prepared instructional materials and supplies for election night activities,
- Processed more than 280 applications to vote by mail, and
- Checked the voter signatures on 783 returned vote by mail ballots.

Support of Foreign Language Voters

The federal Voting Rights Act requires Lawndale to provide support to voters whose primary language is either Spanish or Vietnamese and who are not English proficient. All materials prepared for voters were translated into Spanish and Vietnamese. Notices that are required to be published appeared in the Daily Breeze, La Opinion and Vien Dong Daily News. All information that was posted on the website appeared in the three languages. To facilitate access by foreign language voters, there were links to the information on the website's home page. In addition, Deputy City Clerk Maria Guerra recruited seven Spanish speakers and four Vietnamese speakers as poll workers to assist voters. Finally, Ms. Guerra arranged for a private company to provide on-call interpreting services as needed, such as when a bilingual poll worker was on a meal break and not available at the polling place.

Election Day Activities

On election day, the city's four polling places (Lawndale Community Center, Fire Station No. 21, Bollinger Gymnasium, Wesleyan Church) were open from 7:00 a.m. until 8:00 p.m. Only one serious problem was reported to the City Clerk Department during the day. An individual allegedly handed out campaign flyers at or in the community center, which violates a state law prohibition against campaigning within 100 feet of a polling place. One individual also called the city manager to suggest that there should be more polling place signs at the community center. Another individual called the city manager regarding difficulties finding parking at the fire station because of the street sweeping restriction. Public Works Department staff was dispatched to cover the no parking signs near the fire station. Per standard election procedures, Municipal Services Department staff had already been instructed not to issue citations at any of the polling places.

A vote by mail canvassing board assembled in City Hall at approximately 3:00 p.m. Their duties included confirming that the ballots received were from registered voters, that the ballots were sorted by precinct, removing the ballots from their envelopes, auditing the count of ballots and envelopes, and placing the ballots in sealed boxes to be kept under security until after the polls closed.

Between 6:00 and 8:00 p.m., city clerk staff trained 10 additional election workers on duties relating to the conduct of the semi-official canvass. At approximately 8:50 p.m., poll workers began delivering the voted ballots and precinct supplies. Election workers reviewed the precinct records and, as appropriate, requested corrections by the poll workers before releasing the poll workers from their duties. Then a ballot inspection board individually inspected ballots either cast at the polling places or returned by mail prior to 3:00 p.m. that day. The board duplicated ballots where the voter's intended votes were clear, but the ballot was marked in a way that would prevent the ballot counter from correctly counting the votes. If the voter did not correctly/completely fill in the ovals on the ballot, the

board over-marked the votes with a special highlighter to ensure that the ballot counter would detect them. Finally, the votes were counted one precinct at a time. We encountered no significant problems and there were no significant delays during the preliminary tally of votes. All precinct vote counts were completed and posted shortly after 10:00 p.m.

The Official Canvass

Pursuant to EC 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 deemed complete on April 16, 2014.

Our audit of ballots revealed the following:

Ballots cast	1,546
Voter not registered	(3)
Ballot envelope not properly executed	(50)
Ballot returned too late	(15)
Ballots counted	1,478

The official canvass also includes a manual tally of votes. The four member manual recount board was convened on April 14 to manually count 137 vote by mail and provisional ballots that were returned at the polls and not counted on election night.

In addition, the board performed a manual recount of all ballots from one randomly selected precinct (precinct 4 with 272 ballots). Whenever we use a devise to tabulate votes on election night, we are required by law to recount the votes by hand to validate the machine count. Unfortunately, the board's count was not completely consistent with the machine count. The hand tally found that Daniel Reid, Larry Rudolph and Bernadette Suarez each received one more vote than counted by the machine. Pat Kearney received two more votes than counted by the machine. We determined that this was due to stray marks on certain ballots that the machine detected as votes. That led the machine to record an overvote which results in no votes counted for that office. In our visual inspection of ballots, we do count votes if we can ascertain the voter's intent. In these cases, the actual votes were clear and the stray marks clearly were not meant to be votes.

The election night and the final tally figures are presented as attachment 1 to this report.

Voting Turnout

Calculating voter turnout can be problematic. The Los Angeles County Registrar-Recorder processes voter registrations on a daily basis, which means that the number of registered voters in Lawndale can change significantly over time. When the vote by mail period began, we had 13,638 registered voters; about a week before the election, the number had increased by 487 to 14,125 registered voters. 1,543 registered voters cast ballots in this election. Using the more recent registration total, we calculated an overall turnout of 10.9%. This is below average for general elections. For the 17 general elections conducted from April 1990 to present, turnout ranged from a low of 8% in 2006 to a high of 23% in

1992 for an average of 13.4%. In fact, as shown in attachment 2, turnout has been falling gradually during the period studied.

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 more than 3,500 for this election. Turnout by voters who apply for a mailed ballot is consistently higher than turnout by voters who are registered to vote by mail for every election. That was true again for this election -- 67% versus 19%. However, we also note a gradual increase in vote by mail turnout during the period studied.

Conclusion

The results of the final canvass of the 2014 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-1404-014 as Exhibit "A". It should be noted that in the certificate of canvass, we have expressed the percentage of votes received by each candidate differently than in the final tally (attachment 1). The tally results provide the number of votes each candidate received as a percentage of all votes cast for that particular office. Therefore, in the tally, 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.

LEGAL REVIEW

City Attorney Tiffany Israel reviewed Resolution No. CC-1404-0014 and has approved it as to form.

RECOMMENDATION

Staff recommends that the City Council officially declare the results of the 2014 general municipal election by adopting Resolution No. CC-1404-014.

Attachments: 1) Preliminary and final vote tallies
 2) Voter turnout statistics
 3) Resolution No. CC-1404-014

Reviewed and Approved:



Stephen N. Mandoki, City Manager



Kenneth Louie, Finance Director

**LAWNDALE GENERAL MUNICIPAL ELECTION, APRIL 8, 2014
PRELIMINARY TALLY OF VOTES AFTER THE CLOSING OF THE POLLS**

FOR MAYOR						
	Precinct					
	1	3	4	9	Total	% of Votes
Robert Pullen-Miles	190	184	156	202	732	55.20%
Daniel Reid	202	133	114	145	594	44.80%
	392	317	270	347	1326	100.00%

FOR MEMBER OF THE CITY COUNCIL						
	Precinct					
	1	3	4	9	Total	% of Votes
Gary M. McDonald	73	65	52	93	283	13.71%
Pat Kearney	292	206	170	225	893	43.27%
Larry Rudolph	275	222	167	224	888	43.02%
	640	493	389	542	2064	100.00%

FOR CITY CLERK						
	Precinct					
	1	3	4	9	Total	% of Votes
Bernadette Suarez	239	147	162	147	695	54.72%
Marge Heinemann	144	156	87	188	575	45.28%

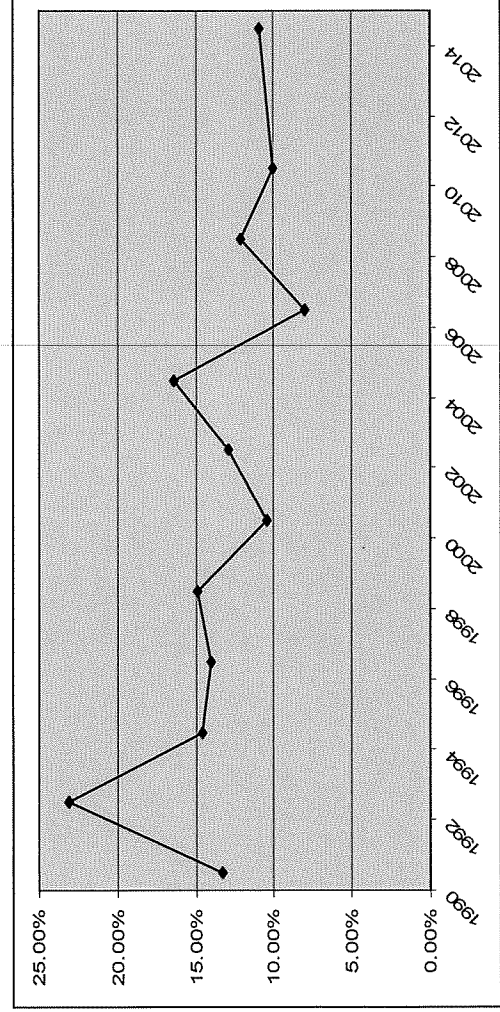
**LAWNDALE GENERAL MUNICIPAL ELECTION, APRIL 8, 2014
FINAL TALLY OF VOTES**

Tally	Mayor		City Council Member			City Clerk	
	Robert Pullen-Miles	Daniel Reid	Gary McDonald	Pat Kearney	Larry Rudolph	Bernadette Suarez	Marge Heinemann
Precinct 1A							
4/8/14 Precinct	110	117	35	176	165	148	75
4/8/14 VBM	80	85	38	116	110	91	69
4/14/14	17	18	5	26	27	23	12
Precinct Total	207	220	78	318	302	262	156
Precinct 3A							
4/8/14 Precinct	75	71	32	94	99	80	60
4/8/14 VBM	110	63	34	115	127	69	96
4/14/14	31	11	18	27	23	21	20
Precinct total	216	145	84	236	249	170	176
Precinct 4A							
4/8/14 Precinct	57	64	16	71	83	80	32
4/8/14 VBM	99	50	36	99	84	82	55
4/14/14	7	13	3	11	14	14	4
Precinct total	163	127	55	181	181	176	91
Precinct 9A							
4/8/14 Precinct	109	85	47	131	127	84	102
4/8/14 VBM	93	60	46	94	97	63	86
4/14/14	20	17	12	19	21	16	16
Precinct total	222	162	105	244	245	163	204
GRAND TOTAL	808 (55.3%)	654 (44.7%)	322 (14.1%)	979 (43%)	977 (42.9%)	771 (55.1%)	627 (44.9%)

Note: Ballots counted on 4/8/14 included all ballots voted at the polls and the majority of vote by mail ballots received prior to 3:00 p.m. that day. Ballots counted on 4/14/14 included provisional ballots, vote by mail ballots returned at the polls, and the remainder of ballots returned by mail or personal delivery to City Hall before the polls closed. Prior to counting any vote by mail or provisional ballot, the following were confirmed: a) the voter was registered in Lawndale, b) the voter properly signed the ballot envelope, and c) the voter cast no other ballots.

OVERALL VOTER TURNOUT - GENERAL ELECTIONS, 1990 THROUGH 2014

Election Date	Offices Elected	Measures Voted Upon	Ballots Cast	Registered Voters	Turnout
1990	Mayor (4 candidates), 2 Council (10 candidates)	None	1,172	8,805	13.3%
1992	Mayor (3 candidates), 2 Council (5 candidates)	General Plan Approval	1,926	8,339	23.1%
1994	Mayor (2 candidates), 2 Council (3 candidates), City Clerk (2 candidates)	Eminent Domain Prohibition	1,356	9,260	14.6%
1996	Mayor (2 candidates), 2 Council (5 candidates)	None	1,297	9,265	14.0%
1998	Mayor (2 candidates), 2 Council (4 candidates), City Clerk (2 candidates)	Hawthorne Boulevard Revitalization Project expenditure	1,479	9,937	14.9%
2000	Mayor (2 candidates), 2 Council (3 candidates)	None	1,095	10,544	10.4%
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	1,449	11,200	12.9%
2004	Mayor (3 candidates), 2 Council (8 candidates)	None	1,542	9,387	16.4%
2006	Mayor (1 candidate), 2 Council (3 candidates), City Clerk (2 candidates)	None	812	9,987	8%
2008	Mayor (3 candidates), 2 Council (4 candidates)	Construction of new community center	1,220	10,120	12.1%
2010	Mayor (1 candidate), Council (3 candidates), City Clerk (2 candidates)	None	1,156	11,576	10%
2014	Mayor (2 candidates), Council (3 candidates), City Clerk (2 candidates)	None	1,543	14,125	10.9%



VOTE BY MAIL TURNOUT 2000 THROUGH 2014

	Registered PVBMs	% PVBMs Returned	# AVBM Appl Received	% AVBM Ballots Returned	% VBM Ballots Returned	Total Turnout
2000	43	49%	471	73%	71%	10.4%
2002	301	50%	441	77%	66%	12.9%
2004	409	54%	437	70%	61%	16.4%
2006	714	31%	221	67%	40%	8%
2008	888	42%	263	76%	50%	12.1%
2010	1,267	34%	264	78%	42%	10%
2014	3,528	19%	147	67%	784	21.3%

