

RESOLUTION NO. CC-1604-022

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LAWNSDALE, CALIFORNIA,
RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION
HELD ON APRIL 12, 2016, 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 12, 2016; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; voting precincts were properly established; 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 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, in all respects the election was held and conducted 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" 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 259; the whole number of vote by mail voter ballots cast in the city was 674; and the whole number of provisional ballots cast in the city was 22. The total number of ballots cast in the city was 955. The total number of ballots counted in the city was 920.

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

For mayor	Robert Pullen-Miles
For member of the City Council	Wallace (Wally) Reed
	Dan Reid
	James Osborne

SECTION 3. The number of votes given at each precinct to each person and the total 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 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) James H. Osborne was elected as member of the City Council for the full term of four years; and
- c) Daniel Reid was elected as member of the City Council for the full term of four years.

SECTION 5. The city clerk shall immediately make, sign, authenticate and deliver to each of the persons so elected a certificate of election. 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 27th day of April, 2016.



 Robert Pullen-Miles, Mayor

ATTEST:

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


I, Bernadette Suarez, 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-1604-022 at a regular meeting of said Council held on the 27th day of April, 2016, by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Robert Pullen-Miles, Mayor	X				
James H. Osborne	X				
Pat Kearney	X				
Daniel Reid	X				



 Bernadette Suarez, City Clerk

APPROVED AS TO FORM:



 Tiffany J. Israel, City Attorney



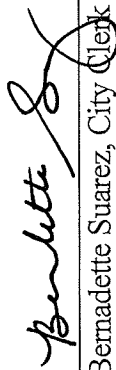
**CITY CLERK'S CERTIFICATE OF CANVASS
AND COMPLETION OF MANUAL TALLY**

I, Bernadette Suarez, City Clerk of the City of Lawndale, do certify that I have canvassed the returns of the General Municipal Election held on April 12, 2016, 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 were as follows:

	Mayor		City Council Member		
	Robert Pullen-Miles	Wallace Reed	Dan Reid	James Osborne	
Precinct 1					
Polling Place	65	16	68		60
Vote by mail – 1st Run	132	43	115		109
Vote by mail – 2nd Run	24	10	18		18
Provisional ballots	3	0	3		2
Precinct 3					
Polling Place	49	11	41		41
Vote by mail – 1st Run	124	43	93		95
Vote by mail – 2nd Run	21	9	15		12
Provisional ballots	1	2	4		1
Precinct 4					
Polling Place	33	6	26		29
Vote by mail – 1st Run	99	38	70		74
Vote by mail – 2nd Run	12	3	10		9
Provisional ballots	5	0	3		4
Precinct 9					
Polling Place	67	27	61		48
Vote by mail – 1st Run	118	40	96		83
Vote by mail – 2nd Run	12	2	8		9
Provisional ballots	5	2	4		2
TOTAL VOTES CAST	770	252	635		596

I also conducted a public manual tally of the ballots, including vote by mail ballots, cast in 1% of the precincts, or precinct #4, on April 21, 2016 in accordance with Section 15360 of the California Election Code. The results of the manual tally are as follows:

<u>Office/Candidate</u>	<u>Machine Tally</u>	<u>Manual Tally</u>	<u>Difference</u>	<u>If discrepancy, how resolved</u>
Mayor				
Robert Pullen-Miles	132	132	0	No discrepancy
City Council				
Wallace Reed	44	44	0	No discrepancy
Dan Reid	96	96	0	No discrepancy
James Osborne	103	103	0	No discrepancy


 Bernadette Suarez, City Clerk _____ Date 5.5.16



CITY OF LAWNDALE

14717 BURIN AVENUE, LAWNDALE, CALIFORNIA 90260
PHONE (310) 973-3200, FAX (310) 644-4556
www.lawndalecity.org

DATE: April 27, 2016
TO: Honorable Mayor and City Council
FROM: Stephen N. Mandoki, City Manager *SNM*
PREPARED BY: Pamela L. Giamario, Assistant City Clerk *PLG*
SUBJECT: General Municipal Election - April 12, 2016

BACKGROUND

The City of Lawndale's general election was held on Tuesday, April 12. 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. EC 10263 further 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 2, 2015, the City Council adopted a resolution that called for the election to be held on April 12, 2016 to elect a mayor and two councilmembers.

The candidate nomination period ran from December 21, 2015 to January 15, 2016. During that time, we issued nomination papers for the office of mayor to two individuals, both of whom filed the required paperwork and qualified for the ballot. Shortly before the close of nominations, however, one candidate withdrew, leaving Robert Pullen-Miles to run unopposed for mayor. For member of the City Council, four individuals received nomination papers, three of whom filed them and qualified for the ballot. The candidates were incumbent councilmembers James Osborne and Dan Reid, and Wallace Reed.

From January until election day, the City Clerk's Department engaged in numerous activities including a) publishing and posting notices required by state law, b) coordinating the preparation and mailing of approximately 11,000 trilingual sample ballot pamphlets to registered voters, and approximately 3,700 voter information pamphlets and ballots to voters registered to vote by mail, c) establishing precincts and arranging for polling places, d) recruiting and training poll workers and other election officials, e) assisting candidates with campaign finance disclosure requirements and other campaign issues, f) ordering and assembling precinct supplies and materials, including approximately 40 different posters, instructions, forms, storage materials, and other supplies for each polling place, g) processing 136 applications to vote by mail, and g) verifying voter signatures on 597 returned vote by mail ballots.

Support of Foreign Language Voters. The federal Voting Rights Act (VRA) requires Lawndale to provide support to voters whose primary language is either Spanish or Vietnamese and who are not English proficient. Therefore, 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. Website postings also appeared in the three languages. In addition, Deputy City Clerk Maria Guerra recruited bilingual poll workers to assist voters at every polling place and arranged for a private company to provide on-call interpreting services as needed. Finally, Deputy City Attorney Chris Neumeyer provided special training for our poll workers to review the requirements of the VRA and explain the special role pollworkers play in Lawndale's implementation of the VRA.

Election Day Activities. On election day, the city's four polling places were open from 7:00 a.m. until 8:00 p.m. Unfortunately, the polling place at William Green Park was still locked when the poll workers arrived to set up. Public Works Maintenance Supervisor Paul Bebek was dispatched to the park and the poll workers were able to set up in time for the 7:00 opening. We received a few reports about voters having difficulty finding or being unable to find the Green Park polling place. It is possible that they did not notice the second line of the polling place address – "Park Community Room" and only saw "William Green School". City Clerk Bernadette Suarez and Deputy City Clerk Maria Guerra had to deliver secrecy sleeves to the four polling places because they were inadvertently left out of the precinct kits. Staff had to assist a voter who was not listed on the precinct roster and was not comfortable with voting provisionally. No other significant problems were reported.

We began processing vote by mail ballots in City Hall at approximately 3:00 p.m. The board confirmed that the ballots received were from registered voters, ensured that the ballots were sorted by precinct, removed the ballots from their envelopes and prepared them for the ballot inspection board. They found that one envelope was returned without a ballot in it. Between 6:00 and 8:00 p.m., city clerk staff trained additional election workers on duties relating to the conduct of the semi-official canvass.

Shortly after 8:30 p.m., poll workers began delivering the voted ballots and precinct supplies. Election workers reviewed the precinct records before releasing the poll workers from their duties. A ballot inspection board individually inspected the ballots, one precinct at a time. The board duplicated ballots that were either damaged or 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 in conducting the semi-official canvass. We completed the counting and posted on the city's website shortly after 10:00 p.m. The total votes received by the candidates were:

For Mayor	For Member of the City Council		
Robert Pullen-Miles	Wallace (Wally) Reid	Dan Reid	James Osborne
687	224	570	539

The Official Canvass. Pursuant to EC 15302, the official canvass includes very detailed procedures that are designed to guarantee accurate vote counts, account for all ballots delivered to the city, and ensure there is no voter fraud. Our findings included:

- a) An inspection of all precinct materials which found no stray ballots left in the precinct kits and all materials required to be returned were present.

- b) A reconciliation of the number of signatures on the roster with the number of ballots cast in the polling place found an unexpected irregularity. There were five more signatures on the precinct voter rosters than there were voted ballots, suggesting that five voters signed in but did not receive a ballot.
- c) An audit of the ballots issued to voters and the precinct roster signatures found no evidence of double voting.
- c) All 4,000 vote by mail ballots and all 11,300 precinct ballots were accounted for.
- d) 22 provisional ballots were voted at the polling places. Two were cast by voters not registered in the city and two were not properly executed; these were not counted. The remaining 18 were counted.
- e) There were 77 vote by mail ballots either returned to polling places or delivered in time to count. Of these, two were not properly executed and were not counted. The remaining 75 were counted.

Two new election laws took effect on January 1, 2016 which required us to alter our canvassing procedures. First, we can now count vote by mail ballots received from the post office or a delivery service up to the Friday after the election. Formerly, ballots could not be counted if received after the close of the polls on election day. This new law required us to arrange a special pick-up of the city's mail since we do not normally receive mail on Friday. Between the close of polls on election day and the Friday mail pickup, we received 26 additional ballots to process.

Secondly, we may no longer reject a vote by mail ballot if the voter failed to sign the envelope. Instead, we must notify the voter of his/her right to a) come to City Hall and sign the envelope, or b) complete, sign and return an "Unsigned Ballot Statement" no later than 8 days after the election, or Wednesday, April 20. All such voters, except three, provided a signature before the deadline.

Ballots Counted. We counted 827 ballots on election night:

Total ballots cast by the close of polls	856
Vote by mail ballots cast by the close of polls	597
Vote by ballots not properly executed	-29
Ballots cast at polling places	+259
Ballots counted election night	827

On April 21, 2016, we convened a manual recount board to count the 99 ballots received after the polls closed that we deemed to be qualified.

Ballots counted election night	827
Provisional ballots	+22
Vote by mail ballots received at the polls and received by mail by Friday, April 15	+77
Voters not registered	-2
Ballot not properly executed	-4
Total ballots counted	920

Total ballots cast	955
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In addition, as required by state law, the board performed a manual recount of all ballots from one randomly selected precinct (precinct 4 with 156 ballots). Whenever we use a machine to tabulate votes on election night, we are required to recount the votes by hand to validate the machine count. Unfortunately, it is common for the manual tally to result in vote counts that differ from the machine count. The ballot counter cannot "see" with human eyes. It can only see what it is programmed to see which might include stray marks on the card that it counts as votes. Humans, on the other hand, have the ability to discern the voter's intent and might not notice stray marks. When that happens, the human count will often be different from the machine count. Fortunately, the board's counts were identical to the machine counts. We credit the excellent work done by the ballot inspection board on election night for this result.

Voting Turnout. On the last day that voters could register and vote in the Lawndale election, we had 12,438 voters. With 955 total ballots cast, the turnout was 7.7%. If one instead uses the number of ballots counted (920), turnout would be calculated at 7.4%. Both figures are well below the average for general elections. For the 12 general elections conducted from April 1990 to 2014, turnout ranged from a low of 8% in 2006 to a high of 23% in 1992 for an average of 13.4%.

Calculating voter turnout is not straightforward. When the vote by mail period started on March 14, Lawndale had 13,494 registered voters. By the March 28 deadline to register to vote in this election, the number was down by 1,056 to 12,438. We attribute this to the high level of interest in this year's presidential election. The LA County Registrar-Recorder, in fact, issued a press release a few weeks ago to report that the office was receiving an unusually high number of new registrations and re-registrations. In Lawndale, this resulted in a loss of registered voters. If one uses the earlier registration figure and the number of ballots counted, turnout would be calculated as only 6.8%.

Conclusion. We now present the results of the final canvass of the 2016 Lawndale general municipal election for the City Council's review in the form of the Election Official's Certificate of Canvass, attached to Resolution No. CC-1604-022 as Exhibit "A".

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-1604-022 and has approved it as to form.

RECOMMENDATION

Staff recommends that the City Council officially declare the results of the 2016 general municipal election by adopting Resolution No. CC-1604-022.

Attachments: Resolution No. CC-1604-022