

HOLLY L. WOLCOTT
CITY CLERK

PETTY F. SANTOS
EXECUTIVE OFFICER

City of Los Angeles CALIFORNIA



ERIC GARCETTI
MAYOR

OFFICE OF THE
CITY CLERK

200 N. SPRING STREET, ROOM 360
LOS ANGELES, CA 90012
(213) 978-1020
FAX: (213) 978-1027

clerk.lacity.org

August 3, 2020

Honorable Members of the
Los Angeles City Council
c/o Office of the City Clerk
Room 395, City Hall
Los Angeles, CA 90012

SUBJECT: NEIGHBORHOOD COUNCIL AT-POLL ELECTIONS DURING COVID-19

Honorable Members:

SUMMARY

The Office of the City Clerk (City Clerk) is responsible for conducting up to 99 Neighborhood Council (NC) elections from March through June in odd-numbered years. After the recent 2019 NC election cycle, our Office, in partnership with the Department of Neighborhood Empowerment (DONE), joined with NCs to identify several areas in need of improvement for the 2021 NC election cycle. As a result, additional funding was requested in Fiscal Year (FY) 2020-21 Departmental Budget to: hire as-needed employees to assist with administrative functions; attend NC board meetings to foster on-going relationships with NC boards; and purchase additional polling place/Americans with Disability Act-compliant signage. In total, the Department requested \$1M to conduct the 2021 NC Elections to address these improvements. This was approximately a \$400,000 increase from the previous 2019 NC election budget.

For FY 2020-21, in a particularly difficult budget year for the City, only \$673,010 was approved for the 2021 NC elections. This will allow the City Clerk to implement a portion of the improvements originally planned. Given the current pandemic and related uncertainty, the Department is anticipating that precautionary measures and voting alternatives will need to be considered to continue providing elections in a safe environment. City Clerk staff have identified various procedures that can be implemented with the funding received, to provide a safe voting experience for the 2021 NC Elections. At this time, the Department's recommendation is that all NC elections be conducted by mail.

RECOMMENDATION

That the City Council adopt the following recommendations:

1. Instruct the City Clerk to implement all Vote-by-Mail (VBM) NC elections in FY 2020-21, in response to the current pandemic.
2. Instruct the City Clerk and DONE to develop a joint outreach plan to inform and educate stakeholders on the all VBM election process using current resources.
3. Authorize the City Clerk to use up to \$673,010 in funds currently appropriated for at-poll NC elections for all VBM elections.

BACKGROUND

In 2019, the City Clerk and DONE conducted a total of 81 at-poll NC elections. This included polling place recruitment, poll worker recruitment, in-person training, and Election Day administration. Voting hours varied from four to six hours and turnout ranged from 100 to over 1,000 stakeholders, depending on location. Tabling during elections was common practice, where NC Board Members served food, congregated with voters, and promoted their NCs.

Traditionally, NC elections are viewed as social gatherings where neighbors have the opportunity to not only vote for their local representatives, but also to socialize with their community members. This grassroots-oriented neighborly environment may not be feasible, nor practical, during the next scheduled election cycle if the current crisis persists and the safety restrictions set forth by the County of Los Angeles, Department of Public Health remain in place.

AT-POLL VOTING

As previously mentioned, common practices typical of the NC election experience may not be viable options for stakeholders in the upcoming election. If the current safety restrictions persist, the City Clerk will provide an update to NC leaders regarding limitations and precautionary measures that have been identified and will need to be enforced in an effort to provide an opportunity to vote safely.

Precautionary Measures:

- Recruit larger polling locations to
 - enforce social distancing
 - bar any type of gathering outside the polling location
 - restrict persistent interactions and potential large crowds
- Add additional line monitors to ensure voters are six feet apart from each other
- Purchase cleaning supplies to sanitize high touch surfaces and equipment
- Continue to provide an online application for interested poll workers
- Produce an online poll worker training video

While some of these measures may present a challenge in implementation due to the lack of funding, as well as the challenges that will surface in high turnout elections, the City Clerk is

committed to providing the opportunity for all City of Los Angeles stakeholders to participate in NC elections.

In addition, the City Clerk will seek assistance from our NC partners, including DONE, to enforce such processes and recruit a larger number of volunteers.

VOTE-BY-MAIL (VBM)

Also included in the City Clerk's 2020-21 budget package was an add-on VBM option for up to 30 NCs. Although this option was not funded, implementing VBM for all NCs may be the most viable alternative to allow participation in NC elections, while ensuring stakeholders' safety. In light of the current pandemic and budget limitations, the following all VBM scenario would replace any/all at-poll voting options.

Conducting all VBM NC elections would be unprecedented. In 2012, the City Clerk administered a VBM add-on option for 12 NCs which also hosted at-polls voting. In 2014, City Clerk administered an add-on VBM option for only one NC.

In order to adequately assess the work involved for an all VBM option, the City Clerk based its figures on turnout for several past at-poll NC election cycles. The City Clerk believes that although an all VBM (with NO polling places) can be implemented for the 2021 NC elections with the funding received, there are specific caveats to be considered. Also, because there is no historic data for an all VBM election model, participation levels are unknown.

In a plan to accomplish an all VBM election, stakeholders would need to utilize an on-line portal to apply for VBM ballots. Stakeholders would be able to submit any required documentation online to qualify for a ballot (based on each NC's bylaws). Stakeholders without internet access would complete a paper application and submit their documentation by mail/email so that staff could enter their information into the portal. Upon verification of stakeholder status, paper ballots would be mailed to stakeholders, and voted ballots would be returned by mail to the City Clerk.

To facilitate participation, stakeholders will be provided with a postage-paid envelope to return their voted ballots. For those stakeholders who have not mailed their ballot before Election Day, the City Clerk may provide a limited number of Drop Box locations in each NC Region on its respective Election Day, with a possibility of in-person voting only at the City Clerk's Election Division Office (both contingent on the City's opening to the public and staff capacity requirement). Placement of Drop Boxes assume that they would be in a secured location (e.g. Council Field Offices or libraries), with oversight provided by individuals associated with that location.

For the all VBM option, development of the VBM portal needs to begin immediately, as it needs to be tested and functional by mid-December, 2020. In anticipation of all VBM NC elections, the City Clerk has started developing the process for such a scenario. This includes, formalizing deadlines and processes to ensure all stakeholders are able to vote safely and conveniently, and developing specifications for a portal that can provide a fillable voter application, as well as generating reports necessary for establishing stakeholder eligibility. All NCs will need to be notified and presented with timelines explaining major milestones throughout the election season. NC election outreach will be a critical component. The City Clerk will partner with DONE and NC boards to disseminate information.

At-Polls with VBM

Please note that a hybrid at-polls election with an all VBM component would not be feasible at this time, due to limited funding and resources. An all VBM option requires increased costs such as postage and additional staff to verify applications, prepare ballot packets, and process returned/voted ballots. These expenses would replace the at-polls election costs of polling location fees and hiring/training poll workers. Having both options would require funding a combination of all of the above costs, and that level of funding is not budgeted.

Outreach

Outreach for NC elections are administered by DONE. Funding to support the implementation of comprehensive outreach strategies in multiple languages to support the 2021 elections (\$450K) was not approved, due to the fiscal constraints caused by the City's response to the COVID-19 pandemic. In its transition of NCs to uniform virtual governance, the Department determined it prudent to develop outreach tools for NC use in their communities. Final versions of the tools were made available to NCs following seven regional successful outreach gatherings. Consideration will be given to how our combined departments might use existing resources to promote participation in the 2021 NC elections.

FISCAL IMPACT STATEMENT

No additional funding would be required this fiscal year for the implementation of either at-polls or all VBM NC election options.

CONCLUSION

The City Clerk is confident that either an at-polls or an all VBM voting scenario can be successfully conducted with ample planning and coordination, however, under the circumstances, we believe that an all VBM option is the best option to move forward. In these uncertain times, unprecedented actions are a necessity to meet the City's goals to serve the public. Due to budget constraints, sufficient funding does not exist to conduct both at-polls and VBM elections. In order to conduct a successful election cycle with existing funds, a decision to operate either at-poll elections or all VBM elections must be made. The City Clerk will continue to engage with DONE and NC stakeholders and welcomes feedback on voting processes that can be implemented to provide a safe NC election experience in 2021.

Sincerely,



Holly L. Wolcott
City Clerk