

2010 NEIGHBORHOOD COUNCIL ELECTION PROCEDURES

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2010 ELECTION PROCEDURES for the

Neighborhood Council of Westchester/Playa

(hereafter “Neighborhood Council”)

for the year 2010

I. INTRODUCTION

- A. These election procedures meet the minimum requirements to conduct Neighborhood Council Board Member Elections pursuant to City Council policy and other standardized Election Procedures that may be issued by the City Clerk. The document was developed in accordance with the 2010 Neighborhood Council Election Procedures Stipulations Language Worksheet which was submitted by the Neighborhood Council and the approved bylaws. Where a Neighborhood Council has not submitted the 2010 Neighborhood Council Election Procedures Stipulations Language Worksheet, the Citywide default values will apply.

II. THE ELECTION

- A. The election will be a **Prepared Ballot Election**. In this election, candidates shall file prior to Election Day and will then be included on a printed ballot that is distributed to the voters on Election Day.
- B. Proxy voting will not be allowed for this election.
- C. Voters may cast their ballots on the following date, time and location:

| | |
|---|--|
| Sunday, April 11, 2010 | 9:00 a.m. to 3:00 p.m. |
| <i>Date (e.g., Friday, January 1, 2010)</i> | <i>Times (e.g., 2:00 p.m. to 8:00 p.m., 10:00 a.m. to 4:00 p.m.)</i> |
| Center Point Club: Club Room | |
| <i>Location Name (e.g., City Hall, Van Nuys Library: include specific room or building)</i> | |
| 6200 Playa Vista Drive | |
| <i>Location Address</i> | |
| Playa Vista | CA 90094 |
| <i>City</i> | <i>State</i> <i>Zip Code</i> |

- D. The polling location for the election is in compliance with the Americans with Disabilities Act (ADA).

- E. If a disabled voter is unable to access the polling location, curbside voting will be provided as an option for that individual. On Election Day, voters can request curbside voting by calling the Election Division office at (213) 978-0444 or (888) 873-1000.
- F. Voters who physically are unable to vote at the polling location due to a disability will be offered a Vote-By-Mail (VBM) ballot. Voters requesting to vote by mail must affirm under penalty of perjury that they meet the aforementioned requirements.

III. NEIGHBORHOOD COUNCIL BOUNDARIES

- A. The following are the boundaries of the Neighborhood Council:

The area served shall generally conform to the Westchester/Playa del Rey/Playa Vista Community Plan and include such portions of the City of Los Angeles as are included in the following boundaries:

West: Pacific Ocean

North: Ballona Creek from the Pacific Ocean East to Bay Street, Bay Street, South to Jefferson Boulevard, Jefferson Boulevard, East to Centinela Avenue, Centinela Avenue East to La Cienega Boulevard.

Additional Northeast Section: North from the intersection of Centinela Boulevard and La Tijera Boulevard to ½ block north of 63rd Street, East to La Brea Avenue, La Brea Avenue, South to 64th Street, 64th Street West to La Cienega Boulevard.

East: City of Inglewood

South: City of El Segundo (North half of Imperial Highway from Dune Street to I-405 is within the NCWP boundaries).

Additional Southwest Section: Southeasterly from the intersection of Imperial Highway and Pershing along the El Segundo City Boundary to Candy Cane Park, West to the Pacific Ocean.

- B. There are voting districts/quadrants/regions in the Neighborhood Council. The following are the boundaries of the voting districts/quadrants/regions (if applicable) of the Neighborhood Council:

Residential Districts of the Neighborhood Council of Westchester/Playa:

| <u>Area No.</u> | <u>North</u> | <u>West</u> | <u>South</u> | <u>East</u> |
|-----------------|-------------------------|---------------|-------------------------|-------------|
| 1 | Ballona Creek | Pacific Ocean | Sandpiper | Falmouth |
| 2 | Manchester | Pershing | Westchester Pkwy | Falmouth |
| 3 | Westchester Bluffs | Falmouth | Manchester | Lincoln |
| 4 | Manchester | Falmouth | Westchester Pkwy | Lincoln |
| 5 | Westchester Bluffs | Lincoln | Manchester | Georgetown |
| 6 | Westchester Bluffs | Georgetown | Manchester | Emerson |
| 7 | Westchester Bluffs | Emerson | 80 th Street | Sepulveda |
| 8 | 80 th Street | Emerson | Manchester | Sepulveda |
| 9 | 405 Freeway | Sepulveda | 79 th Street | La Tijera |
| 10 | 79 th Street | Sepulveda | Manchester | Airport |
| 11 | Centinela | 405 Freeway | 405 Freeway | La Cienega |
| 12 | 405 Freeway | La Tijera | Manchester | Florence |
| 13 | Manchester | Airport | Century | La Cienega |
| 14 | Ballona Creek | Falmouth | Westchester Bluffs | Centinela |
| 15 | Manchester | Pacific Ocean | Imperial Highway | Airport |

- C. In accordance with City Clerk - Election Division Policy No.12, where a map of a Neighborhood Council does not match the language provided in that Neighborhood Council's bylaws, the City Clerk - Election Division will defer to the written bylaws for clarification. The City Clerk - Election Division shall revise Neighborhood Council maps in accordance with specific language in a given Neighborhood Council's bylaws.

IV. DEFINITION OF STAKEHOLDER

- A. The following is the Neighborhood Council's definition of stakeholder:

Neighborhood Council membership is open to all Stakeholders. "Stakeholders" shall be defined as those who live, work, or own property in the neighborhood or to those who declare a stake in the neighborhood and affirm the factual basis for it.

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- B. Voting age requirement. In order to cast a ballot in the election, a stakeholder must be at least years of age on the date of the election. In the event that a specific seat calls for a different minimum and maximum voting age, the seat title along with the voter requirements shall be included in the above section.

- C. All persons that meet the criteria for the definition of stakeholder as outlined in Attachment B of these election procedures shall be eligible to vote in the election.
- D. Stakeholders cannot be denied the opportunity to vote for a candidate for member of the governing board for whom they are eligible to vote.
- E. Stakeholders cannot be denied the opportunity to run for a board seat for which they hold stakeholder status. Unless, otherwise prohibited by the bylaws.

V. THE STAKEHOLDER VERIFICATION PROCESS AND ELIGIBILITY TO VOTE

- A. Voters will verify their stakeholder status through:

Voters will verify their stakeholder status by providing documentation acceptable to the City Clerk - Election Division. Stakeholder status may also be established by means of declaring a stake (or interest) in the neighborhood and providing documentation acceptable to the City Clerk - Election Division supporting that declaration. Factual Basis Stakeholders will also be required to provide a form of documentation to substantiate their factual basis claim.

- B. Stakeholders must affirm their stakeholder status by completing a Stakeholder Registration Form.

VI. PROVISIONAL VOTING

- A. A voter may cast a Provisional Ballot if the voter's eligibility to vote in the election cannot be determined in favor of the voter at the time the voter attempts to cast his or her ballot.
- B. In accordance to City Clerk - Election Division Policy No. 15, a voter may cast a Provisional Ballot if he/she has been issued a VBM Ballot, does not have a VBM Ballot to surrender, but wishes to vote at the polls. Once it has been determined by the City Clerk - Election Division that the voter did not vote the VBM Ballot issued, the Provisional Ballot will be counted.

- C.** A voter may cast a Provisional Ballot if his/her stakeholder status is challenged. The only acceptable basis for challenging a voter's right to vote at the polling site will be that the person is not a stakeholder as defined in Attachment B.
- D.** Where the issuance of a Provisional Ballot is required, the following process will be followed:
- i.** If a voter is challenged on the basis that they are not a stakeholder eligible to vote in the election, the voter may produce documentation to establish their stakeholder status at which time the voter will be issued a regular ballot. No stakeholder will be asked to provide documentation other than what is regularly required at the Polling Place.
 - ii.** Where a City Clerk - Election Division Inspector deems it necessary, the voter will be offered the opportunity to vote a Provisional Ballot. The Provisional Ballot will be the same as a regular ballot, except that prior to placement in the ballot box, the Provisional Ballot will be placed inside a Provisional Envelope. On the outside of the envelope the voter will provide:
 - 1. The voter's name.
 - 2. The voter's address.
 - 3. The voter's stakeholder status.
 - 4. The voter's contact number(s).
 - 5. The reason for the issuance of Provisional Ballot.
 - iii.** When a voter casts a Provisional Ballot, the voter will be issued instructions that explain what steps the voter must take to qualify the Provisional Ballot including documentation required to be submitted, where the documentation is to be submitted, and a contact number to request assistance or seek additional information. The deadline for submission of acceptable documentation shall be three (3) City of Los Angeles business days after the election.
 - iv.** All documentation must be received (not postmarked) at the address below by 5:00 p.m. of the deadline.

City Clerk - Election Division
P.O Box 54377
Los Angeles, CA 90054-0377

Or hand delivered to:
City Clerk - Election Division
Piper Technical Center
555 Ramirez St., Space 300
Los Angeles, CA 90012

You may also fax your documents to (213) 978-0376.

- E. The City Clerk - Election Division will be responsible for the verification of Provisional Ballots.

VII. THE CITY CLERK - ELECTION DIVISION

- A. The City Clerk - Election Division may utilize the staff, material, equipment and facility resources of the Neighborhood Council or the Department of Neighborhood Empowerment to assist them in carrying out the election administration duties, provided, however, that the following conditions are met:

- i. None of the candidates for the governing board participate in any way in the handling/counting of ballots, voter/candidate registration/verification, and/or assisting voters engaged in the act of voting in translating the voting material or explaining the voting process.
- ii. Written procedures are developed that specify the roles and responsibilities of all parties participating in the administration of the election.
- iii. The City Clerk - Election Division maintains the authority and responsibility for the administration of the election.

- B. The City Clerk - Election Division shall be responsible for the following duties:

- i. Writing and revising the election procedures.
- ii. Processing of candidates including verification of eligibility.
- iii. Processing of voters including verification of eligibility as applicable.
- iv. Overseeing and approving the preparation of the ballot to be used in the election.
- v. Distributing and receiving ballots from the voters including VBM.

- vi. Verifying any Provisional Ballots.
- vii. Counting the ballots.
- viii. Auditing the election results.
- ix. Issuing the final certified election results.
- x. Providing any and all required information and documentation for the Election Challenge process.
- xi. Securing all election materials for records retention in accordance with these election procedures and City Clerk - Election Division Policy No. 20.
- xii. Maintaining and organizing all materials throughout the election process.

VIII. THE GOVERNING BOARD

- A. The number of board members to be elected by the stakeholders for this election is .
- B. Board officers (e.g., President, Vice-President, Secretary, Treasurer, etc.) will be elected (as prescribed by the bylaws) by the STAKEHOLDERS BOARD
- C. For this election, the board seats available, the terms of office for said board seats, the qualifications to be a candidate for any particular seat, and instructions for filing for candidacy are described in **Attachment B, Board Seat Descriptions**.
- D. Write-in candidates for members of the governing board will be allowed for this election.

IX. CANDIDATE FILING

- A. Stakeholders can run for: .
- B. All potential candidates must complete a Candidate Filing Form and file the form with the Office of the City Clerk - Election Division.
- C. Candidates must provide documentation to establish eligibility to hold office.
- D. Picture identification (such as a California’s Driver’s License/Identification Card, U.S. passport or credit card containing a person’s photograph) shall

not be the only acceptable means of establishing stakeholder status and candidate eligibility.

- E. The City Clerk - Election Division will determine the acceptable forms of identification for each person.
- F. Candidate Filing Forms may be downloaded from the City Clerk website, may be requested by calling the Election Division office, and can be picked up at the Regional Stakeholder / Candidate Information Meetings. Persons may pick up the items or request them by contacting:

City Clerk - Election Division

Neighborhood Council of Westchester/Playa

Piper Technical Center
555 Ramirez Street
3rd Floor, Space 300
Los Angeles, CA 90012
Phone: (213) 978-0444

- G. The Candidate Filing Process for appearing on the ballot shall begin at 8:00 a.m., 90 days prior to Election Day, on

Monday, January 11, 2010

and shall conclude as of 5:00 p.m., 60 days prior to Election Day, on

Wednesday, February 10, 2010

All Candidate Filing Forms, (excluding the optional Candidate Statement Form) and all necessary forms of documentation for establishing the candidate's stakeholder status for the office must be received at the City Clerk - Election Division office within this period in order for a candidate to appear on the ballot. Candidate Filing Forms submitted after 60 days prior to Election Day but before the Write-in Candidate Filing deadline 30 days prior to Election Day will solely be considered as Write-in Candidates and their name will not appear on the ballot.

- H. Deadline for submitting the optional Candidate Statements for candidates appearing on the ballot is 5:00 p.m., 30 days prior to Election Day, on

Friday, March 12, 2010

- I. Completed Candidate Filing Forms must be submitted to the City Clerk - Election Division staff at a Regional Stakeholder / Candidate Informational event, in person at the Election Division (address listed below), or mailed directly with copies of all necessary documentation required to establish stakeholder status for the specific position being sought:

City Clerk - Election Division

Neighborhood Council of Westchester/Playa

Piper Technical Center
555 Ramirez Street
3rd Floor, Space 300
Los Angeles, CA 90012
Fax: (213) 978-0376

- J.** The Write-in Candidate Filing Process shall begin at 8:00 a.m., 59 days prior to Election Day, on

Thursday, February 11, 2010

and shall conclude at 5:00 p.m., 30 days prior to Election Day, on

Friday, March 12, 2010

All Candidate Filing Forms, the optional Candidate Statement Form and all necessary forms of documentation for establishing the candidate's stakeholder status for the office must be received at the City Clerk - Election Division office within this period at the City Clerk - Election Division by the deadline. Candidate Filing Forms submitted after 30 days prior to Election Day deadline will be considered late and the candidate will not be a qualified Write-in Candidate.

- K.** Completed Write-in Candidate Filing Forms must be filled out and submitted in person at the City Clerk - Election Division (address listed below) or mailed directly with copies of all necessary stakeholder verification documents to:

City Clerk - Election Division

Neighborhood Council of Westchester/Playa

Piper Technical Center
555 Ramirez Street
3rd Floor, Space 300
Los Angeles, CA, 90012
Fax: (213) 978-0376

- L.** Candidates must submit a completed Notice of Withdrawal Form to the City Clerk - Election Division at the address listed above. Candidates will not be permitted to retract their submitted Notice of Withdrawal Form. The deadline for withdrawing candidacy is 5:00 p.m., 60 days prior to Election

Day, on Wednesday, February 10, 2010 for Candidates appearing

on the ballot, and 30 days prior to Election Day, on

Friday, March 12, 2010 for Write-in Candidates.

- M. Lists of verified candidates will be updated on the City Clerk's website after each Candidate Filing deadline. Thereafter, the list may be updated by the City Clerk - Election Division for administrative reasons.
- N. The City Clerk - Election Division will retain all Candidate Filing Forms and corresponding documentation according to the Article XXIV - Disposition of Election Records and City Clerk - Election Division Policy No. 20.

X. CANDIDATE STATEMENTS

- A. As part of their Candidate Filing Packet, candidates will have the option to submit a Candidate Statement.
 - i. These Candidate Statements must fit on one side of the Candidate Statement Form provided.
 - ii. These Candidate Statements must be at least a 12-point font (if typed).
 - iii. Candidate Statements must not exceed 150 word count limit.
 - iv. Candidate Statements may not include any pictures, profanity or comments about any other candidate(s).
 - v. These statements will be compiled and posted on the City Clerk's website as well as at the Polling Place on Election Day, if submitted within the submission deadline.
- B. Candidate Statements are optional and the decision to submit them shall not prevent a candidate's certification.
- C. A candidate may submit translated version(s) of the original statement, which must comply with all aforementioned criteria.
- D. Candidate Statements for all qualified candidates must be submitted to the City Clerk - Election Division by 5:00 p.m., 30 days prior to Election Day, on .
Candidate statements shall not be accepted by the City Clerk - Election Division thereafter.

XI. CANDIDATE CHANGE OF STATUS

- A. As part of the filing process, the City Clerk - Election Division will notify every candidate that they are responsible for immediately informing the Election Division of any change in their stakeholder status.

- B.** In the event a candidate has died or a candidate's status has changed disqualifying them for the position on the board they are seeking, it is the responsibility of any interested party to inform the City Clerk as soon as possible. If the City Clerk is so notified, the following will occur based on the timing of the notification.
- i.** If notification occurs during candidate filing and before the issuance of any VBM ballots, the candidate's name will be redacted from the ballot and the candidate will be disqualified from the race.
 - ii.** If notification occurs after the candidate filing deadline and during the issuance of the VBM ballots, and the number of issued VBM ballots makes it practical, the City Clerk - Election Division will notify voters of the change and re-issue redacted ballots to all persons who have already received a ballot. Additionally, the City Clerk - Election Division will retract the name of the disqualified candidate from all Election Day ballots, as well as make appropriate announcements to voters on Election Day about the change.
 - iii.** If the number of issued ballots does not make it practical to redact and reissue ballots, the City Clerk - Election Division will hold the election. The candidate will be disqualified for the purposes of the election. Where the disqualified candidate is elected or the position has no other candidate, the position will be considered vacant.

XII. CAMPAIGNING

- A.** The use of the City of Los Angeles Seal, the Office of the City Clerk Seal, the Election Division Logo, the Department of Neighborhood Empowerment Logo or any other official Neighborhood Council designation created by the Department of Neighborhood Empowerment is prohibited for use on candidate materials.
- B.** The governing board of the Neighborhood Council, acting in its official capacity as the governing board, is prohibited from endorsing or campaigning for any candidate or group of candidates running for the governing board of the Neighborhood Council. This provision does not restrict the right of individual board members, acting as individual stakeholders, or any other stakeholders, from endorsing or campaigning for any candidate or group of candidates.
- C.** No City facilities, equipment, supplies or other City resources shall be used for campaigning activities except as provided below. City facilities may be used (1) to hold a candidate forum sponsored by a Neighborhood Council; (2) to hold a Neighborhood Council election; or (3) if the individual has

obtained approval from an authorized representative of a City Department or Commission (if managing a Department) for use of the facility.

- D. City resources may be used by a Neighborhood Council for communicating with voters through the printing and mailing of a voter information pamphlet which includes Candidate Statements and/or the posting of candidate statements on its website.
- E. The City Clerk - Election Division will not administer nor participate in any Candidate Forums. It is the responsibility of individual Neighborhood Councils to coordinate such events.
- F. Neighborhood Councils are prohibited from posting any endorsements of candidates on their web page. Neighborhood Councils shall be limited to only posting all candidates' names running for office. No names shall be excluded from such list.

XIII. ELECTIONEERING

- A. This policy expressly prohibits electioneering within 100 feet of the Polling Place measured from the door of the Polling Place where voters sign the roster and cast their ballots. Polling Place staff must place signs indicating where the 100-foot mark is located.
- B. "Electioneering" includes:
 - i. soliciting a vote or speaking to a voter on the subject of marking his or her ballot;
 - ii. placing any sign relating to any candidate;
 - iii. distributing material relating to any candidate; or
 - iv. placing a sign, distributing material, or conversing with a voter on the subject of the voter's qualifications to vote.
- C. In addition, excessive noise and audio equipment that creates a nuisance to voters or staff within the 100-foot mark will amount to a violation of this policy. Vehicles that have a banner or placard soliciting a vote or recommending any candidate shall remain 100 feet beyond the building where voters are voting, except for the discharge or loading of passengers. Activities beyond the 100-foot mark are subject to the rules of the particular property owner and should be respected.
- D. Any person or persons engaged in electioneering will be directed by polling place staff to cease and may be asked to leave.

XIV. POLLING PLACE SELECTION AND OPERATIONS

- A.** The process used to select the Polling Place for this election incorporated the following considerations:
- i.** The Polling Place selected must be of sufficient size to accommodate the voter sign-in process and actual voting activities.
 - ii.** The Polling Place selected should have sufficient parking.
 - iii.** The Polling Place selected should be convenient for those utilizing public transportation.
 - iv.** The Polling Place selected must be accessible for the disabled or procedures must be in place to accommodate disabled voters.
 - v.** Additional criteria for selecting a Polling Place includes: date and time availability of facility, cost for use of the facility, and a reasonably unbiased location to stakeholders and candidates.
- B.** The Neighborhood Council, may provide the City Clerk with a list of suggested locations and recommend their preferred Polling Places to the City Clerk. The City Clerk - Election Division will make the final decision on the Polling Place location.
- C.** The bylaws and these election procedures for the Neighborhood Council shall be available upon request at the Polling Place(s) for stakeholder review.
- D.** Candidate Statements and a list of certified Write-in candidates (if applicable) will be posted conspicuously at the Polling Place(s).
- E.** A list of all persons issued a VBM Ballot and all those returning a VBM Ballot will be prepared and provided to the person(s) managing the Polling Place for use in the voter sign-in process.
- F.** No campaigning or electioneering activities will be allowed within 100 feet from the entrance of the Polling Place.
- G.** In accordance with City Clerk - Election Division Policy No. 6, any person or group conducting surveys, exit polls, or other survey of voters are to remain at least 100 feet from the door to the Polling Place. Candidates are prohibited from participating and conducting surveys, exit polls, or other survey of voters on Election Day.

- H. Signage will be posted indicating the boundary where electioneering and exit poll or survey activities are prohibited.
- I. The Polling Place will remain open for six (6) consecutive hours.
- J. Polling Places will open no earlier than 8:00 a.m. and close no later than 8:00 p.m.
- K. A representative of the City Clerk - Election Division will announce in a loud voice in front of the Polling Place at the appointed time that the polls are open.
- L. A representative of the City Clerk - Election Division will announce in a loud voice in front of the Polling Place 10 minutes before the close of polls that the polls will close in 10 minutes.
- M. A representative of the City Clerk - Election Division will announce in a loud voice in front of the Polling Place at the time that polls are closed.
- N. Any persons in line outside of the Polling Place at the time the polls are closed will be allowed to vote.
- O. Only the representative of the City Clerk - Election Division or his or her assistants are allowed to issue, receive or process Ballots from the voter.
- P. A voter may designate another person to assist them in the voting process. The person providing the assistance cannot be a candidate in the election.
- Q. Any voter who comes to the polls and cannot reach the voting area because of architectural barriers or physical limitations may request to vote "curbside" (outside of the polling place).
- R. When an individual has requested curbside voting, a pollworker will bring the Ballot to the voter, assist the voter if necessary, and place the voter's Ballot in the ballot box.

XV. ELECTION OBSERVERS, EXIT POLLS AND SURVEYS

- A. Election Observers have the right to view all election operations.

Observers will be allowed inside the Polling Place throughout the election, provided that the observers do not, in any way, attempt to interfere with or influence the activities of the pollworkers or the voters.

The following guidelines will be posted at each Polling Place during the Neighborhood Council Elections:

- i.** Prior to opening, all Observers must wait outside while the Election Division Staff sets up the Polling Place. Observers will be permitted to enter the Polling Place once the polling site officially opens for voting.
 - ii.** All Observers must sign in with Election Division Staff. A badge will be issued and must be worn at all times. When leaving for the day/evening, the Observer must sign out and return the badge to an Election Division Staff Member.
 - iii.** Observers may not interfere in the election or the voting process. Observers cannot assist in operations, touch or handle any Ballots or other election-related materials.
 - iv.** There shall be no electioneering within 100 feet from the door of the Polling Place. The 100 feet will be measured from the entrance to the room or location where voters will be voting.
 - v.** Observers may not talk to or solicit voters in the Polling Place.
 - vi.** Observers are allowed to videotape/photograph Polling Place operations in accordance with the City Clerk - Election Division Policy No. 7, only after they have received everyone's permission to film (verbal or in writing). If someone objects to being videotaped/photographed, the Observer must stop filming.
 - vii.** Candidates are not permitted as Observers at the Polling Place on Election Day.
 - viii.** Observers have the right to ask pollworkers questions regarding election procedures and to receive answers or be directed to the appropriate official for responses to questions. However, if persistent questioning disrupts the execution of their duties, the pollworkers can stop responding and direct the Observer to the senior election official for all further answers. If disruptions persist, the Observer may be asked to leave the Polling Place.
 - ix.** Only pollworkers and voters engaged in voting may be within the voting booth area during the time the polls are open.
 - x.** No smoking, food or beverages are allowed in the Polling Place.
- B.** Videotaping and photography is permitted in the Polling Place on Election Day in accordance with the City Clerk - Election Division, Policy No. 7 and with the following restrictions:

- i. Video/Photography is only permitted with the expressed permission of everyone at the Polling Place.
- ii. Polling Place staff may not withhold permission to be photographed.
- iii. Video/Photography will not be of voter's faces.
- iv. Video/Photography will not be of a voter making their ballot choice.
- v. All persons taking video or photographs are required to sign in with the Polling Place staff and provide contact information.

Any person or persons that do not adhere to these conditions will be directed by Polling Place staff to cease and may be asked to leave.

XVI. VOTE-BY-MAIL PROCEDURES

- A. Vote-By-Mail (VBM) will be offered only to voters who physically are unable to go to the polling location due to disability. Only these stakeholders will be eligible to vote by mail.
- B. Voters requesting to vote by mail must affirm under penalty of perjury that they meet the aforementioned requirement.
- C. All VBM Applications must be requested by phone. Voters must call (213) 978-8050 to receive a VBM Application. For Los Angeles City Residents in need of TTY assistance, dial 311, or for those outside of Los Angeles, please dial (213) 485-2121.
- D. The following process shall be used for obtaining and submitting a VBM application,
 - i. VBM applications will be available beginning 60 days prior to Election Day or:

Wednesday, February 10, 2010
 - ii. The VBM application shall include instructions describing how to complete the application and, when necessary, what forms of identification applicants must include with their application.
 - iii. The deadline for the VBM application and all necessary documentation to establish stakeholder status to be received is 10 days prior to Election Day or:

Thursday, April 1, 2010
 - iv. The address where the VBM application is to be mailed is:

City Clerk - Election Division
Attn: Vote-By-Mail for the

Neighborhood Council of Westchester/Playa

P.O. Box 54377
Los Angeles, CA 90054-0377

The VBM application may also be delivered or faxed to the following location:

City Clerk - Election Division
Attn: Vote-By-Mail for the

Neighborhood Council of Westchester/Playa

Piper Technical Center
555 Ramirez Street
3rd Floor, Space 300
Los Angeles, CA 90012
Fax: (213) 978-0376

- v.** Any voter eligibility documentation requirements requested of VBM voters will be equal to those requested of At-Polls voters.
1. Where documentation is required by a Neighborhood Council to establish stakeholder status, a person voting by mail would be required to provide copies (photocopies, no originals) of the specified type of identification that would qualify a voter at the polling place.
 2. The City Clerk will make the final decision regarding the acceptable form of documentation.
- vi.** The VBM Ballot must be received from the voter three (3) days prior to Election Day. According to City Clerk - Election Division Policy No. 13, no person or persons other than the voter shall be involved with or participate in any way in the handling of VBM Applications, except for initial distribution. Only voters can submit their applications for a VBM Ballot. Applications collected or submitted by a candidate, group, or individual will not be accepted.
- vii.** A stakeholder/voter's application for a VBM Ballot must be submitted on the City Clerk's VBM Application Form by the application submission deadline. If the application is incomplete, the City Clerk - Election Division will make **one** attempt to contact voter to obtain the missing information and/or documents. Incomplete VBM applications will not be processed.

- viii. The voted ballot must be received three (3) days prior to Election Day (at the designated submission mailing address) or submitted at the polls on Election Day. All ballots received after the deadline will be marked “Late” and will not be counted as part of the tally.
- ix. Lists of all persons issued a VBM Ballot and all those returning a VBM Ballot will be prepared and provided to the person(s) managing the Polling Place for use in the voter sign-in process.
- x. In accordance to City Clerk - Election Division Policy No. 14, a second VBM Ballot will be sent to any voter upon receipt of a statement, signed under penalty of perjury, no later than ten (10) days prior to the election, that the voter has failed to receive, has lost, or has destroyed the original ballot. This policy also allows a voter to exchange a VBM Ballot that was sent in error. The City Clerk - Election Division will issue a corrected VBM Ballot upon the receipt of the original ballot.

XVII. BALLOT DESIGN

- A. The City Clerk - Election Division will be responsible for overseeing and approving the design of the ballot(s) to be used in the election.
- B. Candidate titles are not to be used on the ballot.
- C. The ballots will use the same size, font and color of type for all candidate names.
- D. If necessary, different colored ballots will be developed for different board positions that have specific stakeholder status requirements.
- E. Transliteration of candidate names will not be provided on the ballot.
- F. The candidates for each office will be placed on the ballot in order of last names based on a random alphabet drawing.
- G. Voter instructions will be included on the ballot or accompanying material to assist the voter in completing the ballot correctly.

XVIII. CANVASS OF VOTES, ISSUANCE OF RESULTS AND CERTIFICATION OF THE ELECTION

- A. The City Clerk - Election Division will be responsible for tabulating the ballots and announcing the official results within (7) City of Los Angeles business days after the election. Unofficial results shall be posted on the

City Clerk - Election Division website one (1) City of Los Angeles business day immediately following the election.

- B.** Observers will be allowed inside City Clerk - Election Division, Piper Technical Center during the unofficial canvass. There shall be no tallying of ballots at the polling location. All ballots shall be transported to the City Clerk - Election Division, Piper Technical Center, located at 555 Ramirez Street, Space 300, Los Angeles, CA 90012 for tallying. Tallying shall commence on the first City of Los Angeles business day after the election. An approximate schedule for tallying observation shall be posted to the City Clerk's website.
- C.** All Observers must sign in with Election Division Staff. A badge will be issued and must be worn at all times. When leaving for the day/evening, the Observer must sign out and return the badge to an Election Division Staff Member.
- D.** Observers cannot assist in operations or touch or handle any ballots or other election-related materials.
- E.** Observers are not permitted to sit in the Tally work areas.
- F.** There must be a 10-foot perimeter from where ballots are being counted to where observers are located.
- G.** Observers shall avoid physical contact with members of the Tally Board.
- H.** Observers are prohibited from photographing or recording any process of the Tally. Pagers and cellular phones must be set to vibrate or off mode while observing the Tally.
- I.** Observers are to hold discussions and conversations outside the Tally areas.
- J.** Observers may take notes during the Tally Process.
- K.** All questions concerning a procedure should be directed to the supervisor in charge and not directly to members of the Tally Board.
- L.** The City Clerk - Election Division will verify all Provisional Ballots for inclusion in the Final Official Certified Canvass after the At-polls and VBM Ballots have been counted. Provisional Ballots will only be counted in accordance with Article VI. Provisional Voting of these Election Procedures.
- M.** The Final Official Certified Canvass of ballots will occur at Piper Technical Center, located at 555 S. Ramirez Street, Space 300, Los Angeles, CA

90012. The final vote counting of the ballots will take place during the seven (7) City of Los Angeles business days immediately following the election.

- N. The deadline for completion of the Final Official Certified Canvass, including regular ballots, VBM Ballots and any Provisional Ballots, shall be seven (7) City of Los Angeles business days after the election.
- O. The Final Official Certified Canvass activities will be open to the public for observation, provided that the Observers not interfere with or attempt to influence the vote tabulation in any way.
- P. Tie votes will be resolved with a coin toss in the presence of the two tied candidates, or their official representatives. The coin toss shall take place within three (3) City of Los Angeles business days of the issuance of the Final Official Certified Canvass. Where the City Clerk - Election Division is not able to reach the candidates to coordinate the resolution of the tie-breaking coin toss, the default selection shall be "heads" for the first candidate in accordance with the random alphabet drawing.
- Q. Three-way ties will be resolved by placing 10 white marbles and one black marble into a bag. The three (3) tied candidates, or their official representatives, will be asked to pull marbles out of the bag. Candidates will be asked to pull marbles according to candidate-filing order. The candidate who pulls the black marble from the bag will be named the winner. Three-way tie drawings shall take place within three (3) City of Los Angeles business days of the issuance of the Final Official Certified Canvass.
- R. The City Clerk - Election Division will post the Official Certified Canvass on the City Clerk - Election Division website immediately upon completion.
- S. The City Clerk - Election Division will certify the recount results by emailing the results to recount petitioner, the official contacts for the Neighborhood Council and the Department of Neighborhood Empowerment (DONE) immediately upon completing the recount.
- T. Upon compiling the Final Official Certified Canvass, the City Clerk - Election Division will issue a press release and post it on the City Clerk - Election Division website <http://cityclerk.lacity.org/election/>.

XIX. OUTREACH FOR THE ELECTION

- A. Upon completion, the Election Procedures will be issued to the Department of Neighborhood Empowerment and to the Neighborhood Council. The

Department of Neighborhood Empowerment and the Neighborhood Council are responsible for informing stakeholders about the election.

- B. The City Clerk - Election Division shall be excluded from any and all outreach efforts conducted by the Department of Neighborhood Empowerment and the Neighborhood Council.
- C. **Ten (10) Day Vote-By-Mail Deadline.** Not less than ten (10) days prior to the election the City Clerk - Election Division shall:
 - i. Post information on the City Clerk - Election Division web page, regarding:
 - 1. The date(s), time(s), place(s) of the election.
 - 2. Contact numbers for obtaining additional information.
- D. A complete listing of election deadlines and events may be found in **Attachment A, Election Timeline**, to these election procedures.

XX. RECOUNTS

A. **Recount of Votes Cast**

- i. The Neighborhood Council and the Department of Neighborhood Empowerment will announce the **final election results** to the candidates and stakeholders.
- ii. Any stakeholder who voted in the election may request a recount of a specific contest or the entire election results within five (5) City of Los Angeles business days of the completion of the Final Official Certified Canvass by the City Clerk - Election Division by submitting a completed Request for Recount Form with the City Clerk - Election Division. For a recount to be accepted for action, (a) the number of votes separating the candidates must be 10% or less of the total votes cast in that specific contest, and (b) the stakeholder filing the request must provide the same stakeholder status verification required of voters in the election.
- iii. Public notice of the location, date and time of the recount will be posted at the City Clerk - Election Division web site a minimum of 24 hours before the recount is to take place and the person(s) requesting the recount will be provided an individual notice within the same time frame.

- iv. The recount will be open to public observation, provided that Observers must not interfere with or in any way attempt to influence the persons conducting the recount.
- v. The certified recount results will be announced by the City Clerk - Election Division immediately via the City Clerk - Election Division web page.

XXI. SEATING OF NEWLY ELECTED BOARD MEMBERS

- A. The seating of a newly-elected Neighborhood Council (NC) board will take place when:
 - i. The City Clerk - Election Division has issued certified election results for the NC; and,
 - ii. All official election challenges for the NC have been resolved.
- B. The board must be seated as a single unit. No partial and/or interim seating is allowed. Where a single challenge to a single seat has not been resolved, the rest of the board cannot be seated.
- C. The elected board shall be seated at the next regularly scheduled NC meeting within 30 calendar days of the above-mentioned criteria being met. The outgoing Board shall preside over the special meeting where the first order of business shall be to officially seat the newly-elected board. All powers shall immediately be transferred over to the newly-elected board.
- D. Where a regularly scheduled meeting is not scheduled within 30 calendar days of the certification of the election results and the resolution of all official election challenges, the outgoing board will call a special meeting in accordance with the Brown Act to seat the board.
- E. In the event the previous board fails to meet within the 30 calendar day period, the newly-elected board members shall be deemed officially seated and shall have all rights and responsibilities.
- F. Until such time as the City Clerk - Election Division has issued certified election results and all official election challenges have been resolved for the NC, the incumbent board members will continue in their duly elected/appointed positions.

XXII. GOVERNING BOARD MEMBER SEATS NOT FILLED THROUGH THE ELECTION

- A.** Any board member seat(s) that is/are not filled through the election process will be deemed vacant when the new governing board takes office.
- B.** The vacant seat(s) will be filled according to:

Article VII D.6 of the Bylaws.

XXIII. DISPOSITION OF ELECTION RECORDS

- A.** At the conclusion of the recount and election challenge resolution period, the City Clerk - Election Division shall retain all election-related materials for a period of six months. All election-related materials will be made available to the public in accordance with the Public Records Act and City Clerk - Election Division Policy No. 3.
- B.** After six months of retention by the City Clerk - Election Division, all NC election-related materials will be destroyed. No NC election-related materials will be kept after the six-month retention period.

ATTACHMENT A REGION D ELECTION TIMELINE

| ELECTION EVENTS, ACTIVITIES, FILING PERIOD DESCRIPTIONS, ETC. | E-DAY (+/-) | START | END |
|--|---|----------------------------------|----------------------------------|
| Distribution of Election Procedures | E-90 | Monday January 11, 2010 | |
| Candidate Filing Period | E-90 - E-60 | Monday January 11, 2010 | Wednesday February 10, 2010 |
| Candidate Withdrawal Deadline | E-60 | | Wednesday February 10, 2010 |
| Vote-By-Mail Application Period | E-60 - E-10 | Wednesday February 10, 2010 | Thursday April 1, 2010 |
| Write-in Candidate Filing Period | E-59 - E-30 | Thursday February 11, 2010 | Friday March 12, 2010 |
| Candidate Statement Deadline | E-30 | | Friday March 12, 2010 |
| Write-in Candidate Withdrawal Deadline | E-30 | | Friday March 12, 2010 |
| Mailing of Vote-By-Mail Ballots | E-30 - E-10 | Friday March 12, 2010 | Thursday April 1, 2010 |
| Vote-By-Mail Return Deadline | E-3 | | Thursday April 8, 2010 |
| Regional Election Day | Sunday April 11, 2010 | Sunday April 11, 2010 | Sunday April 11, 2010 |
| Deadline to Complete Final Canvass (FC) | E + 7 7 days (City of Los Angeles business days) | | Tuesday April 20, 2010 |
| Deadline to Submit Recount (RC) and Challenges (CH) | FC + 5 5 days (City of Los Angeles business days) after completing Final Canvass (FC) | | Tuesday April 27, 2010 |
| Deadline to Finish Recount | RC + 5 5 days (City of Los Angeles business days) after completing Recount Request (RC) | | Tuesday May 4, 2010 |
| Deadline to Issue Recount (Final Election Report) | RC + 30 30 calendar days after receiving Recount Request (RC) | | Thursday May 27, 2010 |
| Deadline to Submit all Challenge Recommendations to the Panel | CH + 30 30 calendar days after challenge submittal (CH) | | Thursday May 27, 2010 |
| Deadline for the Challenge Review Panel to issue verdict to the City Clerk | CH + 37 7 days (City of Los Angeles business days) after receiving City Clerk's recommendation | | Tuesday June 8, 2010* |
| Deadline for the City Clerk to issue Challenge (Final Challenge Report) | CH + 44 7 days (City of Los Angeles business days) after receipt of panel's decision | | Thursday June 17, 2010* |

* The date was adjusted pursuant to City Clerk - Election Division Policy No. 25

**ATTACHMENT B
BOARD SEAT DESCRIPTIONS**

The following chart contains information regarding board seats for this election

| BOARD POSITION | # OF SEATS | ELECTED OR APPOINTED? | QUALIFICATIONS TO RUN FOR THE SEAT | QUALIFICATIONS TO VOTE FOR THE SEAT |
|---------------------------------|------------|-----------------------|--|--|
| At-Large Affirmation Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives, works, owns property, or declares a stake in the NCWP community and affirms the factual basis for it. | Stakeholder who is at least 18 years of age and lives, works or owns property, and stakeholders who declare a stake in the NCWP community and affirm the factual basis for it. |
| Residential District 1 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 2 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 3 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 4 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |

| BOARD POSITION | # OF SEATS | ELECTED OR APPOINTED? | QUALIFICATIONS TO RUN FOR THE SEAT | QUALIFICATIONS TO VOTE FOR THE SEAT |
|----------------------------------|------------|-----------------------|---|---|
| Residential District 5 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 6 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 7 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 8 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 9 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 10 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |

| BOARD POSITION | # OF SEATS | ELECTED OR APPOINTED? | QUALIFICATIONS TO RUN FOR THE SEAT | QUALIFICATIONS TO VOTE FOR THE SEAT |
|----------------------------------|------------|-----------------------|---|---|
| Residential District 11 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 12 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 13 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 14 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Residential District 15 Director | 1 | Elected | Stakeholder who is at least 18 years of age and lives within the boundaries of the residential district seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| At-Large Directors | 3 | Elected | Stakeholders who are at least 18 years of age and live, work, or own property within the NCWP boundaries. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |

| BOARD POSITION | # OF SEATS | ELECTED OR APPOINTED? | QUALIFICATIONS TO RUN FOR THE SEAT | QUALIFICATIONS TO VOTE FOR THE SEAT |
|--------------------------------------|------------|-----------------------|---|---|
| Business Director, Zip Code 90045 | 1 | Elected | Stakeholder who is at least 18 years of age and is a business owner or manager of a business licensed with the City of Los Angeles and located within the zip code of the seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Business Director, Zip Code 90094 | 1 | Elected | Stakeholder who is at least 18 years of age and is a business owner or manager of a business licensed with the City of Los Angeles and located within the zip code of the seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Business Director, Zip Code 90293 | 1 | Elected | Stakeholder who is at least 18 years of age and is a business owner or manager of a business licensed with the City of Los Angeles and located within the zip code of the seat for which s/he is running. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Community Organization Director | 1 | Elected | Stakeholder who is an officer or director of a non-political community organization located and regularly meeting within the NCWP boundaries. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Education Director | 1 | Elected | Stakeholder who is an educator or administrator affiliated with a K-12 school within the NCWP boundaries. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Income Property Director | 1 | Elected | Shall be a residential or commercial property owner, or his/her representative, who rents or leases to others within the NCWP boundaries. Stakeholder does not have to reside or have his/her primary place of business located within the NCWP boundaries. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |

| BOARD POSITION | # OF SEATS | ELECTED OR APPOINTED? | QUALIFICATIONS TO RUN FOR THE SEAT | QUALIFICATIONS TO VOTE FOR THE SEAT |
|--|------------|-----------------------|---|---|
| Los Angeles World Airports (LAWA) Director | 1 | Elected | Stakeholder who is an employee of LAWA who is involved with the operation of Los Angeles International Airport. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Loyola Marymount University (LMU) Director | 1 | Elected | Stakeholder who is an administrator or staff member of LMU. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Religious Director | 1 | Elected | A spiritual leader of a house of worship located within the NCWP boundaries. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Senior Citizens Director | 1 | Elected | Stakeholder who lives within the NCWP boundaries and is at least 60 years of age. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Service Club and Fraternal Organization Director | 1 | Elected | Stakeholder who is a member of a service club or fraternal organization located within the NCWP boundaries. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |
| Youth Organization Director | 1 | Elected | Stakeholder who is affiliated with a youth organization within the NCWP boundaries. | Stakeholder who is at least 18 years of age at the time of the election and lives, works or owns property within the NCWP boundaries. |