



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 4 - 0 4 1 7

REPORT RE:

NOV 13 2014

**DRAFT ORDINANCE CALLING THE PRIMARY NOMINATING
AND GENERAL MUNICIPAL ELECTIONS FOR THE OFFICES OF MEMBER OF THE
LOS ANGELES CITY COUNCIL AND MEMBER OF THE BOARD OF EDUCATION
OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT, AND CONSOLIDATED
ELECTIONS FOR THE OFFICES OF MEMBER OF THE BOARD OF TRUSTEES OF
THE LOS ANGELES COMMUNITY COLLEGE DISTRICT**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

In accordance with Charter Section 402 and City Election Code Section 106, this Office has prepared and now transmits for your consideration a draft ordinance calling and ordering the City's primary nominating election to be held on March 3, 2015, and general municipal election to be held, if necessary, on May 19, 2015. We have approved the ordinance as to form and legality.

The ordinance calls the elections for the offices of Member of the Los Angeles City Council for Districts 2, 4, 6, 8, 10, 12 and 14, and for Member of the Board of Education of the Los Angeles Unified School District (LAUSD) for Districts 1, 3, 5 and 7. The ordinance provides that the term of office for these City and LAUSD offices shall be until December of 2020, if the voters of the City and LAUSD approve the Charter amendments changing City election dates to June and November of even-numbered years. The term of office shall be until June 30, 2019, if the voters do not approve the Charter amendments.

The ordinance also provides that the City will conduct elections for members of the Board of Trustees of the Los Angeles Community College District (LACCD) for Seat Numbers 1, 3, 5 and 7, consolidated with the City's primary nominating election on March 3, 2015. The Board of Trustees has adopted a Resolution, pursuant to State Education Code Section 72031, providing that the election be held as a plurality election under which the candidate receiving the greatest number of votes at the election shall be deemed elected to the office, with no run-off election required. The ordinance provides that the City Clerk will conduct the LACCD election consolidated with the City's primary nominating election.

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the City Clerk and its comments have been incorporated or resolved with the Department.

If you have any questions regarding this matter, please contact Deputy City Attorney Harit U. Trivedi at (213) 978-7100. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney



By

DAVID MICHAELSON
Chief Assistant City Attorney

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Transmittal

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ORDINANCE NO. _____

An ordinance calling, ordering, providing for and giving notice of a Primary Nominating Election and General Municipal Election on Tuesday, March 3, 2015, and Tuesday, May 19, 2015, respectively, in the City of Los Angeles, the Los Angeles Unified School District and the Los Angeles Community College District.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A Primary Nominating Election is hereby called to be held on Tuesday, March 3, 2015, in: (A) the City of Los Angeles to elect, or to nominate to be voted for at the General Municipal Election to be held on Tuesday, May 19, 2015, candidates for the offices of Member of the Council of the City of Los Angeles for Districts 2, 4, 6, 8, 10, 12 and 14 for the full term thereof commencing July 1, 2015; and (B) the Los Angeles Unified School District to elect, or to nominate to be voted for at the General Municipal Election to be held in the District on Tuesday, May 19, 2015, candidates for the offices of Member of the Board of Education of the Los Angeles Unified School District for Districts 1, 3, 5 and 7 for the full term thereof commencing July 1, 2015.

Sec. 2. There is hereby consolidated with the Primary Nominating Election of the City of Los Angeles, an election to elect candidates for the offices of Member of the Board of Trustees of the Los Angeles Community College District for Seat Numbers 1, 3, 5 and 7 for the full term commencing July 1, 2015. As requested by the Board of Trustees and pursuant to State Education Code Section 72031, the election shall be a plurality election such that the candidate who receives the greatest number of votes for each individual Seat of the Board of Trustees at the election shall be deemed the candidate elected to that Seat. No run-off election will be required or held.

Sec. 3. A General Municipal Election is hereby called to be held on Tuesday, May 19, 2015, in: (A) the City of Los Angeles to elect candidates for the offices of Member of the Council of the City of Los Angeles for Districts 2, 4, 6, 8, 10, 12 and 14 for the full term thereof commencing July 1, 2015, in each instance in which no candidate was elected to one of those offices at the Primary Nominating Election held on March 3, 2015; and (B) the Los Angeles Unified School District to elect candidates for the offices of Member of the Board of Education of the Los Angeles Unified School District for Districts 1, 3, 5 and 7 for the full term thereof commencing July 1, 2015, in each instance in which no candidate was elected to one of those offices at the Primary Nominating Election held on March 3, 2015.

Sec. 4. Special elections for two Charter amendments proposing to change City and Los Angeles Unified School District election dates to June and November of even-numbered years beginning in 2020 shall be consolidated with the City's Primary Nominating Election held on March 3, 2015. If the voters of the City and School District approve those Charter Amendments, then the term of office for the offices of Member of

the Council of the City of Los Angeles and Member of the Board of Education for the Los Angeles Unified School District elected at the Primary Nominating or General Municipal Elections shall be from July 1, 2015, to the second Monday in December of 2020. If the voters of the City and School District do not approve the Charter Amendments, then the term of office for the offices of Member of the Council of the City of Los Angeles and Member of the Board of Education for the Los Angeles Unified School District elected at the Primary Nominating or General Municipal Elections shall be from July 1, 2015, through June 30, 2019.

Sec. 5. For the purpose of holding and conducting the Primary Nominating and General Municipal and Consolidated Elections in the City of Los Angeles, Los Angeles Unified School District and Los Angeles Community College District, there hereby are adopted and established a total of 1573 voting precincts, of which 46 precincts are voting exclusively by mail ballot and 34 precincts contain no voters, as follows:

A. The area within the City of Los Angeles, consisting of 1226 voting precincts, of which 25 precincts are voting exclusively by mail ballot and 11 precincts contain no voters.

B. Those portions of the Los Angeles Unified School District and Los Angeles Community College District which are located outside the corporate limits of the City of Los Angeles, consisting of 211 voting precincts, of which 21 precincts are voting exclusively by mail ballot and 23 precincts contain no voters.

C. Provided, however, that for the purposes of nominating and electing candidates for the Office of Member of the Board of Education of the Los Angeles Unified School District, it is hereby ordered that neither the Primary Nominating nor General Municipal Elections shall be held in any portion of a precinct within the corporate limits of the City of Los Angeles which is not within one of the herein above designated member districts of the Los Angeles Unified School District. It is hereby further ordered that for the purpose of nominating or electing candidates for the Office of Member of the Board of Education of the Los Angeles Unified School District, the Primary Nominating and General Municipal Elections shall be held in those portions of the Los Angeles Unified School District located outside the corporate limits of the City of Los Angeles which are within one of the herein above designated member districts of the Los Angeles Unified School District

D. Provided further, that for the purposes of nominating and electing candidates for the Office of Member of the Board of Trustees of the Los Angeles Community College District, it is hereby ordered that the Primary Nominating Election shall not be held in any portion of a precinct within the corporate limits of the City of Los Angeles which is not within the Los Angeles Community College District. It is hereby further ordered that for the purpose of nominating or electing candidates for the Office of Member of the Board of Trustees of the Los Angeles Community College District, the Primary Nominating Election shall be held in

those portions of the Los Angeles Community College District located outside the corporate limits of the City of Los Angeles which are within the Los Angeles Community College District.

Sec. 6. In order to nominate or elect candidates for the offices of Member of the Board of Education of the Los Angeles Unified School District and to elect candidates for the offices of Member of the Board of Trustees of the Los Angeles Community College District at the Primary Nominating Election to be held on March 3, 2015, portions of the election in those districts, pursuant to Resolutions adopted by the City Council, shall be consolidated with the elections of up to 15 cities and with elections conducted by the County of Los Angeles, to be held on the same date, where portions of those districts are included within the corporate boundaries of those cities or the County. The voting precincts identified in Section 5, above will be adjusted, based on the actual number of jurisdictions that consolidate their elections with the City of Los Angeles Primary Nominating and Consolidated Elections. When a portion of the Primary Nominating and Consolidated Elections is consolidated with the election of one of the cities or the County as specified in the Council Resolutions, the voting precincts established by that city or the County for their election will, absent extenuating circumstances, also be used for the Primary Nominating and Consolidated Elections and for the subsequent General Municipal and Consolidated Elections to be conducted by the City of Los Angeles.

Sec. 7. The election voting precincts, polling places and officers of election set forth in the list that will be prepared and approved by the City Clerk, and filed in the City Clerk's Office not later than February 3, 2015, are established as the voting precincts and polling places for the election and the persons whose names are set forth in that list are named as the precinct board members for the election precincts; and that list is, by reference, approved, incorporated into and made part of this ordinance. The list will be available for review in the City Clerk's Election Division office.

Sec. 8. The polling places of the election shall be open at 7:00 a.m. on the election days of March 3, 2015 and May 19, 2015, and shall be kept open until 8:00 p.m. on those same days, when the polls shall close except as provided in the amended Los Angeles City Election Code Section 857.

Sec. 9. It is ordered that the election boards in those precincts designated in Subsection A of Section 5 hereof shall consist of one inspector and at least three clerks; and the election boards in those precincts designated in Subsection B of Section 5 hereof will consist of one inspector and at least two clerks.

Sec. 10. In order to staff critical election-related assignments on the election days of March 3, 2015, and May 19, 2015, the City Clerk is authorized to employ persons who are regularly employed in City Departments. The City Clerk shall compensate the employees, in the positions listed by the Clerk as critical to election operations, at rates equal to those specified for their regular Civil Service classifications

including overtime, if applicable. These positions shall not include City employees functioning as polling place officers under the City Employee Poll Worker Program.

Sec. 11. Further, in order to staff critical election-related assignments on the election days of March 3, 2015, and May 19, 2015, the City Clerk is authorized to employ persons as Emergency Inspector Reservists at a rate of \$300 for the day and to employ Emergency Translators at the rate of \$105 for the day.

Sec. 12. In order to facilitate communications with field staff on the election days of March 3, 2015, and May 19, 2015, the City Clerk is authorized to pay a stipend of \$5 per day to any staff person required to use their personal cellular telephone in the performance of their election day duties.

Sec. 13. In all particulars not recited in this ordinance, the election shall be held as provided by the Charter of the City of Los Angeles, the Los Angeles City Election Code and other applicable law.

Sec. 14. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/13/14 _____

File No. _____