

ATTACHMENT 2

RESOLUTION

WHEREAS, the Council of the City of Los Angeles has adopted a resolution to place a Charter amendment regarding election dates of the Los Angeles Unified School District before the qualified voters of the Los Angeles Unified School District at a Special Election to be called and consolidated with the State General Election held on November 6, 2018; and

WHEREAS, the City Election Code requires the City Attorney to prepare and present a ballot title and question consisting of an impartial statement of the measure; and

WHEREAS, the City Attorney has presented the following ballot title and question for the proposed measure:

REALIGN LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD) AND STATE ELECTION DATES. CHARTER AMENDMENT ____.

Shall the City Charter be amended to realign the LAUSD Board of Education's primary election date with the State's primary election held in March of even-numbered years, and make other related and technical changes to LAUSD election procedures?

NOW, THEREFORE, BE IT RESOLVED that the ballot title and question presented by the City Attorney be adopted by the City Council.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

HOLLY L. WOLCOTT, City Clerk

By _____ Deputy

RESOLUTION

Resolution providing that a ballot measure be submitted to the qualified voters of the Los Angeles Unified School District.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LOS ANGELES AS FOLLOWS:

Section A. The following amendment to the Charter of the City of Los Angeles is hereby proposed to be submitted to the qualified voters of the Los Angeles Unified School District at a Special Election to be called and consolidated with the State General Election held on November 6, 2018:

CHARTER AMENDMENT _____

Section 1. Section 401 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 401. Election Days – City of Los Angeles and Board of Education.

(a) Until the year 2020, for City offices and elections of the Board of Education, primary nominating elections shall be held on the first Tuesday after the first Monday in March in every odd-numbered year, and general municipal elections shall be held on the third Tuesday in May in every odd-numbered year, except that no such elections will be held in the year 2019 in order to transition to new election dates as provided in subsection (b).

(b) Beginning in the year 2020, for City offices and elections of the Board of Education, primary nominating elections shall be held on the first Tuesday after the first Monday in March in every even-numbered year, and general municipal elections shall be held on the first Tuesday after the first Monday in November of every even-numbered year. The Council may, by ordinance, specify different dates for the primary nominating and general municipal elections so that they may be held on the same dates as the statewide primary and general elections.

Sec. 2. Section 410 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 410. Filling Vacancies in the Office of Members of the Board of Education.

Vacancies in the office of Members of the Board of Education shall be filled by appointment or election in the manner set forth in this section.

(a) **Appointment.** The Board of Education may fill a vacancy by appointing a person to hold the office for the portion of the unexpired term remaining until the next second Monday in December of an even-numbered year. If any portion of the term remains after that date, the Board shall also request the City of Los Angeles to call a special election or elections to fill the remainder of the term, and the Council shall consolidate the election with the primary nominating election and general municipal election next following the appointment. If a vacancy is filled by appointment after the first date fixed by law for filing a Declaration of Intention to become a candidate at the next primary nominating election, the person appointed shall hold the office for the remainder of the unexpired term.

(b) **Special Election.** The Board of Education may request the City of Los Angeles to call a special election or elections for the purpose of filling the vacancy for the remainder of the unexpired term. Within 30 days of the Board's request, the City Council shall adopt an ordinance calling a special election, and special runoff election, if necessary, for the purpose of filling the vacancy. The Council shall provide in the ordinance for the consolidation of the election with any other election and for the procedure for nominating candidates, including the amount of the filing fee, if any, to be paid by candidates and other matters pertaining to the election. The Los Angeles Unified School District shall pay for all costs incurred in conducting the special election or elections. The Board of Education also may appoint a person to hold the office temporarily until the vacancy election is conducted and the election results are certified and declared.

(c) **Recall.** Any person appointed or elected to fill a vacancy may be removed from office by the recall in the same manner as if he or she had otherwise been elected to office.

Sec. 3. Section 433 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 433. Supporting and Opposing Arguments.

Any incumbent of an office whose removal is sought may file with the City Clerk an Argument Opposing the Recall, justifying the incumbent's course in office. The person filing the recall petition, or the person or organization on whose behalf a recall petition was filed, shall have the right to present to the City Clerk an Argument Supporting the Recall. Arguments supporting and opposing the recall shall be submitted to the City Clerk and distributed to the voters in compliance with the requirements of the City Election Code.

Sec. 4. Subsection (a) of Section 452 of the Charter of the City of Los Angeles is amended to read as follows:

(a) The proponents of an initiative petition may withdraw the petition in accordance with the procedures of the City Election Code.

Sec. 5. Section 454 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 454. Supporting and Opposing Arguments.

Any person or persons filing an initiative petition or the person or organization on whose behalf the petition is filed, shall have the right to file with the City Clerk, within the time specified by ordinance, an argument favoring the proposed ordinance. The Council shall have the right to present, or permit to be presented and filed with the City Clerk within the same limit of time, an argument opposing the ordinance. Arguments supporting and opposing the ordinance proposed by initiative shall be submitted to the City Clerk and distributed to the voters in accordance with the requirements of the City Election Code.

Sec. 6. Subsection (c) of Section 802 of the Charter of the City of Los Angeles is amended to read as follows:

(c) **Redistricting Process.** The Redistricting Commission shall be appointed before the date by which the Census Bureau is to release the decennial census data. A new Commission shall be appointed to advise the Council prior to each subsequent redistricting. The Commission shall begin the redistricting process at any time after appointment, but no later than June 1, 2021, and each subsequent tenth anniversary of that date. The Commission shall seek public input throughout the redistricting process. The Commission shall present its proposal for redistricting to the Council no later than a date prescribed by ordinance.

The Council shall adopt a redistricting ordinance no later than December 31, 2021, and each subsequent tenth anniversary of that date. Nothing in this section shall prohibit the Council from redistricting with greater frequency provided that districts so formed each contain, as nearly as practicable, equal portions of the total population of the Los Angeles Unified School District as shown by the Federal Census immediately preceding the formation of districts or based upon other population reports or estimates as may be determined by the Council to be substantially reliable.

Sec. 7. Subdivision (1) of Subsection (r) of Section 803 of the Charter of the City of Los Angeles is amended to read as follows:

(1) In addition to the campaign statements required to be filed pursuant to the Political Reform Act, commencing with Government Code Section 81000, as amended, candidates for the Board of Education, their controlled committees and committees primarily formed to support or oppose these candidates shall file a pre-election statement on the Friday before the election. This statement shall have a closing date of the Wednesday before the election and shall cover activity and payments occurring through that day. Candidates for the Board of Education, their controlled committees and committees primarily formed to support or oppose these candidates shall also file campaign statements as follows in connection with a primary nominating election held in March:

(A) For the period ending September 30 of the year prior to the election, a statement shall be filed no later than October 10, for the period from July 1 through September 30.

(B) For the period ending December 31 of the year prior to the election, a statement shall be filed no later than January 10, of the year of the election for the period from October 1 through December 31.

Sec. 8. The amendments to the Charter proposed and contained in Sections 1 through 7 above shall not become operative unless the separate Charter Amendment ____, similarly changing the election dates for the City of Los Angeles, also is approved by the voters of the City of Los Angeles.

Sec. 9. Severability. If any section, subsection, subdivision, clause, sentence, phrase or portion of this measure is held unconstitutional or invalid by any court or tribunal of competent jurisdiction, the remaining sections, subsections, subdivisions, clauses, sentences, phrases or portions of this measure shall remain in full force and effect, and to this end the provisions of this measure are severable. In addition, the voters declare that they would have passed all sections, subsections, subdivisions, clauses, sentences, phrases or portions of this measure without the section, subsection, subdivision, clause, sentence, phrase or portion held unconstitutional or invalid.

Sec. B. The City Clerk is hereby authorized and directed to publish a notice containing the proposed ballot measure, specifying the date of November 6, 2018, as the date the measure is to be voted upon by the qualified voters of the Los Angeles Unified School District. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles, and in each edition thereof during that day of publication. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the proposed ballot measure and to distribute the proposed ballot measure to any and all persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the proposed ballot measure to each of the qualified voters of the Los Angeles Unified School District.

Sec. C. The City Clerk is hereby authorized and directed to cause a notice to be published once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed ballot measure may be obtained upon request in the City Clerk's office.

Sec. D. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors and with the Registrar-Recorder of the County of Los Angeles.

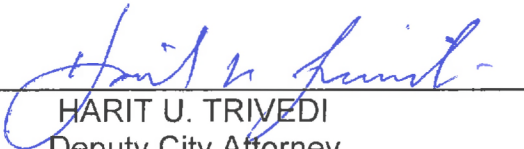
I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

HOLLY L. WOLCOTT, City Clerk

By _____
Deputy

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
HARIT U. TRIVEDI
Deputy City Attorney

Date June 6, 2018

RESOLUTION

WHEREAS, the Council of the City of Los Angeles has taken action pursuant to the City Charter to determine to place a Charter Amendment before the qualified voters of the Los Angeles Unified School District at a Special Election consolidated with the State General Election to be held on November 6, 2018;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Council of the City of Los Angeles respectfully requests the Board of Supervisors of the County of Los Angeles to consolidate the City of Los Angeles Special Election with the State General Election to be held on November 6, 2018, for the purpose of submitting to the qualified voters of the Los Angeles Unified School District a Charter Amendment with the following ballot title:

REALIGN LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD) AND STATE ELECTION DATES. CHARTER AMENDMENT ____.

Shall the City Charter be amended to realign the LAUSD Board of Education's primary election date with the State's primary election held in March of even-numbered years, and make other related and technical changes to LAUSD election procedures?

Section 2. That the Board of Supervisors be requested to fix the costs to be paid by the City of Los Angeles and/or Los Angeles Unified School District for conducting the Special Election, and that the City of Los Angeles and/or Los Angeles Unified School District will reimburse the County of Los Angeles for the costs incurred in conducting the Special Election.

Section 3. That the Board of Supervisors is hereby authorized to canvass the returns of the Special Election for which consolidation is requested.

Section 4. That the Special Election shall be held and conducted as provided by law for the holding of the State General Election in the Los Angeles Unified School District in accordance with California Elections Code Section 10418.

Section 5. That the City Clerk file a duly certified copy of this Resolution forthwith with the Board of Supervisors of the County of Los Angeles and provide a copy of the resolution to the County Registrar-Recorder.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

HOLLY L. WOLCOTT, City Clerk

By _____
Deputy

C.F. No. _____