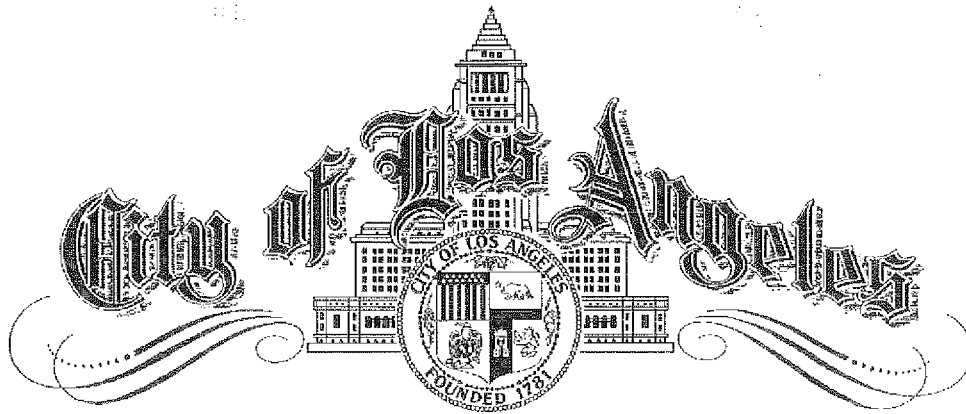


City Hall East
200 N. Main Street
Room 800
Los Angeles, CA 90012

(213) 978-8100 Tel
(213) 978-8312 Fax
CTrutanich@lacity.org
www.lacity.org/atty



CARMEN A. TRUTANICH
City Attorney

REPORT NO. R 1 2 - 0 3 3 9
OCT 30 2012

REPORT RE:

DRAFT ORDINANCE CALLING THE CITY'S PRIMARY NOMINATING AND GENERAL MUNICIPAL ELECTIONS FOR THE OFFICES OF MAYOR, CITY ATTORNEY, CONTROLLER AND MEMBERS OF THE LOS ANGELES CITY COUNCIL AND FOR MEMBERS OF THE BOARD OF EDUCATION OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT, AND CONSOLIDATED ELECTIONS FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE LOS ANGELES COMMUNITY COLLEGE DISTRICT AND A BOND PROPOSITION OF THE BURBANK UNIFIED SCHOOL 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 the enclosed draft ordinance calling and ordering the City's primary nominating election to be held on March 5, 2013, and general municipal election to be held, if necessary, on May 21, 2013. We have approved the ordinance as to form and legality.

The ordinance calls the elections for the offices of Mayor, City Attorney, Controller and Members of the Los Angeles City Council for Districts 1, 3, 5, 7, 9, 11, 13 and 15, and for members of the Board of Education of the Los Angeles Unified School District, Districts 2, 4 and 6. 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), Districts 2, 4 and 6 consolidated with the City's primary nominating and general municipal elections, consistent with the request of LACCD's Board and

historic practice. Finally, as provided in a consolidation resolution transmitted under separate cover, the ordinance provides that the City will conduct a bond proposition election for the Burbank Unified School District.

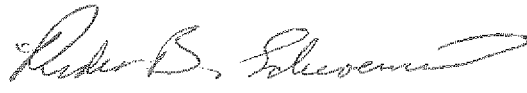
Council Rule 38 Referral

Pursuant to Council Rule 38, we submitted the draft ordinance to the City Clerk for comment. The transmitted ordinance incorporates the City Clerk's comments.

If you have any questions regarding this matter, please contact Deputy City Attorney Harit U. Trivedi at (213) 978-7184. 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,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA
Chief Assistant City Attorney

PBE:HUT:ac
Transmittals

cc: June Lagmay, City Clerk
Gerry Miller, CLA

ORDINANCE NO. _____

An ordinance calling, ordering, providing for and giving notice of a Primary Nominating Election and General Municipal Election on Tuesday, March 5, 2013, and Tuesday, May 21, 2013, respectively, in the City of Los Angeles, the Los Angeles Unified School District, the Los Angeles Community College District and the Burbank Unified School 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 5, 2013, 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 21, 2013, candidates for the offices of Mayor, City Attorney, Controller and Member of the Council for Districts 1, 3, 5, 7, 9, 11, 13 and 15 for the full term thereof commencing July 1, 2013; and (B) portions of 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 21, 2013, candidates for the offices of Member of the Board of Education of the Los Angeles Unified School District for Districts 2, 4 and 6 for the full term thereof commencing July 1, 2013.

Sec. 2. There is hereby consolidated with the Primary Nominating Election of the City of Los Angeles, a primary election to elect, or to nominate to be voted for at a General Municipal Election to be held on Tuesday, May 21, 2013, candidates for the offices of Member of the Los Angeles Community College Board of Trustees for Seat Numbers 2, 4 and 6 for the full term commencing July 1, 2013, as requested by the Board of Trustees for the District.

Sec. 3. The Special Election of the Burbank Unified School District to be held on March 5, 2013, for the purpose of submitting to the Burbank Unified School District voters a bond proposition, also is consolidated with the City of Los Angeles Primary Nominating and Consolidated Elections hereby called to be held on March 5, 2013, as requested by the Board of Education of the Burbank Unified School District and the Board of Trustees of the Los Angeles Community College District and as further provided in the Los Angeles City Council Resolution ordering consolidation of the Burbank Unified School District election.

Sec. 4. A General Municipal Election is hereby called to be held on Tuesday, May 21, 2013 in: (A) the City of Los Angeles to elect candidates for the offices of Mayor, City Attorney, Controller and Member of the Council for Districts 1, 3, 5, 7, 9, 11, 13 and 15 for the full term thereof commencing July 1, 2013, in each instance in which no candidate was elected to one of those offices at the Primary Nominating Election held on March 5, 2013; and (B) portions of 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 2, 4 and 6 for the full term thereof commencing

July 1, 2013, in each instance in which no candidate was elected to one of those offices at the Primary Nominating Election held on March 5, 2013.

Sec. 5. There is hereby consolidated with the General Municipal Election of the City of Los Angeles a general election to elect candidates for the offices of Member of the Los Angeles Community College Board of Trustees for Seat Numbers 2, 4 and 6 for the full term commencing July 1, 2013, in each instance in which no candidate was elected to one of those offices at the primary election held on March 5, 2013, as requested by the Board of Trustees for the District.

Sec. 6. 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, Los Angeles Community College District and Burbank Unified School District, there hereby are adopted and established a total of 1695 voting precincts, of which 57 precincts are voting exclusively by mail ballot and 54 precincts contain no voters, as follows:

A. The area within the City of Los Angeles, consisting of 1355 voting precincts, of which 26 precincts are voting exclusively by mail ballot and 19 precincts contain no voters.

B. Those portions of the Los Angeles Unified School District, Los Angeles Community College District and Burbank Unified School District which are located outside the corporate limits of the City of Los Angeles, consisting of 340 voting precincts, of which 31 precincts are voting exclusively by mail ballot and 35 precincts contain no voters.

C. Provided, however, that to nominate or elect 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 to nominate or elect candidates for the Office of Member of the Board of Trustees of the Los Angeles Community College District, it is hereby ordered that neither the Primary Nominating nor General Municipal and Consolidated Elections shall 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 and General Municipal and Consolidated Elections 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. 7. 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 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 5, 2013, 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 6 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. 8. 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, 2013, 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. 9. The polling places of the election shall be open at 7:00 a.m. on the election days of March 5, 2013, and May 21, 2013, 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. 10. It is ordered that the election boards in those precincts designated in Subsection A of Section 6 hereof shall consist of one inspector and at least three clerks; and the election boards in those precincts designated in Subsection B of Section 6 hereof will consist of one inspector and at least two clerks.

Sec. 11. In order to staff critical election-related assignments on the election days of March 5, 2013, and May 21, 2013, 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. 12. Further, in order to staff critical election-related assignments on the election days of March 5, 2013, and May 21, 2013, the City Clerk is authorized to employ persons as Emergency Inspector Reservists at a rate of \$300.00 for the day and to employ Emergency Translators at the rate of \$105.00 for the day.

Sec. 13. In order to facilitate communications with field staff on the election days of March 5, 2013, and May 21, 2013, the City Clerk is authorized to pay a stipend of \$5.00 per day to any staff person required to use their personal cellular telephone in the performance of their election day duties.

Sec. 14. 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. 15. 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 _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
HARIT U. TRIVEDI
Deputy City Attorney

Date 10/30/12

File No. _____