



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 16 - 0081  
MAR 11 2016

**REPORT RE:**

**DRAFT ORDINANCE AMENDING VARIOUS PROVISIONS OF THE CITY ELECTION CODE TO CONFORM WITH RECENT CHARTER AMENDMENTS, CLARIFY LANGUAGE, CODIFY EXISTING PRACTICE, TRACK CERTAIN STATE LAWS AND MAKE TECHNICAL CORRECTIONS AND IMPROVEMENTS**

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

Honorable Members:

As requested by your Honorable Body, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This draft ordinance amends various provisions of the City Election Code.

Background

On October 8, 2015, the City Clerk issued a report recommending several proposed amendments to the Los Angeles City Election Code. On February 4, 2016, the City Clerk issued another report recommending a few additional amendments to the Election Code. On February 24, 2016, your Honorable Body adopted the Clerk's recommendations and requested this Office to prepare an ordinance to make these changes.

Summary of Draft Ordinance

The enclosed draft ordinance reflects the recommendations of the City Clerk's reports and includes the amendments detailed in the attachments to the Clerk's reports

with a few minor clarifications to the language to better effectuate the intent of the amendments.

Most of the proposed amendments are designed to conform the City Election Code with recent amendments to the City Charter. In March of 2013, the voters adopted Charter Amendments 1 and 2 changing the City's and LAUSD's election dates to June and November of even-numbered years beginning in 2020 so that City elections can be consolidated with State elections held on the same dates. The Charter Amendments also amended provisions related to election procedures and deadlines for City initiatives, referenda and recall petitions. The enclosed draft ordinance amends various provisions of the City Election Code to conform the Code with the changes already made to the Charter through last year's Charter Amendments.

The enclosed draft ordinance also amends the City Election Code to clarify potentially confusing language and procedures contained in the current Code, codify existing election practices, track certain State elections code provisions and make technical corrections and improvements. The Clerk's reports provide a detailed explanation of each of these changes.

#### Effective Date of Election Code Amendments

Charter Section 412 provides that amendments to the City Election Code do not become operative until six months after publication of the ordinance. In light of the six-month moratorium period of Section 412, the City Clerk has recommended that the enclosed ordinance be adopted no later than April 1, 2016, so that the Election Code amendments will be operative for the upcoming 2017 municipal elections. The provisions of the current Election Code will continue to govern during the six-month interim period.

#### Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the City Clerk's Office, and its comments have been incorporated.

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

DM:HUT:as  
Transmittal