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October 20, 2022

Honorable Members of the
Los Angeles City Council
c/o Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012

SUBJECT: SPECIAL ELECTION FOR CITY OF LOS ANGELES COUNCIL, SIXTH DISTRICT

Honorable Members:

This report discusses the options available to the Los Angeles City Council (Council) to fill the vacancy in the Office of Member of the City Council, Sixth District (Sixth District) by Special Election. The Council has the authority under Charter Section 409 to fill the vacancy in the Council District Office by calling a Special Election to take place as early as the Spring of 2023. Council also may appoint a person to temporarily fill the Office as a voting member until that Special Election is completed.

Please note that it takes approximately 160 days from the date the Election is called to hold a Special Primary Election. The corresponding Runoff date, if necessary, would take place at least 84 days thereafter. The next regularly scheduled Primary Nominating Election for the Sixth District is March 5, 2024.

Special Election - Charter Section 409(b)

The Council has the authority to fill a vacancy in a Council Office by adopting an Ordinance to call a Special Election. Assuming the Special Election is called by Friday, November 4, 2022, the earliest date a Special Election could be held is April 4, 2023 with a corresponding Runoff date, if necessary, of **June 27, 2023**.

These dates would minimize the time the Sixth District would be without an elected representative on the Council while still providing notice for prospective candidates to meet election residency requirements and organize their campaigns, providing adequate time for the Office of the City Clerk (City Clerk) to prepare for the Election, and avoiding holidays which may hinder voter turnout.

If the Special Election is called later than November 4, 2022, it would move the Election date accordingly.

When the Council opts to fill the vacancy by Special Election, Charter Section 409(b) provides that Council also may appoint a person to temporarily fill the Office as a full voting member of the City Council until that Special Election is completed. Alternatively, Council may opt to leave

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the Office vacant and assign a caretaker to handle the Office's administrative affairs until the Election.

Background

The Los Angeles County Registrar-Recorder/County Clerk (RR/CC) has informed the City Clerk of an estimated \$7.5M to conduct the two (Primary and Runoff) potential Special Elections. Additionally, the City Clerk estimates it will cost approximately \$150,000 to conduct candidate filing and nomination petition verification services, for a total of \$7.65M to fill the Sixth District vacancy. As of the writing of this report, it appears the Election costs will not be shared with any other jurisdictions' elections being held on the same dates and this Special Election will stand alone.

Accordingly, the City Clerk recommends that the City Council request the City Attorney prepare the Ordinance calling the Special Election and that the Council then adopt the Special Election Ordinance prepared and submitted by the City Attorney. In addition to setting the Election dates, the Special Election Ordinance would establish that the candidate filing period start on December 5, 2022, with nominating petitions due no later than January 4, 2023. This filing and nomination period will allow the City Clerk to transmit candidate names to the RR/CC so they can prepare and mail the Official Sample Ballot to the Sixth District voters in time for the April 4, 2023 Election. It should be noted that, per the City Charter, candidates must be residents of the Sixth District at least 30 days prior to the first day to file for office (in this case, candidates would have to be residents no later than November 5, 2022).

Recommendations for Council action:

1. Request the City Attorney to draft and submit a Special Election Ordinance that calls and orders a Special Election to be held on April 4, 2023, and a Special Runoff Election to be held, if necessary, on June 27, 2023, to fill the vacancy in the Office of Member of the City Council, Sixth District.
2. ADOPT the Special Election Ordinance to be prepared and submitted by the City Attorney that calls and orders a Special Election to be held on April 4, 2023, and a Special Runoff Election to be held, if necessary, on June 27, 2023, to fill the vacancy in the Office of Member of the City Council, Sixth District.
3. Appropriate \$3.9M from a funding source to be identified from Fiscal Year 2022-23 to the City Clerk Fund No. 100/14 as follows for the April 4, 2023 Special Primary Election:
 - \$100K to Account 1070 (Salaries As-Needed)
 - \$10K to Account 1090 (Salaries Overtime)
 - \$3.79M to Account 4170 (Election Expense)
4. Appropriate \$3.75M from a funding source to be identified by the City Administrative Officer (CAO) from Fiscal Year 2023-24, to the City Clerk Fund No. 100/14 as follows for the June 27, 2023, Special Runoff Election:
 - \$3.75M to Account 4170 (Election Expense)
5. Authorize the City Clerk, in conjunction with the CAO and the Controller, to make any technical corrections or clarifications to the above fund transfer instruction in order to effectuate the intent of this action.



6. Authorize the City Clerk to negotiate and execute any agreements, as appropriate, as may be needed relative to the Office of the Member of the City Council, Sixth District, Special Election, subject to the approval of the City Attorney as to form and legality.

Fiscal Impact Statement

Calling, ordering, and conducting the Special Election(s) to fill the vacancy in the Office of the City Council, Sixth District, is estimated to cost the City of Los Angeles \$7.65M for both the Special Primary and Runoff Elections, including the City's candidate filing and nominating petition verification processes.

Respectfully submitted,

Signed with ClerkSign

Oct 20, 2022 9:45PM

Holly L. Wolcott
City Clerk

HLW/PFS/JP:ih
EXE-078-22