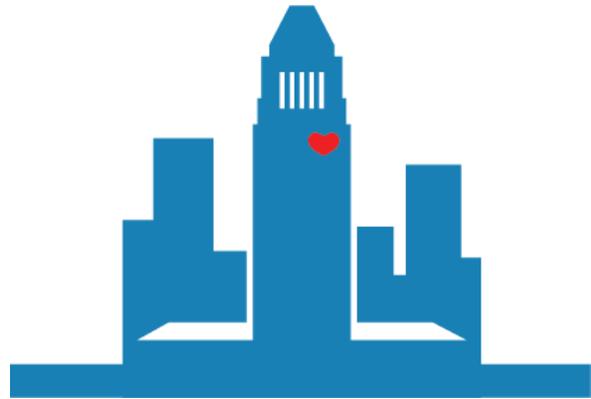




EMPOWER LA™
Department of
NEIGHBORHOOD EMPOWERMENT



Neighborhood Council 2016 ELECTION MANUAL

Revised April 29, 2016

Table of Contents

| | |
|---|----------------|
| Introduction | Page 3 |
| Definition of Terms | Page 4 |
| Election Process | Page 6 |
| I. Overview | Page 6 |
| II. Election or Selection | Page 7 |
| III. Election Timeline | Page 8 |
| Election Policies | Page 13 |
| I. Term Extension | Page 13 |
| II. Board Affirmation | Page 13 |
| III. Write-in Candidates | Page 13 |
| IV. Shortened or Extended Election Time | Page 14 |
| V. Online Voting | Page 14 |
| VI. Location Fee | Page 14 |
| VII. Election Schedule Deadline Conflict | Page 14 |
| VIII. Running Board Slates | Page 14 |
| IX. Candidate Filing Form Information Public | Page 14 |
| X. Board Affirmation | Page 15 |
| XI. Certified Candidates | Page 15 |
| XII. Inspection of Forms | Page 15 |
| XIII. Candidate Filing Extension | Page 15 |
| Election Procedures | Page 16 |
| I. Introduction | Page 16 |
| II. Elections | Page 16 |
| III. Location | Page 16 |
| IV. Neighborhood Council Boundaries | Page 16 |
| V. Definition of Stakeholder | Page 17 |
| VI. Independent Election Administrator | Page 17 |
| VII. Candidates | Page 18 |
| VIII. Candidate and Stakeholder Verification | Page 21 |
| IX. Campaigning | Page 21 |
| X. Electioneering | Page 22 |
| XI. Ballot | Page 22 |
| XII. Self Affirmation for Homeless Voters | Page 23 |
| XIII. Polling Place Operations | Page 23 |
| XIV. Vote-By-Mail | Page 25 |
| XV. Tabulation of Votes and Election Certification | Page 25 |
| XVI. Challenges | Page 26 |
| XVII. Recounts | Page 28 |
| XVIII. Notice of Vacating Multiple Seats | Page 29 |
| XIX. Outreach for the Election | Page 29 |
| XX. Videotaping | Page 29 |
| XXI. Seating of Newly Elected Board Members | Page 30 |
| XXII. Translation and Language Assistance | Page 30 |
| XXIII. Exit Polls and Surveys | Page 30 |
| XXIV. Governing Board Member Seats Not Filled Through the Election.. | Page 31 |
| XXV. Release of Election Materials | Page 31 |
| XXVI. Public Records Act | Page 31 |
| XXVII. Disposition of Election Records | Page 32 |

Revised April 29, 2016

Introduction

The Department of Neighborhood Empowerment (EmpowerLA) and the Office of the City Clerk (City Clerk) are pleased to work with the Neighborhood Councils on your elections in 2016. We have developed this manual to help guide candidates and voters through the election process. While some of the policies in this manual also apply to the Selection process (an alternative to elections), the majority of the information will focus on the election process and procedures.

Many thanks to those Neighborhood Council leaders who have provided critical election feedback that we have incorporated into this manual; who have volunteered to help coordinate regional outreach; who are acting as Independent Election Administrators to guide their fellow Neighborhood Councils through the election process; and who volunteer at the polls and step forward regularly to ask us how they can help make these elections successful. We appreciate your enthusiasm and leadership and are inspired by this partnership with you.

Lastly, we want to acknowledge the hard work of our City partners that make our participation in the Neighborhood Council elections possible: Mayor's Office, City Council, Chief Administrative Officer, Chief Legislative Analyst, Office of the Controller, and the Office of the City Attorney, who have made their election documents and staff available to us during our election preparation.

Please do not hesitate to contact us if you have any questions about the information in this manual. Thank you for your time and efforts in supporting your communities and the Neighborhood Council system!

Department of Neighborhood Empowerment

www.EmpowerLA.org

Main Office

City Hall
200 North Spring Street, 20th FL
Los Angeles, CA 90012
Main Line: (213) 978-1551
Fax: (213) 978-1751
Email: NCSupport@LACity.org

Valley Office

Van Nuys City Hall
14410 Sylvan Street, 4th FL
Van Nuys, CA 91401

Elections Hotline: (818) 293-VOTE (8683)
Email: elections@empowerla.org

Office of the City Clerk

Clerk.LACity.org/elections

Election Office

Office of the City Clerk
Elections Division
Piper Technical Center
555 Ramirez Street, Space 300
Los Angeles, CA 90012

Main line: (213) 978-0444
Fax: (213) 978-0376
TTY: 311 for City of LA Residents or
(213) 482-2121
Email: clerk.electionsncl@lacity.org

Revised April 29, 2016

Definition of Terms

2016 Election Procedures Manual - This document provides Citywide rules of operation for the Neighborhood Council Election.

2016 Election Procedures Stipulation Worksheet - This document reflects the choices the Neighborhood Council makes relative to their Election Day, time and location.

Board Affirmation - If a Neighborhood Council fails to register enough candidates to have a competitive race, the election will be cancelled, and the candidates seated by affirmation. If there are not enough candidates to meet a quorum of the board, the Department will use the Board of Neighborhood Commissioners Loss of Quorum policy to seat a new board.

Board Election - Type of election that utilizes a secret ballot for voting. These elections will be run according to the policies and procedures set forth in this manual. In addition, the Neighborhood Council must follow the regional election timeline.

Board Slates - A group of candidates that agree to campaign together, typically on shared materials and with a shared message. All members of a slate must agree to be on the slate in writing.

Board Selection - Type of election that does not require a secret ballot to select Neighborhood Council Board Members. A Board Selection is an open vote, such as a show of hands.

Candidate - A person running for an elected board seat.

Candidate Seat Designation - The seat a candidate identifies that he or she is running for.

Candidate Filing - The formal process by which a stakeholder files to seek for an open seat in a Neighborhood Council.

Canvass - The process of collecting votes and providing the tally of results.

City Clerk - The Office of the City Clerk.

Department - Department of Neighborhood Empowerment.

Election Time - The hours of operation of the polls on Election Day.

Revised April 29, 2016

Election Timeline - Timeline that lists key election dates and deadlines for the Neighborhood Council elections.

EmpowerLA - Department of Neighborhood Empowerment.

EmpowerLA's Neighborhood Council Election Acceptable Forms of Documentation - This document is available at EmpowerLA.org/Elections and illustrates the many types of acceptable documentation for candidates and voters.

IEA - Independent Election Administrator - An individual on contract with the City of Los Angeles assisting Neighborhood Councils with running the elections.

NC - Neighborhood Council.

Open Seat - A position on a Neighborhood Council that is open for election this term.

Region - A group of six to ten Neighborhood Councils in close proximity that will hold their elections on the same day.

Stakeholder - Anyone who lives, works or owns real property in the neighborhood and also those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.

Tally - The process of counting votes.

Election Process

I. Overview

EmpowerLA and the City Clerk will be conducting elections regionally starting on or about December 19, 2015 and ending on or about June 30, 2016. Each region is comprised of six to ten Neighborhood Councils who will hold their elections on the same day, but at different times and locations within their boundaries. An Independent Election Administrator (IEA) will be assigned to work with the Neighborhood Councils in each region. The IEA assists the Neighborhood Council with education about the elections, outreach (both regionally and individually), paperwork (making sure all necessary election paperwork is completed in time and reviewing all submitted documents from candidates and voters), and monitoring the polls on the day of the election with assistance from Department poll workers and Neighborhood Council volunteers.

CHANGES FROM PRIOR ELECTION CYCLES:

- **Regional Election Meetings** - EmpowerLA will hold regional election meetings to disseminate election information so that Neighborhood Councils in the same region can have an opportunity to get to know each other and leverage resources for outreach.
- **Timeline** - the timeline for elections has been changed to reflect an earlier filing period for candidates. Candidate filing will be open 105 days prior to the election and close 60 days prior to the election.
- **Election Procedures** - EmpowerLA, the City Clerk and the Neighborhood Councils will use the Election Procedures in this manual for procedures that apply citywide. Neighborhood Councils will only need to approve a 2016 Election Procedures Stipulation Worksheet with the changes for the 2016 elections, such as Election Day, time and location. (Attachment A)
- **Election Time** - For poll voting, the polls will be open for a four (4) hour window with the ability to extend to six (6) hours by request. For electronic and telephone voting, voter registration will be open until 7 days before any election. Online and telephonic voting will be open for a period of 21 days prior to the election day and will conclude at the close of the polls on election day.
- **Online Candidate Filing** - Eligible individuals running for an NC seat will file for candidacy online on the EmpowerLA website for both at poll and online elections.
- **Online and Telephonic Voting** will be piloted on up to 35 Neighborhood Councils that have already been selected.
- **Online Voter Registration** - Voters for the Neighborhood Councils conducting online and telephonic voting will have the ability to pre-register online to vote.

Revised April 29, 2016

- **Online Voting Tabulation** will be conducted in accordance with the process established by the EmpowerLA, the City Clerk, and the Online Voting Vendor and the results will be posted at the polling location, online at EmpowerLA.org, and on the Neighborhood Council's website.
- **Vote-By-Mail** - Vote-By-Mail is available with an initial set up fee of \$5000 for 500 ballots because of the extra staffing the City Clerk will bring on to administer a particular Neighborhood Council's Vote-By-Mail, which includes developing an online Vote-By-Mail application portal, receiving Vote-By-Mail applications via the online application portal, reviewing Vote-By-Mail ballot applications, fulfilling requests for ballots, verifying any application information as necessary and processing the final count. The deadline for NCs to decide to include a Vote-By-Mail option in their elections is October 30, 2015.
- **Defaults** - EmpowerLA will set defaults for necessary election information, such as the election day, time, location, etc. if the Neighborhood Council does not provide the information by the set deadlines.

II. Election or Selection

The City Charter allows for Neighborhood Councils to elect or select their board members.

The **Board Election Process** demands a secret ballot for the voters and will be run according to the policies and procedures set forth in this manual. In addition, the Neighborhood Council must follow the regional election timeline. Most voters are familiar with this model.

The **Board Selection Process** does not have a secret ballot and is usually conducted in a town hall style setting where board members are selected by a public vote such as showing of voter hands or a printed ballot where the ballot is signed by the voter in public. EmpowerLA has provided a Selection Procedures Stipulation Worksheet to assist Neighborhood Councils with a selection process.

If a Neighborhood Council wants one year terms for board members or wants more flexibility as to the day they want to hold a vote for the new board members, then they should use a Selection Process. Elections are only held during the even-numbered years so board terms have to be two or four years. The Department's timeline for elections does not allow for as much flexibility for date selection since all of the Neighborhood Councils in a region must have their election on the same day. If a Neighborhood Council wants a different date than the election day chosen by the region, then they will need to go to a Selection Process.

III. Election Timeline

To provide you with an overview of the election process, we have divided it into eight phases:

PHASE 1 - Getting Ready

Timeline – September 1, 2015 to E-105

EmpowerLA has already set up the Regions, and the Neighborhood Councils must select their election day no later than October 9, 2015. If an election committee is not already in place and working, the Neighborhood Council boards should immediately appoint a minimum three person Election Committee (including a Chair) to work with the IEA and the Department. The Neighborhood Council board should also have an Outreach Committee to focus on outreach for candidates, outreach for voters, and coordination with the regional Neighborhood Councils. These committees can be combined since their efforts and work will complement each other.

To Do:

- Meet with the Neighborhood Councils in your region to discuss outreach
- Set a goal to recruit a minimum of three candidates per open board seat
- Tell your stakeholders that you are having an election!
- Start recruiting candidates as early as possible!
- Start advertising your candidate forum(s)

2016 Election Procedures Stipulation Worksheet

Each Neighborhood Council board conducting an election should complete the 2016 Election Procedures Stipulation Worksheet designating day, time and location for polling locations. The Elections Committee should make recommendations to the board which will then make the decisions and submit the Stipulation Worksheet to EmpowerLA.

Outreach Planning

Neighborhood Councils are asked to provide an outreach plan that shows how they will reach their stakeholders during the candidate recruiting and voter notification phases of the elections.

Please use the Outreach Plan form provided by the EmpowerLA in conjunction with the Election Procedures Stipulation Worksheet for ideas on how to conduct outreach regionally and locally. In addition, your Neighborhood Council may also want to include:

- Candidate Information Sessions - The Neighborhood Council may want to hold Candidate Information Sessions regionally on its own to attract candidates to run for board seats. The Department also offers the EmpowerLA Leadership Academy workshops, which provide training for candidates.
- Candidate Statements - Neighborhood Councils can link to the EmpowerLA page with candidate statements and photos. They can also copy candidate statements from the

Revised April 29, 2016

EmpowerLA website and publish them in emails, newsletters or any outlet available to the Neighborhood Councils.

- Candidate Forums - Each Neighborhood Council may present any number of Candidate Forums or arrange for forums sponsored by other organizations, such as a Chamber of Commerce or other regional Neighborhood Council organizations. Each forum, however, must ensure that each and every certified candidate is provided equal time and exposure.
- Perform outreach for your election to encourage voter participation.

The Department sends out a weekly e-newsletter that will keep everyone updated on the elections and other issues affecting the Neighborhood Council system.

Phase 2 - Election Timeline Starts ***Timeline – 105 days from Election Day***

One hundred and five days from the Election Day, the official timeline of the elections begin with the opening of candidate filing. Candidate filing is open for 45 days and will close 60 (sixty) days prior to each NC election. All potential candidates will file for candidacy online on the EmpowerLA website. All candidates will need to upload documentation to prove that they are eligible to run for the seat for which they are filing. Candidate statements and pictures may also be uploaded. The EmpowerLA website will list each candidate as “pending” until the documentation information has been verified by the City Clerk. Once the information has been verified, the City Clerk will change the status of the candidate to “certified” and the name will be placed on the ballot.

- To Do:**
- Start recruiting candidates if you haven’t already!
 - Hold Candidate Information Sessions
 - Keep telling your stakeholders that you are having an election!

Phase 3 – Election Commitment ***Timeline – 60 from election day***

All candidate filing forms must be submitted no later than sixty (60) days prior to election day. Candidates who have filed by this deadline will have three business days to submit any additional information to establish their stakeholder status for the position they are running for. The candidate review period ends fifty (50) days prior to the election day. Forty-six (46) days prior to the election day will be the deadline for candidates to withdraw their candidacy and have their names removed from the ballot. Withdrawals after forty-six days will be processed by the NC after Election Day. Forty-five (45) days prior to the Election, the City Clerk will release the final certified candidate list. If there are no contested seats, i.e. only one (1) candidate for each open seat, the Department will hold a Board Affirmation town hall at the next regular meeting of the Neighborhood Council to seat the new board. If there are not enough candidates to meet a quorum of the board, the Department will use the Board of Neighborhood Commissioners Loss of Quorum policy to seat a new board.

If the Neighborhood Council’s open board seats have multiple candidates, then it’s time to

Revised April 29, 2016

engage voters to come out to the election and vote!

- To Do:**
- Announce the candidates for the election
 - Hold Candidate Forums
 - Recruit volunteers to assist on the day of the election
 - Develop an exit poll or survey for your stakeholders on election day
 - Keep telling your stakeholders that you are having an election!

Recruiting Election Volunteers

EmpowerLA will provide a Poll Manager and Assistant Poll Manager on the day of the election. They will be supervised by the Independent Election Administrator (IEA). We encourage Neighborhood Councils to provide volunteers for their elections. The volunteers can be non-candidate board or committee members and stakeholders. Because all the elections are occurring on the same day in the region, board and committee members are encouraged to work on a neighboring council's elections in the region. EmpowerLA will provide a short training for all volunteers on how to conduct a successful election.

Ballots

All Neighborhood Council Regions will have an opportunity to vote at a polling site. Additionally, up to 35 Neighborhood Councils will have the ability to participate in online and/or telephonic voting prior to election day.

For at poll voting, the City Clerk will prepare stakeholder registration forms, ballots, poll worker and volunteer name tags and instructions. The City Clerk will assemble the Election Kit with supplies for the poll thirty days prior to the at poll election.

Online Voting

Neighborhood Councils that have chosen Online Voting will begin registering voters before the Candidate Registration process begins. The Department will engage the Election Committees and the Outreach Committees so that they can work together to promote the election, engage and register voters, and stir enthusiasm in the community.

Neighborhood Councils with Online Voting will still have an Election Day polling location for those that would prefer to vote in person. Voters will register (if they haven't already registered), and they will vote using an online portal. Their vote will be tabulated in the same process as the online ballots.

The Online Voter Registration period will begin in mid-November and close 7 days prior to each election. Online and telephonic voting will be open for a period of 21 days before the Election Day. The deadline for Stakeholders to submit documentation is 7 days prior to Election Day. After that, they must register or complete their registration at the Election Day Polling location.

In order to maintain the integrity of the online voting process, Neighborhood Councils who verify voters with self affirmation must still require voters to provide photo identification to establish their identity both online and in person at the Election Day Polling location. Neighborhood Council who verify with documentation still need to provide such documentation online or in person at the Election Day Polling location.

Revised April 29, 2016

Neighborhood Council Exit Polls or Surveys

Your Neighborhood Council can develop an exit poll or survey for the voters on the Election Day to obtain information on how successful your outreach campaign was, what issues are important to them, etc. The survey cannot ask how the voters voted. The Neighborhood Council can set up a table within 100 feet of the polling place near the exit so long as the table does not block the flow of traffic. Any other organization or stakeholder with exit polls or survey must stay 100 feet outside of the polling place.

Phase 4 - Election Day Day

Timeline – Election

The Poll Manager will arrive on Election Day with an Election Kit, including a ballot box with lock, ballots, stakeholder registration forms, pens, paper, observer badges, volunteer badges, polling place signage, voting instructions, voting booths, ballots, colored paper for printing additional ballots, volunteer instructions, tally sheets, and report forms.

Poll Managers for Online Voting elections will bring an additional kit with items specific to the digital portion of the election.

The Poll Manager and poll workers will arrive to the polling place at least one hour before the polls open to set up the space. The IEA and Poll Manager will provide a layout for the polling place for easy access and flow for the voting process, including areas for:

- Registration
- Ballot Pick-Up
- Voting Booths
- Digital Voting Station (tablets, laptops or desktops)
- Ballot Box
- Information Kiosk
- Special needs voter accessibility

The Poll Manager will announce the opening and closing of the polls. At the close of the polls, after all ballots have been placed in the locked ballot box, the Poll Manager will take possession of the ballot box while volunteers set up the room for counting. If time and the number of ballots do not permit for counting at the polling place, the Poll Manager will take the ballot box back to the EmpowerLA office for counting with notice to the public as to when the tally will take place.

Poll Managers at Online Election polling locations will close the polls and secure the digital election equipment according to the process established by the Department, the City Clerk, and the Online Voting Vendor.

To Do: Come out and vote!
 Volunteer to help at a Neighborhood Council Polling Place

Phase 5 - Vote Tally - Counting

Timeline – Election

Revised April 29, 2016

Day

When it is time to count the ballots, the Poll Manager will instruct and oversee the counting volunteers in the following steps:

1. The ballot box will be unlocked, and the ballots sorted according to color of ballot.
2. The stakeholder registration forms will be counted and quantities will be noted.
3. The total number of ballots will be counted and noted.
4. The Poll Manager will divide the ballots into manageable amounts for counting, usually no more than 100 ballots.
5. Volunteers will be divided into pairs (a caller and a marker). They are given pre-printed counting sheets: one volunteer calls the name of the person receiving a vote and the other marks down the vote on a tally sheet.

Online Voting results will be tabulated by the Online Voting Vendor in accordance with the process that is agreed upon by the Department, the City Clerk, and the Vendor. The results will be printed from the Online Voting system, once the polling place has closed. The tabulated results will then be posted outside the polling place in clear view for stakeholders.

- To Do:**
- Train volunteers to perform the tally process responsibilities
 - Notify witnesses of observer policy
 - Post the results of the tally process
 - Clean polling places and thank staff for their participation

The more volunteers available to help count, the faster the counting goes! Observers will be allowed in to watch the counting process so long as they do not interfere in the count.

After the count is over, the Poll Manager will package all election materials, including ballots and registration forms and return them to the IEA, who will also review the election materials. EmpowerLA will arrange the delivery of the election materials to the City Clerk on the next business day.

Within 24 hours, the IEA will post an unofficial bulletin announcing the tally of votes on the EmpowerLA website for public review and will also send the results to the Neighborhood Council. If there are provisional ballots, the deadline for submission of acceptable documentation is three (3) calendar days after the election. The IEA will verify or disqualify the provisional ballots and revise the tally of votes.

A Final Official Certified Canvass of Votes will be issued once there are no outstanding ballots to be verified. EmpowerLA will retain ballots, provisional ballots, stakeholder registration forms and tally sheets until after the deadline for challenges if there are no challenges or after the conclusion of arbitration of all challenges.

Phase 6 – Recounts and Challenges ***Timeline - 3-5 days after the election day***

Recounts may be requested within three calendar days by 5 pm after the election. Challenges

Revised April 29, 2016

to the election are accepted within the five calendar days by 5 pm after the election.

Phase 7 - Seat the Board

Timeline - 30-60 days after the election day

After all challenges are resolved, the newly-elected Board will be seated at the next regularly scheduled Neighborhood Council board meeting so they can start working for their community!

Phase 8 - Train the New Board

Timeline - 30-90 days after the election day

It is important that all the new Board members know the policies and procedures for the Neighborhood Council system so they can operate effectively for their community. The EmpowerLA Leadership Academy will offer board orientation trainings. In addition, board members are mandated to take the state required ethics training, which is offered online on our website and live with the Office of the City Attorney. Funding training is also required of all board members. Some Neighborhood Council bylaws mandate training, too, within a certain time period or the board member will lose voting rights so check with your Neighborhood Council. Unless picked up by the Neighborhood Council board, all election materials will be destroyed ninety (90) days after the last region's election.

Election Policies

The policies set forth in this section are to supplement the Election Procedures and any other legal authorities over Neighborhood Council elections and supersede any inconsistent language in Neighborhood Council bylaws. The Department may refer back to the 2014 Neighborhood Council Election Policies or add policies as necessary in its administration of the elections.

I. Term Extension

The Department shall extend the current board terms set to expire in 2016 until after the certification of the Neighborhood Council's election or Selection results or the resolution of all official challenges, whichever date is later. All Neighborhood Council elections and Selections must be completed in 2016.

Board Affirmation

If, after the candidate filing verification deadline, there is only one or no candidate for every open board seat, the Department will hold a Board Affirmation at the next regularly scheduled board meeting affirming and seating the candidates in lieu of an election.

Write-in Candidates

There are no write-in candidates for the 2016 election cycle.

Revised April 29, 2016

IV. Shortened or Extended Election Time

The standard election window on Election Day is four (4) hours. Neighborhood Councils can request a six (6) hour window instead at no additional cost. If three (3) or fewer seats have no more than one (1) candidate, then EmpowerLA may hold a shortened election time of two (2) hours for the Neighborhood Council.

V. Online and Telephonic Voting

Neighborhood Councils offering Online and Telephonic Voting will also have a traditional polling location on Election Day. They can register voters well in advance of the online voting window, and voters will be notified when the voting window is open and will be notified three days in advance of its close. Online Voters can also vote at the polling location on Election Day. Voters who register on Election Day and vote at the polls will still be voting on a digital platform. The results will be tabulated by the Online Vendor, and the results will be posted at the polling location and online at EmpowerLA.org/Elections. Neighborhood Councils should also have the results on their website if applicable.

VI. Location Fee

Neighborhood Councils will be responsible for paying for fees for the rental of their polling place. EmpowerLA will reimburse Neighborhood Councils a polling place location fee of up to \$200. Any charges above this amount, including security or custodial fees, will be the responsibility of the Neighborhood Council.

VII. Election Schedule Deadline Conflict

Where possible, the Neighborhood Council election schedules will all follow the same general timeline, i.e. candidate filing begins 105 days prior to the election. The Department offices will not be open on weekends or holidays. As such, the Neighborhood Council Election Procedures deadlines shall be adjusted when necessary. Where the planned deadline falls on a Saturday, Sunday, religious or national holiday, the actual deadline date will be moved to the following City of Los Angeles business day.

VIII. Running Board Slates

A group of candidates may run as a slate so long as all candidates provide written consent to agreeing to be on the slate.

IX. Candidate Filing Information is Public Information

Since candidates for Neighborhood Council board seats are vying for public seats, candidate filing forms, which can include a candidate's contact information and qualifying information, are considered public information and subject to disclosure. Please note that a candidate's

Revised April 29, 2016

signature on the Candidate Filing Form is not subject to disclosure and will be redacted prior to fulfilling a California Public Records Act request.

X. Board Affirmation

If a Neighborhood Council fails to register enough candidates to have a competitive race, i.e. there is only one (1) candidate for each of the open seats, the election is cancelled, and the candidates are seated by Board Affirmation. The candidates will be seated at the Neighborhood Council's next regular meeting after the Final List of Certified Candidates has been released by the City Clerk. The outgoing board shall prepare an agenda where the first agenda item shall be the Board Affirmation by EmpowerLA, and the second agenda item shall be the election of the board Executive Officers if applicable. The candidates for the open board seats will be seated at the meeting by EmpowerLA. If there is not a regular meeting within thirty (30) days after the final verified candidate list has been released, then the outgoing board or EmpowerLA will hold a special meeting within fifteen (15) days after the release of the list instead to affirm the board.

If there are not enough candidates to constitute a quorum of the Neighborhood Council board, then the Board Affirmation will also be cancelled, and the Department will apply the Board of Neighborhood Commissioners Loss of Quorum Policy to seat a new board.

XI. Board Outreach after Candidates Are Certified

Once the Final List of Certified Candidates has been issued by the City Clerk, if a Neighborhood Council releases a newsletter or conducts any outreach listing the names of any existing board members, who are also candidates, the outreach materials must include the same information for all candidates, i.e. the non-board member candidates.

XII. Inspection of Forms

Please note that Stakeholder Registration Forms and ballots will only be made available for inspection after the Final Official Certified Tally of Votes is completed in order to ensure critical documents are available for use by staff when needed, to avoid any interference with the election process, and to avoid the possibility of duplication and/or fraud. The processed ballots and non-exempt information on the stakeholder registration forms will be provided within a reasonable amount of time after the date of the election. These documents will be destroyed ninety (90) days after the final regional election.

XIII. Candidate Filing Extensions

An extension to the Candidate Filing Registration deadline of an election region will only be considered if it can be established that an error by EmpowerLA and/or City Clerk caused a delay that impeded the election region's ability to field sufficient qualified candidates and that there is an outreach plan for the election region that will increase the number of candidate filings during the extended time frame.

Revised April 29, 2016

Election Procedures

I. Introduction

These election procedures meet the minimum requirements to conduct Neighborhood Council board member elections pursuant to City Council policy and other standardized election procedures that may be issued by the Department.

II. Elections

For those NC's voting exclusively at the polls, the election will be a **Prepared Ballot Election**. In this election, candidates shall file prior to Election Day and will then be included on a printed ballot that is distributed to the voters on Election Day. Alternatively, for Neighborhood Councils voting online, the prepared ballot will be available in an electronic format.

- Proxy voting will not be allowed for this election.
- Voters may cast their ballots on the day, time and location indicated in the Neighborhood Council's 2016 Election Procedures Stipulation Worksheet.
- If a voter with a disability is unable to access the Polling Place, curbside voting will be provided as an option for that individual. On Election Day, voters can request curbside voting by calling the Elections Division Hotline at (818) 293-VOTE (8683).

III. Location

- A. The Neighborhood Council can provide an election location in its Board approved 2016 Election Procedures Stipulation Worksheet.
- B. Election locations should meet the following criteria:
 1. Sufficient size to accommodate the voter sign-in process and actual voting activities.
 2. Sufficient parking for poll workers and voters.
 3. Convenient for those utilizing public transportation.
 4. Procedures must be in place to accommodate disabled voters and in compliance with the Americans with Disability Act (ADA).
 5. Unbiased location for stakeholders and candidates.
 6. Available for the Neighborhood Council Election Day for at least two hours before and after the election start and finish.
- C. The election location or polling place will be published on the Department website at least thirty (30) days prior to the election and any change of location will be posted within 24 hours of the change.

IV. Neighborhood Council Boundaries

The boundaries of the Neighborhood Council are set forth in its bylaws. Where a map of a Neighborhood Council does not match the language provided in that Neighborhood Council's bylaws, the IEA shall defer to the written bylaws for clarification and revise the map in accordance with specific language in a given Neighborhood Council's bylaws.

Revised April 29, 2016

In the event specific language is not specified in a Neighborhood Council's bylaws regarding how bordering boundaries are defined for a Neighborhood Council or its internal districts/areas/quadrants/zones, the City Clerk and IEA shall consider the middle of the road as the defining border for election-related purposes, such as candidate qualification and stakeholder (voter) verification. This will only apply when a Neighborhood Council has not specifically identified boundaries to include both sides of the street (road, avenue, boulevard) or to include or exclude any specific landmarks, parks or plots of land.

Specific voting districts will be followed within the above boundary definitions and will apply to candidate qualifications and voter qualifications.

v. Definition of Stakeholder

Neighborhood Council membership is open to all stakeholders. "Stakeholders" shall be defined as those who live, work or own property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations (Ordinance No. 182830).

- All person(s) or entities that meet the criteria for the definition of stakeholder shall be eligible to vote in the election, either at the polls, online, or by telephone (if applicable).
- Stakeholders cannot be denied the opportunity to vote for a candidate for member of the governing Board for whom they are eligible to vote.
- Stakeholders cannot be denied the opportunity to run for a Board seat for which they hold stakeholder status unless otherwise prohibited by the Neighborhood Council bylaws.
- In order to cast a ballot in the election, a stakeholder must be the age on the date of the election as stated in the Neighborhood Council's 2016 Election Procedures Stipulation Worksheet and bylaws.

vi. Independent Election Administrator (IEA)

EmpowerLA will assign an Independent Election Administrator (IEA) to administer the elections in each Election Region. To serve as an IEA, the person(s) selected must have attended a training program conducted by the Department. An IEA may utilize the staff, material, equipment and facility resources of the Neighborhood Council, the EmpowerLA or City Clerk to assist them in carrying out the election administration duties, provided, however, that the following conditions are met:

- None of the candidates for the governing Board may participate in any way in the handling/counting of ballots, voter/candidate registration/verification, and/or assisting voters engaged in the act of voting in translating/interpreting the voting material or explaining the voting process.
- An IEA must maintain the authority and responsibility for the administration of the election.
- An IEA, in coordination with the EmpowerLA and City Clerk, shall be responsible for the following duties:
 - Conducting the Neighborhood Council elections according to the Neighborhood Council bylaws, 2016 Election Procedures Addendum and any other applicable

Revised April 29, 2016

- legal documents.
- Processing candidates, including verification of eligibility, in coordination with, and under the direction of the City Clerk.
 - Assisting the region with any Candidate Information Sessions.
 - Processing voters, including pre-registration and verification of eligibility as applicable.
 - IEA supervises poll managers distributing and receiving ballots from the voters on Election Day.
 - IEA supervises poll managers in verifying any provisional ballots.
 - IEA supervises the counting and recounting of the ballots.
 - IEA supervises the issuing of the election results.

VII. Candidates

A. Candidate Filing

1. Individuals interested in running for a Neighborhood Council board seat must file for their candidacy online on the EmpowerLA website (EmpowerLA.org/Elections) by the Candidate Filing Deadline which shall be no earlier than 105 days before Election Day and no later than 60 days prior to Election Day. All potential candidates will be notified via email by the City Clerk if their Candidate Filing Form is incomplete and the steps necessary to complete the candidate filing process.
2. All potential candidates must provide identification and any other applicable documentation to establish their stakeholder status for the position which they are applying to the IEA or by uploading the documents online. All candidates must provide all necessary documents within three days of the Candidate Filing deadline prior to 11:59 p.m. Faxed forms of identification will not be accepted.
3. Candidates may upload a Candidate Statement and photograph online no later than fifty-seven (57) days prior to Election Day.
4. Upon certification of a candidate, the City Clerk will dispose of all supporting electronic documentation submitted by each candidate for security purposes.
5. City Clerk will have a record of which type of documentation was used for candidate verification after the disposal of supporting documents, i.e. if a California drivers license (CDL) was used to establish their candidacy, the report will show "CA Driver License" used for verification.

B. Candidate Seat Designation

1. Candidates in Neighborhood Councils must indicate which Open Seat they are filing for in order to become a certified candidate.
2. Candidates may qualify for more than one Open Seat and it is the candidate's responsibility to select the seat for which they are running. Some Neighborhood Councils allow candidates to run for more than one seat. If specified in the bylaws, then candidates can run for more than one seat. If the bylaws are silent, the candidates are limited to filing for one seat.

3. The deadline for submission of supporting documents and Open
4. Seat designations is 11:59 p.m. fifty-seven (57) days prior to Election Day.
5. If a certified candidate withdraws from their Open Seat designation, they must reapply to qualify for that or any other open seat by the close of the candidate filing deadline.

C. Candidate Statements and Photos

1. Candidates are encouraged to submit statements and photos with when they file for candidacy. Candidate statements and photos are optional. The deadline for submission of photos and statements is 11:59 p.m. fifty-seven (57) days prior to Election Day.
2. Candidates may revise their statements and may resubmit their candidate photo any time prior to Candidate filing deadline of 11:59 p.m. fifty-seven (57) days prior to Election Day..
3. Candidate Statements must be submitted in writing online and may not exceed the 1,000 characters limit, including translation. Candidate statements are printed as submitted, with no editing. Additionally, a candidate may submit translated version(s) of the original statement, which must comply with all aforementioned criteria.
4. Candidate statements may not include any profanity or comments about other candidates.
5. Candidate statements may be submitted without an accompanying candidate photo, and candidate photos may be submitted without an accompanying candidate statement. Candidate photos must be submitted in a digital format in a file size of 2MB or less and with the dimensions of 200 pixels tall by 200 pixels wide.

D. Candidate Withdrawal

1. Candidates must withdraw forty-six (46) days prior to the election day in order to be removed from the ballot.
2. Candidates who wish to withdraw must do so using the Candidate Filing portal.
3. Once a candidate withdraws, the candidate's name, statement, and photos will be removed from the EmpowerLA website.
4. If a certified candidate withdraws from their Open Seat designation, they must reapply to qualify for that or any other open seat by the close of the candidate filing deadline. Candidates who wish to withdraw after the end of the withdrawal period must notify the NC of their request after Election Day.
5. Winning candidates who wish to withdraw after the canvass of votes must communicate with the respective Neighborhood Council and that action will result in a vacant seat, which will be filled by the Neighborhood Council in accordance with

Revised April 29, 2016

their bylaws. This is not a withdrawal handled by the City Clerk.

E. Candidate Forums and Regional Candidate Information Sessions

1. Candidate Forums must be open to all candidates, and all candidates must get the same notice and notification of the event.
2. Candidate Forums must provide equal and even access to all candidates, including seating arrangements, speaking time, and opportunity to address topics.
3. Candidates who are unable to attend may submit a written statement, in advance, to the IEA, to be read during opening comments by the moderator and limited to the time specified for individual opening comments. They will not have the opportunity to address any other elements of the Forum, such as topics, issues, questions, and closing statement.
4. Candidates or audience members who want interpretation services must make their request to the organization hosting the Forum at least 72 hours in advance of the event.
5. Signing services for the deaf must also be requested 72 hours in advance, but this request must be submitted to EmpowerLA who will arrange with the Department of Disability for sign interpretation.
6. Interpretation services that take place simultaneously (headsets or signing) do not extend any time limits for the speaker.
7. Interpretation services that are staggered (speaker then interpreter) will require twice the time limit for speakers since it takes twice as long to make the same statement as other speakers.
8. Questions from the audience must be moderated or controlled so that all candidates get an even opportunity to speak and to address the issues.
9. The Neighborhood Council may present Regional Candidate Information Sessions to assist candidates in their campaigns.

- F. Release of Candidate Information to Neighborhood Councils - Upon request, candidate contact information shall be given to the IEA and the Election and Outreach Chairs of each Neighborhood Council no later than forty-five (45) days before Election Day. In the absence of an Election Chair, the President of each Neighborhood Council shall be the designated alternate to receive the candidate contact information. Where email addresses are not available for either of the two persons, the IEA will provide the candidate contact information to the Neighborhood Council upon request. Neighborhood Councils shall notify all candidates for any Candidate Forums to be conducted where the Neighborhood Council is a participant. The notification of candidates to participate in such events shall be the sole responsibility of Neighborhood Councils. Please note that a candidate's contact information, including his or her home address, home phone number, and email address is subject to disclosure if a California Public Records Act request is made. A candidate's signature will not be subject to disclosure.

VIII. Candidate and Stakeholder Verification

For this election, EmpowerLA and the City Clerk will accept forms of identification for self-affirmation and documentation as prescribed by EmpowerLA's Neighborhood Council Election Acceptable Forms of Documentation. However, PO box addresses and storage facilities will not be accepted as a form of verification document for candidate and voter registration.

IX. Campaigning

A. The use of the City of Los Angeles Seal, the Department, City Clerk or Neighborhood Council logo or any other official Neighborhood Council designation created by the Department is prohibited for use on candidate materials.

1. A logo is a graphic mark and/or emblem used by the City, a City department, or a Neighborhood Council that serves to facilitate immediate public recognition. A logo can consist of purely graphic symbols or icons, but can also consist of a logotype or word mark.
2. Any use of a logo, regardless of intent, will be considered a violation of this article and the Neighborhood Council Election Procedures unless the logo is used as part of outreach material produced by the City, a City department, or the Neighborhood Council for the sole purposes of promoting the election. If such outreach material contains candidate names, all qualified candidates must be listed on the material.
3. The purpose of this provision is to prevent candidates or supporters of candidates from campaigning under the expressed or implied endorsement or authorization of the City, a City department, or a Neighborhood Council and prevent voter confusion. Please note that any logo that is substantially similar to a City, City department, or Neighborhood Council logo may lead to voter confusion and may be subject to a challenge.

B. The governing Board of the Neighborhood Council, acting in their official capacity as the governing Board, is prohibited from endorsing or campaigning for any candidate or group of candidates running for the governing Board of the Neighborhood Council. This provision does not restrict the right of individual Board members, acting as individual stakeholders, or any other stakeholders, from endorsing or campaigning for any candidate or group of candidates.

C. No City facilities, equipment, supplies or other City resources shall be used for campaigning activities except:

1. to hold a Candidate Forum sponsored by a Neighborhood Council;
2. to hold a Neighborhood Council election; or
3. if the individual has obtained approval from an authorized representative of a City Department or Commission (if managing a Department) for use of the facility.

D. City resources may be used by a Neighborhood Council for impartially communicating with voters through the printing and mailing of a voter information pamphlet, which includes candidate statements and/or the posting of candidate statements on its website. To the extent that the Neighborhood Council provides candidate statements to the voters

or Neighborhood Council mailing lists to candidates, all candidates shall be given access in a timely and uniform manner.

x. Electioneering

No campaigning or electioneering activities will be allowed within 100 feet of the Polling Place, which is measured from the door of the Polling Place where voters sign the roster and cast their ballots. Polling Place staff must place signs indicating where the 100 foot mark is located.

Electioneering includes:

- soliciting a vote or speaking to a voter on the subject of marking his or her ballot;
- placing any sign relating to any candidate;
- distributing or wearing material relating to any candidate; or
- placing a sign, distributing material, or conversing with a voter on the subject of the voter's qualifications to vote.

In addition, excessive noise and audio equipment that creates a nuisance to voters or staff within the 100 foot mark will amount to a violation of this policy. Vehicles that have a banner or placard soliciting a vote or recommending any candidate shall remain 100 feet beyond the building where voters are voting, except for the discharge or loading of passengers. Activities beyond the 100 foot mark are subject to the rules of the particular property owner and should be respected.

Any person or persons engaged in electioneering will be directed by polling place staff to cease and may be asked to leave.

xi. Ballot

- A. Ballot Order: The Department will randomly draw the letters of the alphabet to create the order the candidates shall be listed on the ballot. The candidates will be listed in such order according to the first letter of their last name.
- B. The City Clerk will use the candidate's legal name for the ballot. No completely fictitious name may be used on a ballot to refer to a candidate. If a candidate wishes a different name to appear on the ballot, the following format must be followed:
 1. The format for including nickname on the ballots is: First Name "Nickname" Last Name (i.e., Jonathan "Chico" Anderson).
 2. A shortened version of a name or a variation of a name will be allowed in lieu of a candidate's legal name. For example, instead of Jonathan Anderson, the candidate may use the name "John Anderson," or "Johnny Anderson" or "J. Anderson."
 3. Professional Degrees: Professional Acronyms shall not be used on a ballot. No name shall include professional distinctions such as: PhD, MSW, Esq., Rev., etc.
 4. In order for a name to fit on the ballot, all names appearing on the ballot must be a maximum of 26 characters/letters, including spaces and punctuations. The online filing system will automatically limit the number of spaces available.

Revised April 29, 2016

5. Where there is a conflict between the names provided as documentation or on documents provided to the IEA, the name entered into Candidate Filing system's "Name Appearing on Ballot" field will override.

xii. Self Affirmation for Homeless Voters

In Neighborhood Councils requiring documentation to verify voters, homeless voters will be exempt from providing such documentation if they affirm that they are homeless and that they meet the voter requirements for the seat(s) for which they are voting.

Homeless Voters for Online Voting Registration

- Homeless voter with identification documentation and an email address can:
 - 1) Register online
 - 2) Indicate homeless status
 - 3) Receive pin by email

- Homeless voter with identification documentation and an mailing address can:
 - 1) Register Online
 - 2) Indicate Homeless Status
 - 3) Receive pin by mail

- Homeless voter with no identification documentation and an email address can:
 - 1) Register in person with an Independent Election Administrator (IEA)
 - 2) Indicate homeless status
 - 3) Receive their pin by email

- Homeless voter with no identification documentation and a mailing address can:
 - 1) Register in person with an Independent Election Administrator (IEA)
 - 2) Indicate homeless status
 - 3) Receive their pin by mail

- Homeless voter with no identification documentation, no email address or mailing address can:
 - 1) Register in person at the Polling Location on Election Day
 - 2) Vote in person at the Polling Location on Election Day

xiii. Polling Place Operations

Only poll workers and voters engaged in voting may be within the voting booth area during the time the polls are open.

- A. **Curbside Vote:** If a voter with a disability is unable to access a polling place, a volunteer who is designated by the Department shall hand-carry a ballot and a Stakeholder Registration Form (if needed) to any physically challenged voter at the polling site for

Revised April 29, 2016

completion in the general area of the polling site. Once marked, the ballot shall be placed into an envelope, and then the envelope shall be sealed. The volunteer shall return the completed Stakeholder Registration Form to the poll workers for processing, and the sealed envelope containing the ballot shall be deposited into the ballot box.

- B. **Observers:** Prior to opening, all Observers must wait outside while the poll workers set up the Polling Place. Observers will be permitted to enter the Polling Place once the polling site officially opens for voting. All Observers must sign in with Staff. A badge will be issued and must be worn at all times. When leaving for the day/evening, the Observer must sign out and return the badge to the Poll Manager.
- Observers may not interfere in the election or the voting process. Observers cannot assist in operations, touch or handle any ballots or other election-related materials.
 - Observers may not talk to or solicit voters in the Polling Place.
 - Observers are allowed to videotape Polling Place operations pursuant to Article XXI. Videotaping.
 - Candidates are not permitted as Observers at the Polling Place on Election Day.
 - Observers have the right to ask poll workers questions regarding election procedures and to receive answers or be directed to the appropriate official for responses to questions. If, however, persistent questioning disrupts the execution of their duties, the poll workers can stop responding and direct the observers to the Poll Manager for all further answers. If disruptions persist, the Observer may be asked to leave the polling place.
- C. **Provisional Voting:** A voter may cast a provisional ballot if the voter's eligibility to vote in the election cannot be determined in favor of the voter at the time the voter attempts to cast his or her ballot. The only acceptable basis for challenging a voter's right to vote at the Polling Place will be that the person is not a stakeholder as defined by the Neighborhood Council bylaws.
- If a voter is challenged on the basis of insufficient documentation, the voter may produce any of the documentation outlined in these Election Procedures at which time the voter will be issued a regular ballot.

If a voter cannot produce the required documentation, then the voter will be offered the opportunity to vote a provisional ballot. The provisional ballot will be the same as regular ballot, except that prior to placement in the ballot box the provisional ballot will be placed inside a provisional envelope. On the outside of the envelope the voter will provide:

1. The voter's name.
2. The voter's address.
3. The voter's stakeholder status.
4. The voter's contact number(s), e.g. mobile or other telephone number.
5. The voter's email address
6. When a voter casts a provisional ballot, the voter will be issued instructions that explain what steps the voter must take to qualify the provisional ballot, including documentation required to be submitted, where the documentation is to be submitted, and a contact number to request assistance or seek additional information. The deadline for submission of acceptable documentation shall be three (3) calendar days after the election. EmpowerLA and the City Clerk will be responsible for the verification of the provisional ballots.

xiv. Vote-By-Mail

For an additional fee, a Neighborhood Council may decide to offer Vote-by-Mail to its stakeholders, but only if they have selected self-affirmation as its method for establishing stakeholder status. If this is offered, all stakeholders are eligible to Vote-by-Mail.

Vote-by-Mail applications will be available when online stakeholder registration begins and shall include instructions describing how to complete the application. Vote-by-Mail applications may be submitted using an online Vote-By-Mail application portal available at www.EmpowerLA.org.

Vote-By-Mail ballots will begin to be mailed to voters thirty days prior to the region's Election Day. The deadline for submission of Vote-by-Mail applications is eight (8) days prior to the election day. The deadline to return Vote-By-Mail ballots is the last business day prior to Election Day. Vote-By-Mail ballots can also be delivered to the polling place on Election Day prior to the close of polls.

The City Clerk will oversee and approve the preparation and distribution of a Vote-by-Mail application, which contains spaces for the following information:

- The name and residence address, or business or organization affiliation address of the stakeholder.
- The name and address to which the ballot is to be mailed, if different than the residence or business or organization affiliation address.
- The stakeholder/voter's signature.
- The stakeholder status of the voter.
- Instructions relative to the completion of the online application.
- The name and date of the election for which the application is being submitted.
- The date on or before which the application must be received.

Candidates may distribute Vote-by-Mail applications, but shall not handle the return of the applications or the Vote-by-Mail ballots. No candidate, individual, or group may handle distribute, collect, complete, or submit completed or blank Vote-by-Mail applications on behalf of another person. Applications completed, collected, or submitted on behalf of another person will not be accepted. Vote-by-Mail applications may, however, be requested on behalf of a family member or domestic partner who live within the same household.

The City Clerk will maintain lists of all persons issued a Vote-by-Mail ballot, and all those returning a Vote-by-Mail ballot must be prepared and provided to the person(s) managing the polling site(s) for use in the voter sign-in process.

A voter will not be allowed to retrieve and destroy a previously submitted Vote-by-Mail ballot and then be issued and vote a regular election day ballot.

xv. Tabulation of Votes and Election Certification

For at-poll only elections, EmpowerLA will be responsible for tabulating the ballots and announcing the unofficial results on election day or as soon thereafter as possible. For electronic voting, Everyone Counts will tally online votes and provide the results to EmpowerLA

Revised April 29, 2016

at the close of the at-poll election. EmpowerLA will combine the online votes with at-poll votes and announce the unofficial results on election day or as soon thereafter as possible. The City Clerk will verify any provisional ballots for inclusion in the Final Official Certified Canvass if Votes.

The Final Official Certified Canvass of Votes shall occur on Election Day at the polling place barring the need to count any additional outstanding ballots. The canvassing of votes will be open to the public, including candidates, for observation, provided that the observers must not interfere with or attempt to influence the vote tabulation in any way.

Tie votes shall be resolved by drawing straws immediately after the canvassing of votes if all candidates or their designated representatives are present or within two (2) calendar days with notice provided on the Department website. The IEA or other EmpowerLA staff will conduct the tie resolution in public view and candidates or their designated representatives will be requested to be present.

The IEA will submit the Final Official Certified Canvass of Votes to the Neighborhood Council.

EmpowerLA will post the Final Official Certified Canvass of Votes on the EmpowerLA website immediately upon completion.

xvi. Challenges

Candidate Review Process

All requests for the review of a Candidate's certification status will be filed, reviewed and resolved by the Office of the City Clerk. Requests for the review of a Candidate's certification status may be filed from the time a candidate is certified on the EmpowerLA website through ten (10) days after the close of the Candidate Filing Period for that Candidate's region. Any existing Candidate filing documents may be examined in person at the City Clerk's Election Division Office.

The Candidate Review Request must be submitted in written and must meet the following requirements:

1. Include the requestor's name
2. Include the requestor's address
3. Include the requestor's phone number
4. Include the requestor's email
5. Description of Why the Candidate's Certification Should be Revoked
6. Provide supporting documentation that the candidate is not qualified (none will be accepted after the request is filed)
7. Challenges without supporting documentation will automatically be rejected.

Requests for Candidate reviews shall be sent to the Office of the City Clerk - Election Division at clerk.election@lacity.org. Requests shall be processed by the Office of the City Clerk - Election Division. If a candidate's certification is revoked, and the document submission deadline has not elapsed, the candidate will have until the deadline for submission of supporting documents to provide additional documents. If a candidate's certification is revoked between the deadline for submission of supporting documents (57 days prior to election day) and the close of the candidate review period (50 days prior to election day), the candidate will have 24 hours to

Revised April 29, 2016

provide additional documentation. Requests for candidate reviews will not be accepted after the candidate review period has ended.

Election Challenges

Any stakeholder who voted and submits the same stakeholder documentation required of the voters in an election may file a challenge to the conduct of that election no later than 5 p.m. on the 5th calendar day after that election by filing an election challenge on the EmpowerLA Election Challenge Portal (<http://empowerla.org/election-challenge-process/>). In addition to the information below, specific instructions regarding how to file a challenge and how the challenge will be handled are provided on the Portal.

The written request must meet the following requirements:

1. Identify the basis for the challenge to the election.
2. Identify the person(s) issuing the challenge and their contact information.
3. Identify any witnesses up to 3 witnesses and provide their statements via a Witness Statement Form provided [here](#).
4. Provide all supporting documentation, including any witness statements (none will be accepted after the request is filed).
5. The supporting documentation must prove that the alleged challenge is not only valid, but would also have made a difference in the election outcome. Challenges without such supporting documentation will automatically be rejected.

All of the submitted information is public information and will be listed on our elections website even if the challenge is withdrawn later.

Election challenges will be handled by the Neighborhood Council Grievance Panels if they meet the requirements .

The following is a list of challenges that the Department will and will not process:

Challengeable:

- Incorrect Ballots (which caused voters to vote either significantly more or less for a qualified or incorrect candidate)
- Electioneering by Candidate(s)
- Ballot Duplication (by a candidate or stakeholder)
- Explicit Use of City logo(s) for Campaign Materials by Candidate(s) - (including LA City, EmpowerLA logo, Neighborhood Council logo, and any other City department logo)
- Neighborhood Council Board Endorsement of a Candidate or Slate of Candidates
- Neighborhood Council Outreach Materials Where Only Existing Board Member Candidates Are Mentioned after Candidates Are Certified
- Americans with Disabilities Act (ADA) Accessible Facility (if curbside voting was not available)
- Illegal Collection of Vote-by-Mail Ballots
- Multiple Voting - any voter who casts multiple ballots in one Neighborhood Council election illegally

Any area not listed above is non-challengeable, including, but not limited to:

- Lack of Outreach (outreach performed by a Neighborhood Council, the Department, or

Revised April 29, 2016

- any other City entity)
- Published Articles (challenges based on election information published in media such as the Internet [including blogs], newspaper[s], or any other type of media)
- Translated Election Material
- Candidate Forums
- Polling Place or Pop Up Poll Location Selection
- Change of Polling Place or Pop Up Poll Location
- Email Forwarding of Neighborhood Council “Get Out To Vote Material” or Emails.
- Ballot Design
- Neighborhood Council Endorsed Election Procedures/Policies
- Neighborhood Council Bylaws (Received from the Department by deadline)
- Neighborhood Council Endorsed Polling Place or Pop Up Poll Suggestions
- Stakeholder Qualifications to Vote (Neighborhood Council Bylaws or Election Procedures Stipulation Worksheet)
- Department Approved Outreach Material
- Candidate Slate(s)/Slate Flyers
- Campaign Expenditure(s)
- Volunteer Poll workers or Poll worker Bias
- Use of Police and/or Security at Polling Place or Pop Up Poll
- Voter Intimidation
- Error in Voting Instructions
- Lack of Necessary Voting Materials
- Voters Threatened by Candidates
- Electioneering by Stakeholder(s) or at Pop Up Polls
- Voter Instructions
- Known Factors Prior to Election Day (such as: polling place bias because a candidate works at the location, language translators, etc.)
- Language assistance or lack thereof at Polling Place or Pop Up Poll
- Use of LA City, EmpowerLA logo, or Neighborhood Council logo when it is used on a website as identification purposes for an active link to click through to the City, EmpowerLA or Neighborhood Council website, social media page, etc. for more information
- Endorsements and Sample Ballots created by and/or distributed by stakeholders or candidates that ask voters to vote for a specific candidate or candidates

Challenge Remedies

If a challenge is found to be valid, remedies will be narrowly interpreted to affect only the voters, candidates, or seats affected. Redoing the entire Neighborhood Council election is not a remedy unless the challenge affected every seat on the ballot. Remedies can include, but are not limited to, **letters of correction/reprimand**, disqualification of candidates or voters, Neighborhood Council funding penalties and referral to the City Attorney’s Office for criminal prosecution.

xvii. Recounts

A recount of ballots will be conducted by the IEA, by request only, for the purpose of verifying the number of votes counted for any Board seat in a Neighborhood Council election.

Any stakeholder who meets the criteria listed below may request in writing, including email, a

Revised April 29, 2016

recount for a specific contest or for the entire election for a Neighborhood Council election within three (3) calendar days after the election.

For a recount request to be accepted for action, the following criteria must be met:

1. The number of votes separating the candidates in question must be 10% or less of the total votes cast in that specific contest, and;
2. The stakeholder(s) filing the request must have voted in the election in question and must provide the same stakeholder status verification required of voters in the election.
3. A recount must start no later than five (5) City of Los Angeles business days following the receipt and acceptance of a request and will be open to the public. A notice announcing the date, time, and location of the recount will be posted on the Neighborhood Council and Department websites and all candidates for the Board seat(s) being recounted will be notified.
4. The recount will be open to public observation provided that observers must not interfere with or in any way attempt to influence the persons conducting the recount.

The IEA will certify and forward the recount results to the Neighborhood Council and EmpowerLA immediately upon completing the recount. The results of an election are considered changed only if the identity of any person who had been declared elected is changed.

xviii. Notice of Vacating Multiple Seats

This article is applicable where a candidate is elected to multiple board seats on the same Neighborhood Council board at the same election and where the Neighborhood Council allows candidates to run for more than one board seat at a time.

Where a candidate seeking multiple board positions on a Neighborhood Council board is the winning candidate for more than one of those positions, the candidate will be required to choose one board position no more than three (3) calendar days after the posting of the official results or from the day when any and all election recounts and challenges are resolved for the specific Neighborhood Council election, whichever date is later.

The declined position(s) shall be filled with the next candidate who received the most votes, or if none, the vacancy shall be filled according to the Neighborhood Council bylaws.

Where the candidate does not select one board position by the deadline, the candidate will be deemed ineligible for all positions won as the result of the election, except for the one position where the candidate received the most votes.

xix. Outreach for the Election

Neighborhood Councils may set up a table to conduct exit polls and surveys within the 100 foot mark as directed by the Department.

Neighborhood Councils are responsible for informing their stakeholders about the election. EmpowerLA will assist in outreach by providing information about the elections on its website.

xx. Videotaping

Revised April 29, 2016

Videotaping and photography is permitted in the Polling Place on Election Day under the following conditions:

- Video/Photography is only permitted with the expressed permission of everyone at the polling place.
- Polling Place staff may not withhold permission to be photographed.
- Video/Photography will not be of voter's faces.
- Video/Photography will not be of a voter making their ballot choice.
- All persons taking video or photographs are required to sign in with the Polling Place staff and provide contact information.
- Ballots may not be recorded or photographed.

xxi. Seating of Newly Elected Board Members

- A. The seating of a newly-elected Neighborhood Council board will take place when:
1. EmpowerLA has issued certified election results for the Neighborhood Council; and,
 2. All official election challenges for the Neighborhood Council have been resolved.
- B. The board must be seated as a single unit. No partial and/or interim seating is allowed. Where a single challenge to a single seat has not been resolved, the rest of the board cannot be seated.
- C. The elected board shall be seated at the next regularly scheduled Neighborhood Council meeting within thirty (30) calendar days of the criteria in Section A being met. The first order of business shall be to officially seat the newly-elected board. All powers shall immediately be transferred over to the newly-elected Board.
- D. Where a regularly scheduled meeting is not scheduled within thirty (30) calendar days of the certification of the election results and the resolution of all official election challenges, the outgoing board or the EmpowerLA will call a special meeting within fifteen (15) calendar days of the aforementioned criteria being met in accordance with the Brown Act to seat the Board. EmpowerLA shall preside over the meeting where the first order of business shall be to officially seat the newly-elected board. All powers shall immediately be transferred over to the newly-elected board.
- E. Until such time as the EmpowerLA has issued certified election results and all official election challenges have been resolved for the Neighborhood Council, the incumbent board members will continue in their duly elected/appointed positions.

xxii. Translation and Language Assistance

The following documents are available for translation: Stakeholder Registration Form, online voting , and At-Polls Voting Instructions. Translation requests will be limited to two (2) languages other than English and Spanish per Neighborhood Council.

The Department will provide language assistance on Election Day upon the request of the Neighborhood Council board. Voters may bring their own interpreters/translators on Election Day to assist them so long as the interpreters/translators sign in at the Election Registration Table.

Revised April 29, 2016

xxiii. Exit Polls and Surveys

Stakeholders, news media, or other organizations wishing to conduct a survey, exit poll, or other survey of the voters on Election Day will be permitted to do so subject to certain limitations.

Any person or group conducting surveys, exit polls, or other survey of voters are advised to remain at least 100 feet from the door of the polling place. Surveys and exit polling will be permitted as long as it does not interfere with the voting process. Candidates are prohibited from participating and conducting surveys, exit polls, or other survey of voters on Election Day.

Any person or group conducting a survey or exit poll is required to coordinate with the Polling Place Manager and to be respectful of poll worker priorities. All persons conducting a survey, exit poll, or other survey of voters on Election Day are required to sign in with the Polling Place staff, provide contact information, and wear a name tag for identification purposes. Polling place staff will indicate where the 100 foot mark is located with visible signage. In addition, every voter has the right not to disclose how he or she may have voted.

xxiv. Governing Board Member Seats Not Filled Through the Election

Any board member seat(s) that is/are not filled through the election process will be deemed vacant when the new governing board takes office. Vacant seat(s) will be filled according to the Neighborhood Council bylaws. If less than a quorum of the board seats are filled, then the Neighborhood Council will fall under the Board of Neighborhood Commissioners Loss of Quorum Policy.

xxv. Release of Election Materials

Immediately after the certification of election results for the final region, the City Clerk - Election Division shall make the following items available for pick up by the Neighborhood Council:

- Stakeholder Registration Forms (excluding stakeholder documentation) for any at polls voters

The City Clerk - Election Division shall retain all other election-related materials for a period of three months after the certification of election results after the final regional election. Thereafter, NC election-related materials will be destroyed. No NC election-related materials will be retained after the three month retention period.

The newly-elected board shall designate an individual to pick up the above-mentioned material on behalf of the Neighborhood Council at a prior board meeting. The designated individual shall contact the City Clerk - Election Division to schedule an appointment to pick up the materials. All documents retained by the Neighborhood Council shall be subject to the California Public Records Act for the length of time the documents are retained by the Neighborhood Council.

xxvi. Public Records Act

This is to notify all stakeholders of the policy regarding California Public Records Act (CPRA) requests for materials used in Neighborhood Council elections. Under the CPRA, a member of the public can make a valid request for public documents either in writing (including e-mail) or

Revised April 29, 2016

orally. The CPRA requires the disclosure of governmental records to the public, subject to certain exemptions.

Certain information on governmental records may be redacted: home street addresses; home telephone numbers; private e-mail addresses; signatures; or any other identifying information as determined by the Office of the City Attorney.

The following are examples of what information is subject to disclosure and what information must be redacted prior to fulfilling a CPRA request for Neighborhood Council elections:

- Stakeholder Registration Forms and ballots will only be made available for inspection after the Official Canvass is completed in order to ensure critical documents are available for use by staff when needed, to avoid any interference with the election process, and to avoid the possibility of duplication and/or fraud.
- The processed ballots and non-exempt information on the Stakeholder Registration Forms will be provided within a reasonable amount of time after the date of the election.
- In regard to the Stakeholder Registration Forms, the following information will be redacted prior to fulfilling a CPRA request:

Since candidates for Neighborhood Council board seats are vying for public seats, candidate filing forms, which can include a candidate's contact information and qualifying information, are considered public information and subject to disclosure. All candidates must provide documentation to establish their stakeholder status for the position which they are applying. Any documentation submitted by a candidate and retained by the City Clerk will be disposed upon the certification of a candidate.

Election Challenges are subject to disclosure as a public record. When requested, the name of the person filing the challenge and the grounds for filing the challenge must be disclosed. Any documentation submitted by a challenger to support his or her challenge is subject to limited disclosure.

Once a CPRA request is made, the Department will have ten (10) calendar days to respond to the request, indicating what will or will not be disclosed, the reasoning behind any decisions made, and, if applicable, the total fee for requested copies. Please note that an additional fourteen (14) calendar days to respond may be allowed if warranted by special circumstances. This ten (10) calendar day period is not the period of time in which the request must be fulfilled, but rather, the period of time in which to notify the requesting party what information will be disclosed.

Redactions must be made when members of the public view the requested materials in person and when copies are made and provided to the public. When viewed in person, the public may examine and take notes of the redacted material, but may not have access to any exempt information. When fulfilling an in-person request, a member of the staff will remain present at all times to supervise the viewing and to answer any questions that may arise.

In the event that photocopies of materials are requested, the City Clerk or the EmpowerLA will charge \$0.10 for each photocopy. Payments can be made in person or sent to the City Clerk at 555 Ramirez, Space 300, Los Angeles 90012 or to Department of Neighborhood Empowerment, 20th Floor, City Hall, 200 N. Spring Street, Los Angeles, CA 90012, prior to the

Revised April 29, 2016

copies being made. Checks should be made out to the City of Los Angeles.

xxvii. Disposition of Election Records

The City Clerk shall retain all election related materials for a period of ninety (90) days after the conclusion of the last regional election day. All election-related materials will be made available to the public in accordance with the CPRA and subject to Article XXIV. After ninety (90) days of retention by the City Clerk, all Neighborhood Council election-related materials will be disposed.

Election Manual Revisions February 12, 2016

| Section | Old Language | Revised Language |
|------------------|---|---|
| VII. C. 3 (p 19) | 3. Candidate Statements must be submitted in writing online and may not exceed the 1,000 characters limit (translations not included). Candidate statements are printed as submitted, with no editing. Additionally, a candidate may submit translated version(s) of the original statement, which must comply with all aforementioned criteria. | Candidate Statements must be submitted in writing online and may not exceed the 1,000 characters limit, including translation. Candidate statements are printed as submitted, with no editing. Additionally, a candidate may submit translated version(s) of the original statement, which must comply with all aforementioned criteria. |
| XI.(p 15) | XI. Board Outreach after Candidates Are Certified - Once candidates are certified, if a Neighborhood Council releases a newsletter or conducts any outreach listing any existing board members, who are also candidates, the outreach materials must include the same information for all candidates, i.e. the nonBoard member candidates. In this respect, the City Clerk recommends that promotional pieces that include the list of candidates be distributed after the Final List of Certified Candidates has been issued (45 days prior to Election Day). | Board Outreach after Candidates Are Certified - Once the Final List of Certified Candidates has been issued by the City Clerk, if a Neighborhood Council releases a newsletter or conducts any outreach listing the names of any existing board members, who are also candidates, the outreach materials must include the same information for all candidates, i.e. the non-board member candidates. |
| XI. (p 9) | Candidate Forums - Each Neighborhood Council may present any number of Candidate Forums or arrange for forums sponsored by other organizations, such as a Chamber of Commerce or other regional Neighborhood Council organizations. Each forum, however, must ensure that each and every certified candidate is provided equal time and exposure. In this respect, the City Clerk recommends that promotional pieces that contain lists of certified candidates be distributed after the Final List of Certified Candidates has been issued (45 days prior to Election Day). Advertise your candidate forum to increase attendance. | Candidate Forums - Each Neighborhood Council may present any number of Candidate Forums or arrange for forums sponsored by other organizations, such as a Chamber of Commerce or other regional Neighborhood Council organizations. Each forum, however, must ensure that each and every certified candidate is provided equal time and exposure. |
| XIII (p 15) | NA | An extension to the Candidate Filing Registration deadline of an election region will only be considered if it can be established that an error by EmpowerLA and/or City Clerk caused a delay that impeded the election region's ability to field sufficient qualified candidates and that there is an outreach plan for the election region that will increase the number of candidate filings during the extended time frame. |

Revised April 29, 2016