

# **Grass Roots Venice Neighborhood Council Procedures for January 17, 2006 Special Election**

(Revised per 12-15-05 GRVNC Rules & Elections Committee Meeting)

## **INTRODUCTION**

In preparation for the coming Special Election, the GRVNC Rules & Elections Committee determined that the election procedures for the January 17, 2006 GRVNC Special Election shall be based on the September 2005 election procedures as modified by the committee chair and the Independent Election Administrator where appropriate. What follows is these modified election procedures.

### **I. ELECTION DAY:**

The date of the GRVNC Special Election is Tuesday January 17, 2006. The election will take place at Westminster Elementary School (1010 Abbott Kinney Boulevard, Venice, CA 90291) during the hours of 7:00 PM to 9:00 PM.

### **II. NEIGHBORHOOD COUNCIL AREA:**

Boundaries of the GRVNC shall follow the traditional boundaries for Venice, as set forth in the City of Los Angeles Venice Area Specific Plan and the City of Los Angeles Planning and Land Use Map for Venice, with one exception, as noted below. These traditional boundaries are approximately described as the City of Santa Monica to the North, the Pacific Ocean to the West, Marina del Rey (unincorporated County of Los Angeles) to the South, and Walgrove Avenue, the eastern edge of the Venice High School grounds, Culver City, Walnut, Del Rey and Lincoln Boulevard on the East. The exceptions to these traditional boundaries are: The area between Walgrove Ave. and Beethoven St., contains many of the schools serving the Venice Community including Venice High, Mark Twain Junior High, Walgrove Elementary and Beethoven Elementary. The grounds of these schools shall be considered an overlap area with the Neighborhood Council established by the Mar Vista Community. (See Attachment A for a map of the GRVNC Boundaries)

### **IV. NEIGHBORHOOD COUNCIL STAKEHOLDERS**

Persons who fulfill the following criteria are eligible to vote in the January 17, 2006 special election:

1. Individuals who live, work, or own property within the GRVNC boundaries.
2. In addition, Community Stakeholders shall be identified by participation in, among other things, educational institutions, religious institutions, community organizations or other non-profit organizations, block clubs, neighborhood associations, homeowners associations, apartment associations, condominium associations, resident associations, school/parent groups, faith based groups and organizations, senior groups and organizations, youth groups and organizations, chambers of commerce, business improvement districts, arts associations, political action groups, service organizations, park advisory boards, boys and girls clubs, cultural groups, environmental groups, codewatch, neighborhood watch, police advisory board groups, and/or redevelopment action boards within the GRVNC boundaries.

## **V. ELECTION TYPE:**

- A. The election shall be a Prepared Ballot Election in which a printed ballot will be distributed to the voters at the polling location on the election day.
- B. Absentee (vote-by-mail) will not be allowed in this election.
- C. Write-in candidates will be allowed in this election.
- D. Proxy voting is not allowed in Neighborhood Council elections.
- E. One (1) Board member, approved by the Board pursuant to Article IV, Section F, of the GRVNC Bylaws, will be confirmed or replaced by the stakeholders on the election day.
- F. An Amendment to the Bylaws, approved by the Board pursuant to Article X, Section A of the GRVNC Bylaws, will be ratified or rejected by the stakeholders on the election day.

## **VI. TERM OF OFFICE:**

The Board member will serve to complete the remainder of an existing term.

## **VII. RULES AND ELECTION COMMITTEE:**

- A. For the January 17, 2006 GRVNC Special Election, the GRVNC Rules and Election Committee (REC) will consist of volunteers from the Neighborhood Council community, none of whom are candidates for the Governing Board.
- B. Responsibilities: The REC shall be responsible for working under the direction of the appointed Independent Election Administrator (IEA) to oversee & implement all activities related to the NC election, including, but not limited to:

1. Preparing and distributing all election announcements and candidate information
2. Monitoring eligibility and verification of all Stakeholders and candidates
3. Overseeing notification and outreach of the Election and all processes connected with the Election to the community.
4. Preparing election materials as necessary for the Election.
5. Implementing a printed ballot election.
6. Following up with all entities upon the conclusion of the Election (e.g. announcement of results, storage of election records, post election evaluation of the election process).

- C. Contact and Information: For more information or to participate in the Volunteer Elections Committee contact REC Chair: Richard Myers [communications@grvnc.org](mailto:communications@grvnc.org). Other Key Contacts for the REC:

Ivan Spiegel [ivan131@access1.net](mailto:ivan131@access1.net)

Dante Cacace [cacace@gte.net](mailto:cacace@gte.net)

Joe Murphy [joedmurphy@comcast.net](mailto:joedmurphy@comcast.net)

## **VIII. INDEPENDENT ELECTION ADMINISTRATOR (IEA)**

A. Mr. Dante Cacace (cacace@gte.net) will be the Independent Election Administrator (“IEA”) for the January 17, 2006 GRVNC Special Election. If for any reason, the appointed IEA is unable to fulfill his duties in this election, the chair of the GRVNC Rules & Elections Committee shall appoint another IEA.

B. The Independent Election Administrator may utilize the staff, material, equipment and facility resources of the Neighborhood Council to assist him in carrying out the election administration duties, provided, however, that the following conditions are met:

1. That none of the candidates for the governing board 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 the voting material or explaining the voting process.

2. The Independent Election Administrator shall maintain the ultimate authority and responsibility for the administration of the election.

C. DONE shall not act as the Independent Election Administrator.

D. Responsibilities: The Independent Election Administrator shall be responsible for the following duties:

- a. Processing of candidates including verification of eligibility.

- b. Processing of voters and verification of eligibility as applicable.

- c. Overseeing and approving the preparation of the ballot to be used in the election.

- d. Distributing and receiving ballots from the voters.

- e. Verifying any provisional ballots.

- f. Counting and recounting the ballots.

- g. Issuing the election results.

- h. Securing and submitting all election materials for records retention in accordance with the bylaws and these Election Procedures.

E. Disposition of Election Records

1. The Independent Election Administrator shall retain all election materials including ballots, voter rosters, candidate filing documents, voter registration forms, etc. until the period for requesting a recount or filing a challenge has passed, or if a recount request or an election challenge is filed, until those processes are concluded.

2. In the case of an election challenge, the Independent Election Administrator shall make the election materials available to the Final Decision Maker upon request.

3. At the conclusion of a recount and election challenge resolution period, the Independent Election Administrator shall turn all election materials over to the Neighborhood Council. The Neighborhood Council shall then retain the election materials for a period of six (6) months, after which they shall be destroyed.

4. If the ballot design and the voter registration allows for a ballot to be tracked to an individual voter, then the Independent Election Administrator will permanently redact the tracking information from the actual ballots prior to handing over the election materials to the Neighborhood Council. Only the designated IEA and FDM will be allowed to view the two lists in such a way that the vote of any individual stakeholder is revealed.

F. Postponement of the Election; If the Independent Election Administrator determines that circumstances have arisen that seriously jeopardize his ability to conduct an election in conformance with the approved Neighborhood Council Election Procedures, then the Independent Election Administrator has the authority to postpone the election until corrective action can be taken. In such a case, the following actions shall be taken:

a. The Independent Election Administrator shall immediately notify the Neighborhood Council of his decision to postpone the election, and shall provide the basis for that decision including the actions that must be taken in order to reschedule and conduct the election.

b. The GRVNC Rules and Elections Committee and the Independent Election Administrator will jointly develop and take actions to inform the stakeholders of the postponement of the election.

c. As soon as possible, the GRVNC Board of Officers will schedule a meeting at which time the Independent Election Administrator shall report on the postponement, the basis for the postponement decision and the establishment of a new election date.

G. Canvass of Votes, Issuance of Results and Ratification of the Election: The Independent Election Administrator will be responsible for:

a. Tabulating the ballots and announcing the unofficial results at the end of the election day, or as soon thereafter as possible.

b. Verifying all Provisional ballots for inclusion in the Final Official Certified Canvass of the votes if they can change the outcome.

c. Completing the Final Official Certified Canvass including At-Polls ballots and any Provisional ballots either on the election day or within seven (7) days after the election.

d. Identifying the location, date, and time that the Final Official Certified Canvass of ballots will be announced.

- e. Ensuring that the activities associated with the Final Official Certified Canvass are open to the public for observation, provided that the observers must not interfere with or attempt to influence the vote tabulation in any way.
- f. Resolving tie-votes with a flip of a two-sided coin.
- g. Submitting a Final Election Reconciliation Report and Official Certified Canvass to the GRVNC Rules and Elections Committee when completed.

#### H. Contact and Information

Mr. Dante Cacace  
PO Box 500  
Venice, CA 90294  
Tel: 310-339-2884  
[cacace@gte.net](mailto:cacace@gte.net)

### VIII. FINAL DECISION MAKER

- A. The GRVNC Rules and Elections Committee will be the Final Decision Maker.
- B. The Final Decision Maker shall be responsible for administering the resolution of challenges to the election.
- C. Contact and Information:

Richard Myers  
PO Box 500  
Venice, CA 90294

- D. For more on Final Decision Maker roles and responsibilities please see Article XV, Challenges.

### IX. VOTING AND STAKEHOLDER REGISTRATION

A. All Stakeholders, who meet the criteria for the definition of a Stakeholder, and are 16 years of age, or a junior or senior in high school, shall be eligible to vote on the day of the Election. Every stakeholder shall be able to cast one vote for the Board seat (Geographical Representative Officer) as well as cast one vote to ratify or reject the Bylaws Amendment.

B. All stakeholders will need to provide evidence of their identity and, except for stakeholders who registered for the September 2005 GRVNC election, will need to provide proof of their stakeholder status in the form of a valid credential. Valid credentials will constitute one (1) of the following unless otherwise specified by these election procedures:

- **CA Drivers License**
  - (Current -- for an address within the GRVNC area)
- **CA Residency Card**
  - (Current -- for an address within the GRVNC area)
- **School ID Card**  
(Current -- for a school with in the GRVNC boundaries)

- **A business card**  
(In combination with any of the following with a matching Venice address-  
- Business license, business check, or pay stub).
- **A recent utility bill**  
(Current within 90 days -- for an address within the GRVNC area)
- **An imprinted check**  
(Current -- including an address within the GRVNC are)
- **Pay stub**  
(Current within 90 days from a business within the GRVNC area)
- **Passport**  
(**only in combination with any other credential item**)
- **School report card**  
(No older than June 2005 from a school with in the GRVNC boundaries)
- **Property tax bill**  
(Most recent with an address within the GRVNC area)

**OTHER CREDENTIALS:**

- **Church/Religious Institution within the GRVNC area:**  
*Letter (on business letterhead) from Church/Religious institution;  
contribution statement*
- **Nonprofit Organization within the GRVNC area:**  
*Letter(on business letterhead) from organization; receipt (dues,  
membership card with contact information)*
- **Senior Group within the GRVNC area:**  
*Letter (on business letterhead) from organization; receipt (dues,  
membership card with contact information)*
- **Venice Boardwalk license or certificate**  
(Current – not less than 90 days old)
- **Homeless Credential**  
*Recent (within 90 days) documentation from a local Venice agency  
indicating that the stakeholder is a client of the facility or receives  
services from said facility*

C. All other credentials not listed above, as well as any questionable credentials, will be accepted at the discretion of the IEA at the time of registration.

D. Photographic identification shall not be the only means by which a stakeholder can verify his/her status.

E. No stakeholder shall be required to submit more/greater documentation than those required by these procedures.

F. Photocopies of materials will be evaluated and accepted by the IEA only. All verification documents will be returned to the stakeholder immediately.

G. Stakeholders will be allowed two (2) opportunities to cast a ballot in the January 17, 2006 GRVNC Special Election. If a voter's original ballot is miss-marked or otherwise soiled prior to the ballot being cast, the voter may turn in his/her ballot and request another ballot. Once the second ballot has been

issued, no additional ballots will be issued to that voter during the January 17, 2006 GRVNC Special Election. All soiled ballots will be voided by the IEA.

H. If any person's voter registration is rejected during the registration process, that voter may request a review of that decision by the IEA. If the IEA rejects the stakeholders application, the stakeholder may request a review of the IEA's decision by the Final Decision Maker by filing a challenge under the provisions of the Election Challenge section. Subsequent to their review, the Final Decision Maker will issue a final determination as to whether the voter will be allowed to vote in the election. If a determination cannot be made during the actual election, the voter's case will be handled pursuant to the Provisional Voting provisions specified herein.

I. Provisional Voting: Voters can 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. This process must include the following provisions:

a. The provisional ballots will be identical to the regular ballots with the exception of color.

b. The only acceptable basis for challenging a voter's right to vote at the polling site will be that the person is not a stakeholder as defined by the Neighborhood Council bylaws and these procedures.

c. If a voter is refused a regular ballot on the basis that he/she is not a stakeholder eligible to vote in the election, the voter may produce any of the documentation outlined in these procedures prior to the closing of the polls on election day, at which time the voter will be issued a regular ballot.

d. 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 placed in the ballot box inside a Provisional Envelope. On the outside of the envelope the voter will provide:

- The voter's name.
- The voter's address.
- The voter's stakeholder status.
- The voter's contact number(s).

e. 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 two (2) days after the election day.

f. The Independent Election Administrator will be responsible for the verification of the Provisional Ballots.

## **X. POLLING PLACE OPERATIONS**

A. The election site shall be:

1. Be of sufficient size to accommodate the voter sign-in process, actual voting, and any allowable candidate/campaign activities.
2. Have sufficient parking.
3. Convenient for those utilizing public transportation.
4. Accessible for the disabled or procedures must be in place to accommodate disabled voters.

B. The Neighborhood Council bylaws and the approved Election Procedures shall be posted at the polling site for stakeholder review.

C. Campaigning/electioneering shall not be allowed within 500 feet of the election site on election day.

D. The Independent Election Administrator will announce in a loud voice in front of the polling site at the appointed time that the polls are open.

E. The Independent Election Administrator will announce in a loud voice in front of the polling site 10 minutes before the close of polls that the polls will close in ten (10) minutes.

F. Any persons in line outside of the polling site at the time of the closing of the polls will be allowed to vote.

G. Non-candidate observers will be allowed inside the polling site throughout the election, provided that the observers do not, in any way, attempt to interfere with or influence the activities of the polling place workers or the voters. These observers will not be allowed to campaign for any candidate while in the polling site. The observation area will be clearly marked. Stakeholders who violate the rules of observation will no longer be allowed to observe the election.

H. Only the Independent Election Administrator or his or her assistants be allowed to issue, receive or process ballots from the voter.

I. Assistance in any languages other than English and Spanish must be requested 5 days prior to the election day. Interpreters will be available to assist voters who require assistance in Spanish or other appropriate languages.

J. A voter may designate another person to assist them in the voting process. The person providing the assistance cannot be a candidate in the election.

## **XI. CANDIDACY**

A candidate must be a stakeholder eligible to run for, and hold, the specific office for which the candidate is filing. Candidates wishing to run for Geographical Representative Officers must be resident (renter or owner) stakeholders within the boundaries of the district for which they run (See Attachment B for the district 2 boundaries)

## **XII. TRANSLATION & INTERPRETATION SERVICES**

Interpreters will be available to assist voters who require assistance in Spanish or other appropriate languages. Assistance in any languages must be requested 5 days prior to election day.

## **XIII. PUBLIC OUTREACH AND NOTICE OF ELECTION**

To be fair and inclusive, efforts will be made to inform as many stakeholders as possible about the Election proceedings and the opportunity to participate. Notices of pertinent Election information will be posted by the GRVNC Rules and Elections Committee.

## **XIV. VACANCIES**

Pursuant to the bylaws of the Neighborhood Council, the elected Board will address any vacancies left by this election.

## **XV. CHALLENGES**

### **A. Contesting the Election:**

1. Any stakeholder, who submits the same stakeholder documentation required of the voters in the election, may file a challenge to the conduct of the election no later than two (2) days of the completion of the Final Official Certified Canvass by the Independent Election Administrator by filing a written request with the Final Decision Maker. The written request must:

- a. Identify the basis for the challenge to the election.
- b. Identify the person(s) issuing the challenge.
- c. Provide contact information for the person(s) issuing the challenge.

2. Send all election challenges to:

**GRVNC Rules and Election Committee**  
**c/o Richard Myers, Chair**  
**PO Box 500**  
**Venice, CA 90294**  
**Via email: [elections@grvnc.org](mailto:elections@grvnc.org).**

**3. Election challenges submitted to any other individual, entity or organization will not be reviewed by the FDM.**

B. The Final Decision Maker shall complete the review and issue the final findings to the GRVNC Board within 30 days of receipt of the election challenge. If circumstances arise such that the review and issuance of findings cannot be completed in 30 days, the Final Decision Maker may utilize up to a maximum of two additional 15-day review periods. The Final Decision Maker will submit a notice to the GRVNC Board identifying the reasons for the delay prior to initiating each review period extension. At a maximum, the

Final Decision Maker will have 60 days to issue a final report and settle all challenges to the election.

C. The findings of the Final Decision Maker will be final and binding on the Neighborhood Council.

D. Immediately upon receipt of the findings of the Final Decision Maker, The GRVNC Board will begin implementing the findings, as necessary, of the Final Decision Maker.

## **XVI. ANNOUNCEMENT OF RESULTS**

The Election results shall be posted by the GRVNC Board within five (5) calendar days after the challenge filing period or after any and all challenges have been resolved by the Final Decision Maker.

### **DEFINITIONS**

- ◆ “Absent Voter” means any voter casting a ballot in any way other than at the polling place.
- ◆ “Board of Neighborhood Commissioners (BONC)” means the seven (7) member appointed commission responsible for policy setting and policy oversight, including the approval of contracts and leases and the promulgation of rules and regulations, but not the day-to-day management of the Department of Neighborhood Empowerment or the neighborhood councils.
- ◆ “Campaigning” means a series of actions conducted by a candidate(s) or person(s) on behalf of a candidate(s) intended to influence voters to vote a certain way. Such actions may include, but are not limited to, the distribution of printed or electronic material, making of telephone calls, giving of speeches in a public setting, discussions with individuals or small groups of voters, placement of signs, etc. (see Electioneering below.)
- ◆ “Challenge” means a written complaint filed by a stakeholder that the election was improperly conducted including, but not limited to, alleged incidences of voting fraud or improper candidate activity, and that the results of the election should be set aside or overturned.
- ◆ “Department of Neighborhood Empowerment (DONE or Department)” means the City department responsible to implement and oversee the ordinances and regulations creating the system of neighborhood councils enacted pursuant to City Charter Section 905 including: preparing a plan for the creation of a system of neighborhood councils, assisting neighborhood councils in the certification process and in the election/selection of their governing board members, arranging Congress of Neighborhoods meetings as requested by neighborhood councils, arranging for the provision of training to neighborhood councils, assisting neighborhood councils in operational and logistical areas, and other duties as provided by ordinance.
- ◆ “Electioneering” means to solicit a vote or speak to a voter on the subject of marking his or her ballot; to place a sign(s) relating to any candidate or other matter to be voted on; to distribute material relating to any candidate or other matter to be voted on; or to place a sign(s), distribute material, or converse with a voter on the subject of the voter’s qualifications to vote.

Electioneering is an aspect of campaigning that is generally understood to mean the activities targeted at voters when they are engaged in arriving to the polling place or in the actual act of voting.

- ◆ “Election Procedures” mean the written procedures and methods adopted by a Neighborhood Council, consistent with their bylaws and approved by the Department of Neighborhood Empowerment, that are used to conduct the Neighborhood Council’s governing board member elections.
- ◆ “Human Relations Commission of the City of Los Angeles” means the City Department and associated Staff members known by this name and operating within the authority granted by the Los Angeles City Charter, DONE and these election procedures.
- ◆ “Independent Election Administrator” (IEA) means the person(s) or organization responsible for conducting the actual election. The Independent Election Administrator should be independent from the outcome of the election and shall have no vested interest in the outcome of the election. Duties include, but are not limited to, setting up and managing the polling location(s), checking in voters, distributing and receiving ballots, tabulating the votes, announcing the election results, and securing the election materials.
- ◆ “Neighborhood Council” taken in the singular and capitalized refers to that one Neighborhood Council involved in the activity being described. The term “neighborhood councils”, plural not capitalized, is used when the activities being described are general to all neighborhood councils.
- ◆ “Person” means an individual human being.
- ◆ “Prepared Ballot Election” means an election in which the candidates file prior to the election and are included on a printed ballot that is distributed to the voters at the polling location(s) on election day.
- ◆ “Provisional Ballot” means a ballot cast by a voter whose eligibility to vote in the election cannot be determined at the time the vote is cast. The voter’s eligibility will be verified at a later date pursuant to methods specified in the election Procedures and the ballot will be processed subject to the outcome of the verification process.
- ◆ “Proxy” voting means the written or verbal authorizing of one person to act (vote) for another as an agent or substitute, (e.g. “I hereby authorize \_\_\_\_\_ to cast a vote for \_\_\_\_\_ in my place.”)
- ◆ “Recount” means counting the votes cast again for a particular contest or for the entire election to determine if the original vote tally is accurate.
- ◆ “Stakeholder” means a person who, pursuant to the Neighborhood Council’s bylaws, is eligible to be a candidate and/or vote in the Neighborhood Council’s governing board election. At a minimum, a stakeholder is anyone who lives, works or owns property within the Neighborhood Council boundaries.
- ◆ “Final Decision Maker” means the person(s) or organization selected to review and issue final findings relative to a Challenge filed against the election. This person(s) or organization shall not be the Independent Election Administrator and should be independent from the outcome of the election and shall have no vested interest in the outcome of the election. The process utilized by this entity shall be administrative in nature and in accordance with these procedures. A formal hearing or “arbitration” is not required.
- ◆ “Vote-By-Mail Ballot” means a ballot that is voted and placed in a sealed envelope, which is then delivered to the election official via the U.S. mail, private courier or hand delivery.

◆ “Write-In Candidate” means a candidate who is not included on the prepared printed ballot but for whom voters may cast a vote by writing in the candidate’s name in the appropriate space provided on the ballot.

## Attachment A GRVNC Boundaries Map



1. Penmar / Lincoln Place
2. Rose / North Beach
3. Oakwood / Central Venice
4. East of Lincoln / South of Palms
5. Milwood / Abbot Kinney
6. Silver Triangle / Oxford Triangle
7. Peninsula / Canals

## Attachment B GRVNC District 2 Boundaries Rose / North Beach

Western Boundary: Pacific Ocean  
 Southern Boundary: S. Venice Blvd at the Beach;  
 Boundary then goes North on Pacific to Westminster, then East along Westminster past Riviera to the dead-end of Alhambra Ct., thence parallel to Abbot Kinney to Main St., North on Main to Brooks, East on Brooks to Hampton Dr., North on Hampton Dr. to the alley South of Rose Ave (continuation of Rose Ct.), thence East to Lincoln, thence North to the City of Santa Monica border, thence West along the border to Navy to the Pacific Ocean.  
 Census Tracts: Partial #2735, All of #2734 except small portion of Abbot Kinney, Partial #2733 and #2732 north of Rose Ct. or alley along that line.