

EMPOWER LATM

Department of
NEIGHBORHOOD EMPOWERMENT

**NEIGHBORHOOD COUNCIL
2012 ELECTION MANUAL**

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Introduction

The Department of Neighborhood Empowerment is pleased to work with the Neighborhood Councils on your elections in 2012. 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.

In preparing for the elections, we have utilized the excellent foundation developed by the Office of the City Clerk in the 2008 and 2010 Neighborhood Council elections and combined it with the Independent Election Administrator election format from when we conducted elections in the past. The new election process was designed to utilize the strongest components from both methods so that together we can run elections with integrity, flexibility and fun!

Many thanks to those Neighborhood Council leaders who have provided the critical election feedback that we have tried to incorporate 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 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, Office of the City Attorney, and of course, the Office of the City Clerk, 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!

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Election Process

I. Overview

The Department of Neighborhood Empowerment (Department) will be conducting elections regionally starting on August 4, 2012 and ending on November 15, 2012. Each region is comprised of 6 to 10 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.

The election process has changed from past election cycles in the following main areas:

- **Regional Election Meetings** - because we are holding the elections regionally, we will be working to get information to the Neighborhood Councils via regional meetings so Neighborhood Councils in the same region will have the opportunity to get to know one another and to conduct regional outreach to save money if they so desire.
- **Timeline** - the timeline for elections has been shortened to 60 days – 30 days to get candidates and 30 days to get voters after all bylaws and election procedures are approved by the Neighborhood Council. This 60 day timeline is counted from the day of the elections.
- **Outreach** - rather than send out 2 mailers as outreach, we encourage Neighborhood Councils to utilize their existing outreach events to publicize their elections. Neighborhood Councils will be 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. In addition, because we will be handling all of the sensitive election documentation, such as ballots and applications, Neighborhood Council Board members will be able to work on their election and/or outreach committees until the day of the election.
- **Election Procedures** - we will use the Election Procedures in this manual for procedures that apply citywide. Neighborhood Councils will only need to approve a 2012 Election Procedures Stipulation Worksheet with the changes for the 2012 elections, such as election day, time and location.
- **Election Time** - the standard election time will be a 4 hour window with the ability to extend to 6 hours by request.

- **Board Affirmation and Shortened Election Times** - in order to save on resources, if a Neighborhood Council has uncontested seats after the candidate filing deadline, i.e. there is only 1 or no candidate for a seat, we will hold a Board Affirmation town hall instead of an election. At the town hall, the uncontested candidates will be acknowledged and affirmed to the Board seats for which they filed. If 3 or fewer seats are contested, then we may hold a shortened election time of 2 hours for the Neighborhood Council.
- **Vote-By-Mail** - we are offering Vote-by-Mail with an initial set up fee of \$500 because of the extra staffing we will bring on to administer your vote by mail, which includes setting up all paperwork, fulfilling requests for ballots, verifying any documentation as necessary and processing the final count.
- **Candidate Write-In** - because of the Board Affirmation process described above, we are not offering write-in candidates in this election cycle.
- **Department Back Office** - we will be handling all the election administration and paperwork, such as bylaws, election procedures, ballots, candidate/voter verification, vote by mail, etc. in order to free your Board members and stakeholders up to recruit candidates and voters.
- **Defaults** - we 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. For 2012, the Neighborhood Council had the option of having a Board Selection Process OR a Board Election Process. To hold a selection, the Neighborhood Council must change their bylaws.

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 used to 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 showing of voter hands. Another method allows for a printed ballot, and the ballot is signed by the voter in public. The Selection Process works best when voting for Board members "at-large" or with very few voting "districts" or sections. The Selection Process requires a schedule for candidate application/verification, outreach plan, budget plan, stakeholder registration/verification, and a method of selection such

as raising hands, a method for determining ties, and the selection of a Neutral Third Party to oversee the entire process to provide an open, fair, and transparent process. The Department has provided a Selection Procedures Stipulation Worksheet to assist Neighborhood Councils with a selection.

If a Neighborhood Council wanted 1 year terms for Board members or wanted 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 2 or 4 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 wanted a certain day not 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 8 phases:

PHASE 1 - Getting Ready

Timeline – 90 to 120 days from election day

The Department has already set up the regions, and the Neighborhood Councils have selected their election day. If the committee is not already in place and working, the Neighborhood Council Boards should immediately appoint a minimum 3 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:**
- Board approval of the 2012 Election Procedures Stipulation Worksheet
 - Meet with the Neighborhood Councils in your region to discuss outreach
 - Set a goal to recruit a minimum of 3 candidates per open Board seat
 - Tell your stakeholders that you are having an election!

2012 Election Procedures Stipulation Worksheet

The Neighborhood Council's 2012 Election Procedures Stipulation Worksheet will include the Board's final decisions on the election time, location, candidate/stakeholder verification process, Vote-by-Mail and an outreach plan. The worksheet will supersede any inconsistent language in the Neighborhood Council bylaws, which will be updated by the Department to be consistent with the worksheet. The information on the worksheet will be used to develop the Neighborhood Council's final Election Procedures Addendum.

Outreach Planning

The goal of the outreach is not only to let your stakeholders know about the upcoming elections, but also to recruit enough candidates so that every open seat is contested, i.e. has multiple candidates. Contested elections bring out voters. So if your Neighborhood Council wants a high voter turnout, concentrate on recruiting more candidates.

Please use the Outreach Plan form provided by the Department 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 or on its own to attract candidates to run for Board seats. The Department also offers the EmpowerLA Leadership Academy workshops, which provides training for candidates.
- Candidate Statements - Neighborhood Councils may request candidate statements and publish them on website, emails, 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 Chamber of Commerce or other regional Neighborhood Council organizations. Each forum, however, must ensure that each and every candidate is provided equal time and exposure.

The Department is also launching a new website (www.empowerla.org) to provide information to stakeholders about the Neighborhood Council system and the elections. We also send 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 – 60 days from election day

Sixty days from the election day, the official timeline of the elections begin with a call for candidates and Vote-by-Mail applications if your Neighborhood Council is providing this service. The Department will provide candidate filing forms to each region for distribution. We will also have the forms and the information for all the Neighborhood Council seats available on the website for download. All candidates will need to provide documentation to prove that they are eligible to run for the seat. As the candidates are verified by the IEA, we will post their name and the Board seat they are running for on the Neighborhood Council's election page on our site and also provide the information to the Neighborhood Councils, too.

To Do:

- Start recruiting candidates!
- Hold Candidate Information Sessions
- Distribute Vote-by-Mail applications if applicable
- Keep telling your stakeholders that you are having an election!

Phase 3 – Election or Board Affirmation?***Timeline – 30 days from election day***

Thirty days from the election day, all candidate filing forms and Vote-by-Mail applications are due. Within 5 calendar days of the due date, the IEA will release the final verified candidate list. If there are no contested seats, 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 are contested, then it's time to 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 the day of the election
- Keep telling your stakeholders that you are having an election!

Recruiting Election Volunteers

The Department will provide a Poll Manager and worker on the day of the election. They will be supervised by the 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. The Department will provide a short training for all volunteers on how to conduct a successful election.

Vote-by-Mail Ballots

For those Neighborhood Councils offering Vote-by-Mail, the ballots of verified applicants will be mailed out 15 days prior to the election day. They must be received by the Department either the day before the election, or they can be dropped off at the Polling Place the day of the election.

During this period of 30 days just prior to the election, the IEA will prepare and produce stakeholder registration forms, ballots, VBM process, poll worker and volunteer name tags and instructions. The IEA and Poll Manager will assemble the Election Kit with supplies for the election.

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

Timeline – election day

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, generic signs, voting instructions, voting booths, ballots forms and colored paper for printing additional ballots, volunteer instructions, Vote-by-Mail ballots unopened, Vote-by-Mail ballot received list, counting forms and report forms.

The Poll Manager and volunteer poll workers arrive to the Polling Place at least 1 hour before the polls open to set up the space physically. 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
- Ballot Box

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 Department office for counting with notice to the public as to when the count will take place.

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

Phase 5 - Canvass of Votes - Counting

Timeline – election 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 is unlocked, and the ballots are sorted according to color of ballot. Vote-by-Mail ballots are separated from the envelopes and sorted with the rest of the ballots.
2. The stakeholder registration forms are counted and noted.
3. The total number of ballots are counted and noted.
4. The Poll Manager divides the ballots into manageable amounts for counting, usually no more than 100 ballots.
5. Volunteers are divided into pairs (a caller and a marker). They are given pre-printed counting sheets: 1 volunteer calls the name of the person receiving a vote and the other marks down the vote on a tally sheet.

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. Within 24 hours, the IEA will post an unofficial canvass of votes on the Department website for public review and will also send the results to the Neighborhood Council. This canvass of votes may be the Final Official Certified Canvass of Votes if there are not outstanding ballots to be verified. The Department will retain materials until after the deadline for challenges if there are no challenges or after the conclusion of arbitration of all challenges.

If there are provisional ballots, the deadline for submission of acceptable documentation is 3 calendar days after the election. The IEA will verify or disqualify the provisional ballots and revise the canvass of votes.

The more volunteers available to help count, the faster the counting goes!

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

Recounts may be requested within 3 calendar days after the elections. Challenges to the election are accepted within the 5 calendar days 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 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 Department 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. Some Neighborhood Council bylaws also mandate training within a certain time period or the Board member will lose voting rights so check with your Neighborhood Council.

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 2010 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 2012 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 2012.

II. Board Affirmation

If after the candidate filing verification deadline, there is only 1 or no candidate for every Board seat, the Department will hold a Board Affirmation at the next regularly scheduled Board meeting of the candidates in lieu of an election.

III. Write-in Candidates

There are no write-in candidates for the 2012 election cycle.

IV. Shortened or Extended Election Time

The standard election window on the election day is 4 hours. Neighborhood Councils can request a 6 hour window instead at no additional cost.

V. Vote-by-Mail Fee

If a Neighborhood Council would like to offer Vote-by-Mail to their stakeholders, the Department will charge a \$500 set up fee, which would include the preparation and mailing of 200 ballots with no postage on the return envelope. For more than 200 ballots, the Department will charge the Neighborhood Council only the cost of mailing the ballot. The Neighborhood Council can also pay the cost of postage on the return envelope if that option is desired.

VI. Location Fee

The Department will pay a Polling Place location fee of \$200 or less. 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 60 days prior to the election. The Department offices will not be open on weekends or holidays. As such, the Neighborhood Council Election Procedure 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 agree to be on the slate.

IX. Candidate Filing Form Information Public

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 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. Inspection of Forms

Please note that stakeholder registration forms, Vote-by-Mail applications, and ballots will only be made available for inspection after the Final Official Certified Canvass 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 and Vote-by-Mail applications will be provided within a reasonable amount of time after the date of the election.

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. These procedures supplement the Neighborhood Council's Election Procedures Addendum, 2012 Election Procedures Stipulation Worksheet and bylaws. Where a Neighborhood Council has not submitted the 2012 Election Procedures Stipulation Worksheet, the citywide default values will apply.

II. Elections

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.

- 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 2012 Election Procedures Addendum.
- If a voter with a disability is unable to access the polling location, 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 2012 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 2 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 30 days prior to the election and any change of location 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.

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 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 exclude any specific landmarks, parks or plots of land.

Specific voting districts as noted in the boundaries will be followed within the above boundary definitions and will apply to candidate qualification 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 or to those who declare a stake in the neighborhood and affirm the factual basis for it.

- 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 or by utilizing the Vote-by-Mail option 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 2012 Election Procedures Stipulation Worksheet and bylaws.

VI. Independent Election Administrator

The Department will assign an IEA to administer the elections in each Election Region. To serve as the Independent Election Administrator, the person(s) or organization selected must have attended training program conducted by the Department. The IEA may utilize the staff, material, equipment and facility resources of the Neighborhood Council or the Department 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 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.

- The IEA must maintain the authority and responsibility for the administration of the election.

The IEA, in coordination with the Department, shall be responsible for the following duties:

- Conducting the Neighborhood Council elections according to the Neighborhood Council bylaws, 2012 Election Procedures Addendum and any other applicable legal documents.
- Processing of candidates, including verification of eligibility
- Assisting the region with any Candidate Information Sessions.
- Processing of voters, including pre-registration and verification of eligibility as applicable.
- Overseeing and approving the preparation of the ballot to be used in the election.
- Distributing and receiving ballots from the voters.
- Verifying any provisional ballots.
- Counting and recounting the ballots.
- Issuing the election results.
- Securing and submitting all election materials for records retention in accordance with the bylaws and Election Procedures.

VII. Candidates

A. Candidate Filing

1. All potential candidates must complete a Candidate Filing Form and file the form with the Department by the Candidate Filing Deadline. All potential candidates will be notified by the IEA 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.
3. Candidates may submit a Candidate Statement on a template provided by the Department.
4. The Department will retain all Candidate Filing Forms and corresponding documentation according to Article XXVI. Disposition of Election Records.

Candidate contact information shall be given to the Election and Outreach Chairs of each Neighborhood Council no later than five (5) days after the filing deadline. 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 2 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.

The Neighborhood Council may present Regional Candidate Information Sessions to assist candidates in their campaigns.

VIII. Candidate and Stakeholder Verification

For this election, the Department will accept forms of identification for self-affirmation and documentation as prescribed by the Department's Neighborhood Council Election Acceptable Forms of Documentation.

IX. Campaigning

- A. The use of the City of Los Angeles Seal, the Department 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 wordmark.
 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 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, 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 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 IEA 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," "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., 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. Any names that exceed this number will be cut to the maximum number of characters/letters starting from the last letter of the name. For example, Miguel Angelito Martinez Jr. will appear on the ballot as "Miguel Angelito Martinez J".
5. Where there is a conflict between the names provided as documentation or on documents provided to the IEA, the name written on the Candidate Filing Form will override (unless otherwise specified by the Candidate in accordance with this policy and submitted to the IEA by the Candidate Filing deadline to appear on the ballot).

XII. 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 the 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 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 or that the person was issued a Vote-by-Mail ballot.

- If a voter is challenged on the basis that they were issued a Vote-by-Mail ballot, the voter may surrender the un-used Vote-by-Mail ballot at the polling site at which time the voter will be issued a regular ballot.
- 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 or the voter cannot surrender the Vote-by-Mail ballot, 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. cell or 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. The IEA will be responsible for the verification of the provisional ballots.

XIII. Vote-By-Mail

A Neighborhood Council may select to offer Vote-by-Mail to its stakeholders. If this is offered, all stakeholders are eligible to Vote-by-Mail.

Vote-by-Mail applications will be available beginning on a minimum of sixty (60) days prior to the election day and shall include instructions describing how to complete the application.

The deadline for the Vote-by-Mail application to be received is thirty (30) days prior to the election day.

The IEA 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 any stakeholder/voter eligibility verification documents that must be completed and submitted with the Vote-by-Mail ballot. Such instructions will state that the voter may cross out any information on the documentation they are submitting that is not required to establish stakeholder status (e.g. on a utility bill the voter could cross out all information, such as account number and account balance, except their name and residence address).
- The name and date of the election for which the application is being submitted (to be pre-printed on the application).
- The date on or before which the application must be received (to be pre-printed on the application).
- The address where the application is to be mailed or delivered (to be pre-printed on the application).

Candidates may distribute Vote-by-Mail applications, but shall not handle the return of the applications or the Vote-by-Mail ballots.

The Department 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 be allowed to retrieve and destroy a previously submitted Vote-by-Mail ballot and then be issued and vote a regular election day ballot.

XIV. Canvass of Votes and Election Certification

The Department will be responsible for tabulating the ballots and announcing the unofficial results on election day or as soon thereafter as possible. The IEA will verify all Provisional and Vote-by-Mail Ballots for inclusion in the Final Official Certified Canvass of 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 2 calendar days with notice provided on the Department website. The IEA or other Department 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.

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

XV. Challenges

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 5 calendar days after the election by filing a written request with the Department.

The written request must:

1. Identify the basis for the challenge to the election.
2. Identify the person(s) issuing the challenge.
3. Provide contact information for the person(s) issuing the challenge.

Following is a sample list of challenges that the Department will or will not be processed as part of the review process.

Challengeable:

- Incorrect Ballots (which caused voters to vote either significantly more or less for a qualified 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, Department logo, Neighborhood Council logo, and any other City Department logo)
- Candidate Eligibility
- Stakeholder Eligibility (for Document Required NCs only)
- Neighborhood Council Board Endorsement of a Candidate or Slate of Candidates
- Americans with Disabilities Act (ADA) Accessible Facility (if curbside voting was not available)
- Collection of Vote-by-Mail Applications (excluding representatives from nursing homes, hospitals, or long term care facilities).

Not Challengeable:

- Lack of Outreach (outreach performed by a Neighborhood Council, the Department, or 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 Selection
- Change of Polling Place
- Email Forwarding of Neighborhood Council "Get Out To Vote Material" or Emails.
- Ballot Design
- Vote-by-Mail Policy
- Neighborhood Council Endorsed Election Procedure/Policies
- Neighborhood Council Bylaws (Received from the Department by deadline)
- Neighborhood Council Endorsed Polling Place Suggestions
- Stakeholder Qualifications to Vote (Neighborhood Council Bylaws or Stipulation Language 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
- Voter Intimidation
- Error in Voting Instructions
- Lack of Necessary Voting Materials
- Voters Threatened by Candidates
- Electioneering by Stakeholder(s)
- 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 at Polling Place

XVI. 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 recount for a specific contest or for the entire election for a Neighborhood Council election within 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 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 the recount results to the Neighborhood Council and the Department 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.

XVII. 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 1 Board seat at a time.

Where a candidate seeking multiple Board positions on a Neighborhood Council Board is the winning candidate for more than 1 of those positions, the candidate will be required to choose 1 Board position no more than 3 calendar days after the posting of the unofficial 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 1 Board position by the deadline, the candidate will be deemed ineligible for all positions won as the result of the election, except for the 1 position where the candidate received the most votes.

XVIII. Outreach for the Election

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

XIX. Translation and Language Assistance

The following documents are available for translation: Candidate Filing Form, Stakeholder Registration Form, Vote-by-Mail Application, Vote-by-Mail Voting Instructions, At-Polls Voting Instructions.

The Department will provide language assistance on Election Day upon the request of the Neighborhood Council Board. A Neighborhood Council may request assistance for up to two (2) languages.

Languages not available within the Department will be contracted out to an outside interpreter at a \$50 fee per language to be paid by the Department. All translation and language assistance requests must be submitted to the Department no later than 5 p.m., 30 days prior to Election Day.

XX. 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 Inspector 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.

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

XXI. Videotaping

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.

XXII. Seating of Newly Elected Board Members

- A. The seating of a newly-elected Neighborhood Council Board will take place when:
1. The Department 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 30 calendar days of the criteria in Section A being met. The outgoing Board 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.
- D. Where a regularly scheduled meeting is not scheduled within 30 calendar days of the certification of the election results and the resolution of all official election challenges, the outgoing Board or the Department will call a special meeting within 10 calendar days of the aforementioned criteria being met in accordance with the Brown Act to seat the Board. The outgoing Board or the Department 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 Department 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.

XXIII. 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.

XXIV. Release of Election Materials

Approximately 45 calendar days after the certification of election results, the Department shall make the following items available for pick up by the Neighborhood Council:

- Stakeholder Registration Forms (excluding stakeholder documentation)
- Candidate Filing Forms (excluding stakeholder documentation)
- Instructions relative to any stakeholder/voter eligibility verification documents that must be completed and submitted with the Vote-by-Mail ballot. Such instructions will state that the voter may cross out any information on the documentation they are submitting that is not required to establish stakeholder status (e.g. on a utility bill the voter could cross out all information, such as account number and account balance, except their name and residence address).

The newly-elected Board shall designate an individual to pick up the above-mentioned materials on behalf of the Neighborhood Council at a Board meeting. Neighborhood Councils shall keep all election materials for 6 months after which they can destroy the documents. 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.

XXV. 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 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, Vote-by-Mail Applications, 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 and/or Vote-by-Mail Applications will be provided within a reasonable amount of time after the date of the election.
- In regard to the Stakeholder Registration Forms and Vote-by-Mail Applications, 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. Please note that a candidate's signature on the Candidate Filing Form is not subject to disclosure and will be redacted prior to fulfilling a CPRA request. All candidates must provide documentation to establish their stakeholder status for the position which they are applying. Any documentation used by a candidate and retained by the IEA to qualify a candidate is subject to limited disclosure.

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 used by challenger to support his or her challenge is subject to limited disclosure.

Once a CPRA request is made, the Department will have 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 14 calendar days to respond may be allowed if warranted by special circumstances. This 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 Department will charge \$0.10 for each photocopy. Payments can be made in person or sent to the Department of Neighborhood Empowerment, 20th Floor, City Hall, 200 Spring Street, Los Angeles, CA 90012, prior to the copies being made.

XXVI. Disposition of Election Records

At the conclusion of the recount and election challenge resolution period, the Department shall retain all election-related materials for a period of 6 months. All election-related materials will be made available to the public in accordance with the CPRA and subject to Article XXIV. After 6 months of retention by the Department, all Neighborhood Council election-related materials will be destroyed.