

**CERTIFIED NEIGHBORHOOD COUNCIL (NC) ELECTION *PROCEDURES*
[*REGULATIONS OR REQUIREMENTS OR ?*]**

RATIONALE: To ensure that Board Member elections are consistent with the Neighborhood Council bylaws and all other applicable laws, and that the Neighborhood Council holds its first election within a reasonable timeframe after certification so that stakeholders have a legitimate governing body to represent their interests to City of Los Angeles decision makers, the following minimum election *procedures regulations or requirements or ?* must be met.

CHAPTER I. DEFINITIONS

“Absent Voter” means any voter casting a ballot in any way other than at the polling place.

“All Vote By Mail Election” means an election conducted in which the only voting option is using 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.

“Board of Neighborhood Commissioners (BONC)” means the 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.

“Challenge” means a complaint filed by a stakeholder that the election was improperly conducted and the results should be set aside or overturned.

“Department of Neighborhood Empowerment (DONE)” 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, and assisting neighborhood councils in operational and logistical areas.

“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.

“Third Party Arbitrator” means the person(s) or organization selected to review and issue final findings relative to a Challenge filed against the election.

“Third Party Election Administrator” shall means the person, persons or organization responsible for conducting the actual 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. ~~who manages the activities on the day of the election.~~

“Election Procedures” mean the procedures and methods adopted by a Neighborhood Council, consistent with their by-laws and approved by the Department of Neighborhood Empowerment, that are used to conduct the Neighborhood Council’s governing board member elections.

“Final Arbitrator” shall mean the entity, organization, or person(s) authorized to settle all disputes to the Neighborhood Council election. This entity, organization, or person(s) shall not be the election administrator as defined in _____ ~~Chapter VII.~~

“Person” means an individual human being.

~~“Standard Pre-Printed Pre-Prepared Ballot Election” shall~~ 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.

~~“Standard Pre-Printed Pre-Prepared Ballot Election with the Vote By Mail Component” shall~~ means an election in which the candidates file prior to the election and are included on a printed ballot that is distributed to and voted by the voters either at: 1) the polling location(s) on election day or 2) or via the U.S. mail or alternative delivery service.

“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 shall 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.

~~“Town Hall Same Day Election Format” shall~~ means an election in which the candidates are nominated and the voting takes place on the same day and at the same general location.

“Stakeholder” means a person who, pursuant to the Neighborhood Council’s by-laws is eligible to be a candidate and/or vote in the Neighborhood Council’s governing board election.

~~“Absentee or Vote By Mail Ballot” shall~~ 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*, cast in which the voter is not present. This can include “vote by mail” or ballots that are carried into the polling location by another person. This does not include proxy voting.~~

“Write-In Candidate” means a candidate that is not included on the pre-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.

CHAPTER II. GENERAL PROVISIONS

Election Procedures must be consistent with the requirements outlined in this document, and the applicable Neighborhood Council bylaws and all other applicable laws governing the operation of Neighborhood Councils.

All elections must be conducted consistent with the Neighborhood Council bylaws and the Department of Neighborhood Empowerment (DONE) approved election procedures.

All stakeholders who meet the criteria for the definition of stakeholder as outlined in the Neighborhood Council bylaws, shall be eligible to vote in the election.

No stakeholder can be denied the opportunity to vote for a member of the governing board for whom they are eligible to vote.

No stakeholder can be denied the opportunity to run for a board seat for which he/she holds stakeholder status.

Election procedures, including qualification requirements for voting and/or candidacy, cannot act to restrict participation in the election process by groups of stakeholders (e.g. homeless, volunteer workers, monolingual, public transit dependent, home based workers, etc.).

The election must be held in such a way as to allow for the greatest stakeholder participation (e.g. length of time available for voting, number of days, hours, voting options, candidate process, etc.).

CHAPTER III. APPROVAL OF NEIGHBORHOOD COUNCIL ELECTION PROCEDURES

The Neighborhood Council Election Procedures must be drafted by members of the Neighborhood Council with assistance provided by DONE. The Interim Board or the existing Elected Board of the Neighborhood Council shall designate, consistent with the Neighborhood Council By-laws, an Elections Procedures Committee, or equivalent, to draft and/or revise the election procedures. The designation of the Elections Procedures Committee, or equivalent, shall be made in accordance with the Neighborhood Council bylaws or at a duly noticed public meeting.

The Neighborhood Council must submit draft election procedures to DONE for review and written approval no later than 130 days prior to the projected Election Day. The draft election procedures must include a designation of a Third Party Election Administrator that will be responsible for conducting the election. DONE shall provide the draft election procedures to the

designated Third Party Election Administrator for review and comment as part of the DONE review and approval process.

[INSERT REVIEW TIME FRAMES]

The finalized election procedures must be approved by DONE no later than 90 days prior to the designated Election Day(s).

[Place Holder 1: insert statement that DONE has final approval or disapproval authority]

[Place Holder 2: insert statement that DONE and Neighborhood Council will submit proposed election procedures to third party mediator or BONC or ? if agreement cannot be reached on election procedures.]

[Place Holder 3: do not address issue in this Chapter since following Chapter provides public review before BONC if dispute over election procedures results in election not being held within 8 months of certification.]

CHAPTER IV. TIME FRAME FOR CONDUCTING ELECTIONS

The ~~first~~ election *procedures* must *specify that the first election will* be held within six (6) months or 180 days of certification, and all subsequent elections must be held in accordance with the Neighborhood Council bylaws.

If circumstances arise such that the first election cannot be held within ~~six (6)~~ eight (8) months or ~~180 days~~ of certification, then DONE shall report to BONC, in accordance with BONC procedures, on the issues preventing conduct of the election and, with the input of the Neighborhood Council, seek to establish an alternative time table for conduct of the first election.

CHAPTER V. NEIGHBORHOOD COUNCIL ELECTION PROCEDURES

Article A. Structure of Election

Consistent with the Neighborhood Council bylaws, the Election Procedures shall specify:

- 1. The date(s), hours and location of the election.*
- 2. The voting methods to be utilized (e.g. at polls voting, vote by mail, ~~same day town hall~~ format, etc).*
- 3. Whether Board Officers are to be elected directly by the stakeholders or subsequently by the elected Board Members.*
- 4. Whether Board Members shall be elected at large or by district.*

5. The number *and type* of Board Member seats available and any qualifications ~~beyond basic stakeholder status~~ required to be a candidate for any particular seat.

6. The seats for which stakeholders of various categories are eligible to vote.

7. ~~Indicate that~~ No proxy voting shall be ~~is not~~ allowed in Neighborhood Council Elections.

~~[The Election Procedures must not create the possibility that one stakeholder group will make up the majority of elected seats on the Board. MOVE TO ELECTION MODEL]~~

~~CHAPTER VI.~~

Article B. Public Outreach and Notice of Election

The Election Procedures shall identify *the process for outreaching to and notifying stakeholders about election related activities and events.* DONE approval of the outreach component of the Election Procedures will be dependent on inclusion of methods appropriate *for the type of election to be held and appropriate* to reach all segments of stakeholders in the Neighborhood Council. *Upon approval of the election procedures, the Neighborhood Council must begin informing stakeholders about the election process by complying with the following minimum outreach requirements pursuant to the type of election being conducted.*

Minimum General/Stakeholder Outreach Requirements

A 1. ~~STANDARD PRE-PRINTED~~ Pre-Prepared Ballot Election Without Vote-By-Mail Component

~~Not less than 360 days prior to the Election Day, the Neighborhood Council shall comply with the following minimum notice requirements: shall consist of:~~

(a) Not less than 60 days prior to the election, hold one (1) duly publicly noticed public meeting to provide information about the Neighborhood Council and to discuss and distribute the election procedures and stakeholder registration forms (if applicable – see ___ below);

(b) Not less than 60 days prior to the election, provide at least one (1) mass distribution of a general information flyer containing at a minimum the following information:

- i. The name and general purpose of the Neighborhood Council and announcement of the upcoming Board Member elections.*
- ii. Definition of a stakeholder.*
- iii. The date(s), hours and location of the election.*
- iv. The opportunity and process for becoming a candidate.*
- v. Voter eligibility requirements.*
- vi. Upcoming election related meetings.*

vii. *Sources to obtain additional information.*

(c) Not less than 60 days before the election, ~~posting of the election information contained in the general information flyer along with a contact telephone number at the formal posting locations (those identified by the Neighborhood Council in their final application for certification).~~

(d) Between the period of 60 and 30 days before the election, the Neighborhood Council shall ~~posting of candidate filing and other related election information and deadline dates along with an information contact telephone number at the formal Neighborhood Council's posting locations (those identified by the Neighborhood Council in their application for certification).~~

~~Identify the dates and deadlines for filing candidacy declaration and to have candidate names printed on the ballot, if applicable.~~

~~State the process and deadlines that will be used to verify candidate eligibility, if applicable.~~

(e) Not less than 30 days before the election, the Neighborhood Council shall hold one (1) publicly noticed *candidate* informational meeting ~~to distribute the election procedures and candidate filing forms; The Neighborhood Council shall conduct a minimum of one public meeting to explain the establishment of, function of and opportunity to serve on the governing body. At the meeting, the Neighborhood Council shall distribute copies of the bylaws; Election Procedures, candidate and voter registration forms (if applicable), candidate filing and verification of eligibility requirements for placement on the ballot, write in candidate procedures, requirements upon winning office, and any other information the Neighborhood Council determines would be useful.~~

~~One (1) informational piece that contains all of the requirements and deadlines to be distributed broadly to the community; and [see above]~~

(f) Not less than 7 days prior to the election, provide at least one (1) mass distribution of an election information reminder flyer containing at a minimum: the date, time, place of the election, the candidates that will appear on the ballot, write in candidate procedures, contact numbers for obtaining additional information.

B 2. ~~STANDARD PRE-PRINTED~~ Pre-Prepared Ballot Election With Vote-By-Mail Component

~~Not less than 360 days prior to the Election Day, the Neighborhood Council shall comply with the following minimum notice requirements: shall consist of:~~

(a) Not less than 60 days prior to the election, hold one (1) duly publicly noticed public meeting to provide information about the Neighborhood Council and to **discuss and** distribute the election procedures and stakeholder registration forms (if applicable – see ___ below);

(b) Not less than 60 days prior to the election, provide at least one (1) mass distribution of a general information flyer containing at a minimum the following information:

- i. *The name and general purpose of the Neighborhood Council and announcement of the upcoming Board Member elections.*
- ii. *Definition of a stakeholder.*
- iii. *The date(s), hours and location of the election.*
- iv. *Vote By Mail Process (including application and ballot submission procedures)*
- v. *The opportunity and process for becoming a candidate.*
- vi. *Voter eligibility requirements.*
- vii. *Upcoming election related meetings.*
- viii. *Sources to obtain additional information.*

(c) Not less than 60 days before the election, posting of the election information contained in the general information flyer along with a contact telephone number at the formal posting locations (those identified by the Neighborhood Council in their final application for certification).

(d) Between the period of 60 and 30 days before the election, the Neighborhood Council shall posting of candidate filing and other related election information and deadline dates along with an information contact telephone number at the formal Neighborhood Council's posting locations (those identified by the Neighborhood Council in their application for certification).

~~Identify the dates and deadlines for filing candidacy declaration and to have candidate names printed on the ballot, if applicable.~~

~~State the process and deadlines that will be used to verify candidate eligibility, if applicable.~~

(e) Not less than 30 days before the election, the Neighborhood Council shall hold one (1) publicly noticed candidate informational meeting to distribute the election procedures and candidate filing forms; ~~The Neighborhood Council shall conduct a minimum of one public meeting~~ to explain the establishment of, function of and opportunity to serve on the governing body. At the meeting, the Neighborhood Council shall distribute copies of the bylaws; Election Procedures, candidate and voter registration forms (if applicable), *candidate filing and verification of eligibility requirements for placement on the ballot, write in candidate procedures*, requirements upon winning office, and any other information the Neighborhood Council determines would be useful.

~~One (1) informational piece that contains all of the requirements and deadlines to be distributed broadly to the community; and [see above]~~

(f) Not less than 21 days prior to the election, provide at least one (1) mass distribution of an election information reminder flyer containing at a minimum: the date, time, place of the election, the candidates that will appear on the ballot, vote by mail application and ballot submission process, write in candidate procedures, contact numbers for obtaining additional information.

€ 3. ~~TOWN HALL~~ Same Day Election Format

(a) Not less than 60 days prior to the election, hold one (1) duly publicly noticed public meeting to provide information about the Neighborhood Council and to discuss and distribute the election procedures and stakeholder registration forms (if applicable – see ____ below);

(b) Not less than 60 days prior to the election, provide at least one (1) mass distribution of a general information flyer containing at a minimum the following information:

- i. The name and general purpose of the Neighborhood Council and announcement of the upcoming Board Member elections.*
- ii. Definition of a stakeholder.*
- iii. The date, hours and location of the election.*
- iv. The opportunity and process for becoming a candidate.*
- v. Voter eligibility requirements.*
- vi. Upcoming election related meetings.*
- vii. Sources to obtain additional information.*

(c) Not less than 60 days before the election, posting of the election information contained in the general information flyer along with a contact telephone number at the formal posting locations (those identified by the Neighborhood Council in their final application for certification).

~~*Between the period of 60 and 30 days before the election, the Neighborhood Council shall posting of candidate filing and other related election information and deadline dates along with an information contact telephone number at the formal Neighborhood Council's posting locations (those identified by the Neighborhood Council in their application for certification). Identify the dates and deadlines for filing candidacy declaration and to have candidate names printed on the ballot, if applicable.*~~

~~*State the process and deadlines that will be used to verify candidate eligibility, if applicable.*~~

(d) Not less than 30 days before the election, the Neighborhood Council shall hold one (1) publicly noticed candidate informational meeting to distribute the election procedures and candidate filing forms; The Neighborhood Council shall conduct a minimum of one public meeting to explain the establishment of, function of and opportunity to serve on the governing body. At the meeting, the Neighborhood Council shall distribute copies of the bylaws; Election Procedures, candidate and voter registration forms (if applicable), candidate filing and verification of eligibility requirements, write-in candidate procedures, requirements upon winning office, and any other information the Neighborhood Council determines would be useful.

~~*One (1) informational piece that contains all of the requirements and deadlines to be distributed broadly to the community; and – [see above]*~~

(e) Not less than 7 days prior to the election, provide at least one (1) mass distribution of an election information reminder flyer containing at a minimum: the date, time, place of the election, the election day candidate nomination process, contact numbers for obtaining additional information.

§ 4. All Vote By Mail Election Format

The outreach requirements for the all Vote By Mail Format election shall be as specified in Chapter V, Article B, Section 2, except that references to the date, time and location of the election polling site(s) will not be required.

CHAPTER VII.

Article C. Third Party Election Administrator

*1. The Election Procedures shall must identify an **third party** administrator for the election, ~~if other than the non-candidate NC Election Committee.~~*

*2. The election must be officiated by the **third party** election administrator named in the procedures. However, if the designated **third party** election administrator cannot fulfill their responsibilities, the Neighborhood Council shall must immediately notify DONE so that a mutually agreed upon replacement **third party** election administrator can be secured.*

3. ~~Include a statement that~~ Candidates for the governing board of a Neighborhood Council may not serve in any election administrative capacity, including the handling/counting of ballots, voter/candidate registration/verification, and the interpretation of election materials for voters.

*4. The **third party** election administrator shall be responsible for the following duties:*

- (a) Processing of candidates including verification of eligibility.*
- (b) Processing of voters including pre-registration and verification of eligibility as applicable.*
- (c) Distributing and receiving ballots from the voters.*
- (d) Verifying any provisional ballots.*
- (e) Counting the ballots.*
- (f) Issuing the election results.*
- (g) Securing and submitting all election materials for records retention.*

CHAPTER VIII.

Article D. Candidate Filing Process

The Election Procedures ~~must shall~~ state the process for declaring candidacy; including at a minimum the following:

1. ~~Identify~~ The location, dates and deadlines for filing candidacy declaration and to have candidate names printed on the ballot, if applicable.

[note: do we want to specify an exact filing period for all NCs, coupled with a write in process for those who decide to be candidates after the deadline passes?]

2. ~~State~~ The process and deadlines that will be used to verify candidate eligibility, if applicable.

3. *The appeal process should a candidate's filing application be rejected.*

4. *A write in process for candidates who do not file the declaration of candidacy by the deadline to have their names included on the ballot.*

[what about non-elected board positions?]

5. The Neighborhood Council shall publicize the opportunity to be a candidate for the governing body of the Neighborhood Council for a period that is not less than 30 days, and shall hold open the candidate-filing period for a minimum of 30 days (these two periods may run concurrently).; ~~in order to allow for sufficient outreach and prevent potential challenges to the election. Minimum notice requirements for candidate outreach shall consist of:~~

~~CHAPTER IX.~~

Article E. Campaign Procedures and Training

The Election Procedures shall *specify allowable activities, State all campaign* rules and limits relating to campaigning. (e.g. campaigning, candidate forums, use of NC logo by candidates, etc.). *A copy of the Election Procedures including the allowable activities, rules and limits relating to campaigning shall be provided to the candidate at the time of filing or subsequently upon request.*

The ~~Prohibit~~ use of the City Seal, DONE logo, or any DONE created official certified Neighborhood Council designation on candidate materials *is prohibited.*

~~CHAPTER X.~~

Article F. Voter Eligibility

Consistent with the certified Neighborhood Council bylaws, the Election procedures shall specify The voter eligibility requirements and voting process. *At a minimum, this section must:*

1. Mandate that all stakeholders will be given the opportunity to vote.

2. Indicate that either verbal or written self-affirmation will be acceptable for voting purposes, if not requesting identification.
3. Disallow picture identification as the sole form of identification/registration of stakeholders for voting purposes.
4. Specify reasonable documentation such as utility bills, business cards, imprinted checks, post marked mail, etc. as acceptable proof of stakeholder status.
5. *Identify any board seats where voter eligibility is determined by specific stakeholder status.*
6. *Identify the process for voter registration including any pre-election registration process. The election procedures must allow for registration on election day.*
7. *Identify the process by which a potential voter may appeal their denial of stakeholder status and eligibility to vote in the election.*

CHAPTER XI.

Article G. Voting Options Available to Stakeholders

1. ~~PART A.~~ At Polls Voting

Except when utilizing an All Vote-By-Mail Election format, the Election Procedures must provide for voting to be conducted at one or more polling sites. At a minimum, the At Polls Voting section of the Election Procedures must:

- (a) Designate the date, time, hours of operation and place where the voting will occur.*
- (b) Specify the voter check-in process, including any identification requirements and acceptable means for satisfying the identification requirements.*
- (c) Include the process by which voters will be informed of their right, and offered the opportunity, to vote a Provisional Ballot if the voter's eligibility cannot be resolved in the voter's favor on election day (see below).*
- (d) Specify the type and format of the ballot to be issued.*
- (e) Identify the process to allow a voter to obtain a replacement ballot if the original ballot is spoiled or miss-marked.*
- (f) Identify the process to allow disabled voters to vote in the election.*

2. ~~PART B.~~ Vote-By- Mail

Allowing voters the ability to cast their ballots via the Vote-By-Mail method is an option that a Neighborhood Council may choose to utilize. Accordingly, the Election Procedures must state

whether Vote-By-Mail ~~absentee~~ voting will or will not be allowed. If the Vote-By-Mail option is selected, then the Election Procedures must:

- (a) Identify the process for obtaining and submitting a Vote-By-Mail application, including when the application will be available, where to obtain the application, the information required on the application, the deadline for submission of the application.*
- (b) Designate the Third Party Election Administrator as the entity that will process the Vote-By-Mail applications and ballots. By mutual agreement with the Neighborhood Council and DONE, the Third Party Election Administrator may utilize the DONE offices as the designated mailing or delivery address for Vote-By-Mail applications and ballots.*
- (c) Provide, at a minimum, that the Vote-By-Mail application must be available not less than 21 days before the election and must be requested by the voter not less than 7 days before the election.*
- (d) Provide that the voted ballot must be received by the close of the poll(s) on election day (either at the designated submission mailing address or at the polling location).*
- (e) Provide that the Neighborhood Council will prepare and distribute a Vote-By-Mail application which contains spaces for the following information:*
 - i. The name and residence or business address of the stakeholder.*
 - ii. The address to which the ballot is to be mailed, if different than the residence or business address.*
 - iii. The stakeholder/voter's signature.*
 - iv. The stakeholder status of the voter.*
 - v. The name and date of the election for which the application is being submitted (to be pre-printed on the application).*
 - vi. The date on or before which the application must be received (to be pre-printed on the application).*
 - vii. The address where the application is to be mailed or delivered (to be pre-printed on the application).*
- (f) Provide that a stakeholder/voter's application for a Vote-By-Mail not submitted on the prepared form will still be processed if it contains the information in (e) i.-v. above and is received by the application submission deadline.*
- (g) Provide that the Third Party Election Administrator, upon receipt of a completed Vote-By-Mail ballot application on or before the submission deadline will issue a Vote-By-Mail Ballot Package containing the following items/information:*
 - i. The official ballot.*
 - ii. Voting instructions on how to complete the ballot and return the voted ballot including the submission deadline and the place(s) to mail or deliver the completed ballot.*
 - iii. Instructions relative to any stakeholder/voter eligibility verification documents that must be completed and submitted with the Vote-By-Mail ballot.*
 - iv. A pre-printed return envelope containing the return address and an affidavit to be signed by the stakeholder/voter stating "I hereby declare under penalty of perjury that I am a stakeholder in the [insert name of Neighborhood*

Council] and I herein enclose my ballot in compliance with the Neighborhood Council Election Procedures.”

- (h) Provide that any voter eligibility documentation requirements requested of Vote-By-Mail voters must be equal to those requested of at polls voters.*
- (i) Provide that a list of all persons issued 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.*

3. PART C. Provisional Voting

The Election Procedures must include a process whereby 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 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 by-laws or that the person was issued a Vote-By-Mail ballot.*
- (b) If a voter is challenged on the basis that they were issued a Vote-By-Mail ballot, the voter may surrender the un-voted ballot at the polling site at which time the voter will be issued a regular ballot.*
- (c) If a voter is challenged on the basis that they are not a stakeholder eligible to vote in the election, the voter may produce any of the documentation outlined in the Election Procedures at which time the voter will be issued a regular ballot.*
- (d) If a voter cannot produce the required documentation or they cannot surrender the un-voted 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:
 - i. The voter’s name.*
 - ii. The voter’s address.*
 - iii. The voter’s stakeholder status.*
 - iv. The voter’s contact number(s).**
- (e) When a voter cast 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, the deadline for submitting such documentation, and a contact number to request assistance or seek additional information. In no case will the deadline for submission of acceptable documentation be less than 5 days after the election.*
- (f) The Third Party Election Administrator will be responsible for the verification of the Provisional Ballots.*

4. Write in Vote

In addition to voting for candidates whose names appear on the prepared ballot, the Election Procedures must also allow voters to cast a vote for a qualified write-in candidate by writing in

the candidate's name in the space provided. A qualified write-in candidate is a candidate who has complied with the Election Procedures process for becoming a qualified write-in candidate.

CHAPTER XII.

Article H. Polling Place Operations

For neighborhood councils using an election format that utilizes one or more polling sites, the Election Procedures must:

- 1. Require that the selection process for the polling site(s) will include the following considerations:
 - (a) The site(s) selected must be of sufficient size to accommodate the voter sign-in process, actual voting, and any allowable candidate/campaign activities.*
 - (b) The site(s) selected should have sufficient parking.*
 - (c) The site(s) selected should be convenient for those utilizing public transportation.*
 - (d) The site(s) selected must be accessible for the disabled or procedures must be in place to accommodate disabled voters (see below).**
- 2. Require that procedures be established to accommodate disabled voters if the polling site is not accessible (e.g. having ballot delivered to the voter outside of the polling site by an authorized polling place worker).*
- 3. Require that the certified or post certification amended bylaws and approved Election Procedures be posted at the polling site for ~~must be available for~~ stakeholder review. ~~at all elections.~~*
- 4. Specify what campaigning type activities, if any, will be allowed at the polling site and the location and duration of such activities. Examples include: candidate speeches, nomination sessions, posting of candidate statements, etc.*
- 5. Specify the minimum distance from the polling site that electioneering activities are allowed. [Minimum of 100 feet unless walls or other barriers make a shorter distance workable??]*
- 6. Require the posting of signage that marks the boundary where electioneering activities are prohibited.*
- 7. Require that the polling site(s) remain open for a minimum of 5?? hours.*
- 8. Require that the Third Party Election Administrator announce in a loud voice in front of the polling site(s) at the appointed time that the polls are open.*
- 9. Require that the Third Party Election Administrator announce in a loud voice in front of the polling site(s) 10 minutes before the close of polls that the polls will close in 10 minutes.*
- 10. Require that any persons in line outside of the poll at the time of the closing of the polls will be allowed to vote.*
- 11. Require that 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.*
- 12. Require that only the Third Party Election Administrator or his or her assistants be allowed to issue, receive or process ballots from the voter.*

13. *Require that interpreters be available to assist voters who require assistance in a language other than English if xx?% of the Neighborhood Council stakeholders primarily speak a particular language.*
14. *Allow a voter to designate another person to assist them in the voting process. The person providing the assistance cannot be a candidate in the election.*

CHAPTER XIII.

Article I. Official Certified Canvass of Votes, Issuance of Results and Ratification of the Election

The Election Procedures shall specify the process for verifying and counting all ~~verified~~ ballots. At a minimum, the Election Procedures must:

- 1. Require that the Third Party Election Administrator will be responsible for tabulating the ballots and announcing the unofficial results on election day.*
- 2. Require that the Third Party Election Administrator verify all Provisional and Vote-By-Mail ballots for inclusion in the Final Official Certified Canvass of the votes.*
- 3. Specify the deadline for completion of the Final Official Certified Canvass including at polls ballots, Provisional ballots, and Vote-By-Mail ballots if applicable, provided that the deadline cannot be less than 7 days or greater than 14 days after the election.*
- 4. Identify the location, dates, and time that the election day and Final Official Certified Canvass of ballots will occur.*
- 5. Require that the election day and Final Official Certified Canvass activities be open to the public for observation, provided that the observers must not interfere with or attempt to influence the vote tabulation in any way.*
- 6. Require the Third Party Election Administrator to submit the Final Official Certified Canvass to DONE within 3 days of completion.*
- 7. Require that the final election results be ratified and announced by DONE within 3 days of receipt of the election results from the Third Party Election Administrator.*
- 8. Identify the process for notifying candidates and stakeholders of the election results within 5 days of DONE ratifying and announcing the results.*

~~All election results must be forwarded to DONE for approval/ratification and official announcement.~~

CHAPTER XIV.

Article J. Resolution of Election Challenges

The Election Procedures will include a process for handling election disputes or challenges and must:

- 1. Provide that any stakeholder may request a Recount of a specific contest or the entire election results within 5 days of the ratification and announcement of the election results by DONE by filing a written request with DONE.*
- 2. Require that the Third Party Election Administrator conduct the recount within 7 days of receipt from a stakeholder of the written request for a Recount.*
- 3. Require that public notice of the location, date and time of the Recount be posted at the Neighborhood Council's required notice sites a minimum of 24 hours before the Recount is to take place and that the person(s) requesting the Recount be provided individual notice within the same time frame.*
- 4. Require that the Recount be open to public observation, provided that observers must not interfere with or in any way attempt to influence the persons conducting the Recount.*
- 5. Require that the Third Party Election Administer certify the Recount results to DONE within 3 days of completing the Recount.*
- 6. Require that the certified Recount results be ratified and announced by DONE 3 days of receipt of the certified Recount results from the Third Party Election Administrator.*
- 7. Provide that any stakeholder may Challenge the conduct of the election within 5 days of the ratification and announcement of the election results by DONE by filing a written request with DONE. 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.*
- 8. Require that DONE will submit the Challenge to one of the neutral Third Party Arbitrators that have been pre-qualified by DONE to conduct the review and issue final findings with respect to an election Challenge within 3 days of receipt of an election Challenge. The Third Party Arbitrator selected cannot have participated in the conduct of the election in any way.*
- 9. Require that public notice of the receipt of an election Challenge be posted at the Neighborhood Council's required notice sites at the time the Challenge is submitted to the Third Party Arbitrator and that the person(s) issuing the Challenge be provided individual notice within the same time frame.*
- 10. Require that the neutral Third Party Arbitrator complete the review and issue the final findings to DONE within 30 days of receipt of the election Challenge from DONE. Provided however, that if circumstances arise such that the review and issuance of findings cannot be completed in 30 days the Third Party Arbitrator will submit notice to DONE identifying the estimated completion date. [DO WE WANT ABSOLUTE FINAL DATE?]*

11. Require that the findings of the Third Party Arbitrator will be final and binding on the Neighborhood Council.

Within 3 days of receipt of the findings of the Third Party Arbitrator, DONE will work with the Neighborhood Council to implement the findings of the Third Party Arbitrator.

~~Specify that once the final arbitrator has made a decision regarding a dispute or election challenge and DONE has approved, the decision shall be final.~~

[Place holder 1 – should DONE have to approve the findings of the Arbitrator?]

[Place holder 2 – should the Election Procedures name, up front, the Arbitrator or should DONE

select from a pre-qualified list allowing the NC to request another Arbitrator if they feel the Arbitrator is biased in some way?]

~~The final arbitrator must be approved by DONE~~

CHAPTER VI. DISPOSITION OF ELECTION RECORDS

Within 30 days after final certification of the election results the Third Party Election Administrator will transmit all election documents, including ballots, voter rosters, candidate filing documents, etc. to DONE for records retention purposes.

DONE will establish a records retention schedule for the Neighborhood Council election records in accordance with the City of Los Angeles Records Retention Policy.

The Neighborhood Council election records will be retained for a minimum of 2 years after the final certification of the election results.

CHAPTER VII. NON-COMPLIANCE WITH ELECTION PROCEDURES

~~Result of Non-Compliance with the Election Policy~~

In the event that the Neighborhood Council chooses to proceed with an election without complying with any part of Chapters ~~Sections I.—V.~~ _____ of this policy document:

DONE may deny the Neighborhood Council administrative support for the election in the form of copies, translation services, staff assistance, third party/final arbitrator assistance etc.

DONE may not acknowledge the outcome of the election or recognize those persons “elected” as representing the Neighborhood Council.

If DONE determines that the election results are not valid the Neighborhood Council will have 90 days to hold a valid election. *[how does this work given new procedures would have to be approved?]*

If the Neighborhood Council has not held a valid election within one (1) year of the anniversary date of certification, DONE may bring before the Board of Neighborhood Commissioners a Petition to Revoke Certification.

DONE may deny access to those trainings, services, and programs established and reserved for elected members of Neighborhood Council boards.

CHAPTER VIII. ~~TOWN HALL~~ SAME DAY ELECTION FORMAT ~~ELECTION~~

[to be developed]

CHAPTER IX. MISCELLANEOUS PROVISIONS

Article ~~PART A.~~ Post Election Reconciliation Service

[to be developed]

Article B. ~~PART B.~~ Access to Organizational Resources

[to be developed]

Article ~~PART C.~~ Public Access to Election Information

The names, contact information, stakeholder affiliation and board seat of all Neighborhood Council board members must be ~~on~~ filed with the Department of Neighborhood Empowerment within 30 business days of the conclusion of the election.

The information must include which information, in addition to the names of the board members and the seats they occupy, can be made public.

Article ~~PART D.~~ Appeal Process to Adopt Alternative Election Procedures

[to be developed]

Article E. Translation

A Neighborhood Council service area in which a [5%, 10%, 20%?] segment of the population belongs to a non English-speaking group is required to give notice, *provide election material, and arrange for interpretation services at meetings where election information is provided*, in the appropriate language.

Article ~~PART F.~~ Elections Procedures Template

DONE will furnish each Neighborhood Council with an Election Procedures Template, included here as Exhibit I, which may be used to assist in the development of election procedures.