



Office of the City Clerk
Election Division

2010 Neighborhood Council (NC) Election Procedures Stipulation Language Worksheet

The 2010 Neighborhood Council Election Procedures Stipulation Language Worksheet is the means by which a Neighborhood Council Board can participate in the development of their 2010 Election Procedures. Using this worksheet, your Board will establish general voter and candidate guidelines specific to your NC election. The stipulations in this worksheet will be used by the City Clerk – Election Division to develop your NC's Election Procedures.

The deadline for the City Clerk – Election Division to have received (not postmarked) a Board approved copy of the 2010 NC Election Procedures Stipulation Language Worksheet is 5:00 p.m. on **Monday, June 1, 2009**. Please send or fax this worksheet to the information provided below.

Office of the City Clerk, Election Division,
555 Ramirez Street,
3rd Floor, Space 300,
Los Angeles, CA 90012
(213) 978-0444
(888) 873-1000
Fax: (213) 978-0376
TTY: 311 for Los Angeles City Residents or
(213) 485-2121

Any 2010 NC Election Procedures Stipulation Language Worksheet received past the deadline will be considered late and will not apply to the 2010 NC Election. Where language contained in the 2010 NC Election Procedures Stipulation Language Worksheet is not defined by a Neighborhood Council, the Citywide 2010 NC Election Procedures Stipulation Language Worksheet defaults will apply to that specific issue.

Should you have any questions and or concerns regarding this document, you may call the Neighborhood Council Election Unit at (213) 978-0444. For more information on the Neighborhood Council Elections, please feel free to visit the Neighborhood Council Election Unit website: <http://cityclerk.lacity.org/election/ncdocs/website.pdf>.

City Clerk Neighborhood Council Election Unit

2010 Neighborhood Council (NC) Election Procedures Stipulation Language Worksheet



This list of stipulations is adopted by the

[insert your Neighborhood Council's name]

on _____, 2009,
[insert date Board approved this document]

and provides information regarding Stakeholder membership, the Board's structure, and Stakeholder eligibility for voting and for being selected or elected to a Board seat. The provisions in this 2010 NC Election Procedures Stipulation Language Worksheet supersede any prior inconsistent provisions contained in the NC bylaws. Pursuant to Article V, Section 1 of the Plan for a Citywide System of Neighborhood Councils (Plan), the Stipulation Language is incorporated by reference in the NC's bylaws and shall be affixed to the NC bylaws. The deadline for submitting the 2010 NC Election Procedures Stipulations Language to the City Clerk – Election Division is 5:00 p.m. on **Monday, June 1, 2009**. Any 2010 NC Election Procedures Stipulation Language Worksheet received past the deadline will be considered late and will not apply to the 2010 NC Election. Where language contained in the 2010 NC Election Procedures Stipulation Language Worksheet is not defined by an NC, the Citywide 2010 NC Election Procedures Stipulation Language Worksheet defaults will apply to that specific issue.

Board Approval and Contact Information

Please provide the name, title and signature of the person(s) authorized by the Neighborhood Council to submit this Stipulation Language Worksheet.

_____ Name/Title	_____ Signature	_____ Date
_____ Email	_____ Day Phone Number	_____ Night Phone Number
_____ Name/Title	_____ Signature	_____ Date
_____ Email	_____ Day Phone Number	_____ Night Phone Number
_____ Name/Title	_____ Signature	_____ Date
_____ Email	_____ Day Phone Number	_____ Night Phone Number

Section 1: Administration of Elections

The Neighborhood Council's election will be conducted by the City Clerk every two years in every even-numbered year in accordance with the rules and regulations promulgated by the City Clerk. The City Clerk will hold these elections between March and June of the even-numbered years. The rules and regulations developed by the City Clerk shall take precedence over any inconsistent language in the NC bylaws.

Section 2: Stakeholder Definition

[Pursuant to Los Angeles Administrative Code Section 22.811(a)(2) and Article II, Section 1 of the Plan, the mandatory definition of Stakeholder below will apply to all Neighborhood Councils.]

Neighborhood Council membership is open to all Stakeholders. "Stakeholders" shall be defined as those who live, work, or own property in the neighborhood and also to those who declare a stake in the neighborhood and affirm the factual basis for it.

Section 3: Method for Verifying Stakeholder Status

(Select only ONE by placing a **X** in the corresponding box next to the Stakeholder verification method your board chooses.)

☐ *[OPTION A: The following establishes the Stakeholder verification method for your Neighborhood Council election as **self-affirmation**.]*

Voters will verify their Stakeholder status through written self-affirmation. Stakeholder status may also be established by means of declaring a stake (or interest) in the neighborhood and providing the facts to support that declaration.

OR

☐ *[OPTION B: The following requires **documentation** in order to establish Stakeholder status for your Neighborhood Council election.]*

Voters will verify their Stakeholder status by providing documentation acceptable to the City Clerk – Election Division. Stakeholder status may also be established by means of declaring a stake (or interest) in the neighborhood and providing documentation acceptable to the City Clerk – Election Division supporting that declaration. Factual basis Stakeholders will also be required to provide a form of documentation to substantiate their factual basis claim.

Section 4: Declaring a Stake in the Neighborhood Council in Districts Based on Participation/Membership in an Organization, Group or Place of Worship

(Select only ONE by placing a **X** in the corresponding box next to process of establishing status your board chooses.)

[Below find sample language for determining the Stakeholder status of an individual who has established their stake in the Neighborhood Council via their participation/membership in an organization, group or place of worship. This section applies only to stakeholders that are allowed to vote in multiple districts.]

☐ *[OPTION IS NOT APPLICABLE: This Neighborhood Council does not have districts.]*

OR

☐ *[OPTION A: This sample language establishes Stakeholder status based on the **physical address** of the organization or place of worship.]*

Where Stakeholder status in a district is established by participation or membership in an organization, group or place of worship, the physical address for the organization or place of worship shall be used to establish the district Stakeholder status.

OR

☐ *[OPTION B: This sample language establishes Stakeholder status based on the **service providing area** of the organization or place of worship.]*

Where Stakeholder status in a district is established by participation or membership in an organization, group or place of worship, the service-providing area for the organization or place of worship shall be used to establish the district Stakeholder status.

Section 5: Minimum Voting Age

(Select the minimum voting age for your NC by writing it in the space provided below.)

All Stakeholders aged _____ *[insert the desired age which must be at least 12 years old under the City Clerk’s proposed rules]* and above shall be entitled to vote in the Neighborhood Council Elections.

Section 6: Board Terms

All current Board terms, which end prior to your 2010 NC election, shall be extended until after the certification of election results or the resolution of all official election challenges for your 2010 NC election, whichever date is later. There are no term limits.

(Select only ONE by placing a **X** in the corresponding box next to the length of the Board terms your board chooses.)

☐ [OPTION A: The following is for a two-year term:]

Beginning with the City Clerk conducted election held between March and June of 2010, a Board member's term shall be for the duration of two years or until a successor is elected or appointed.

OR

☐ [OPTION B: The following is for a four-year term:]

Beginning with the City Clerk conducted election held between March and June 2010, a Board member's term shall be for the duration of four years or until a successor is elected or appointed.

OR

☐ [OPTION C: The following is for a four-year term with a staggered election cycle, electing half the Board during each election. Initially, all Board members will be elected and the staggering system begins with the next election:]

The intent of the Board is to establish a staggered election system where approximately half of the Board is elected at each City Clerk conducted election beginning with the City Clerk conducted election conducted between March and June 2010.

Positions elected to a one-time, two-year term beginning in year 2010 shall be designated Group A. Positions elected to a four-year term beginning in year 2010 shall be designated Group B.

Thereafter, beginning in year 2012, Group A shall also have a four-year term.

(continued on next page)

Type NC Name Here:

The following Board seats shall be designated Group A *[initially elected for a two-year term or until a successor is elected or appointed]*:

[If necessary, please use an additional sheet of paper to complete the list..]

_____	_____
_____	_____
_____	_____

The following Board seats shall be designated Group B *[elected for a four-year term or until a successor is elected or appointed]*:

[If necessary, please use an additional sheet of paper to complete the list..]

_____	_____
_____	_____
_____	_____
_____	_____

Section 7: Appointed Board Seats (where applicable)

(Select only ONE by placing a **X** in the corresponding box next to the appointment process your board chooses.)

[If you have an appointment process, you must list the appointed positions and add a statement indicating the process. There are a number of processes available.]

☐ *[OPTION IS NOT APPLICABLE: All seats on the Neighborhood Council Board are elected.]*

OR

☐ *[OPTION A: The NC uses the appointment clause in their bylaws.]*

The appointment of Board seats shall be conducted according to _____ *[insert the Article and Section in the NC’s bylaws where the appointment clause can be found.]* of the NC Bylaws. The appointed seat shall have a term of _____ *[insert a time frame]* year(s).

OR

☐ [OPTION B: The President makes the appointments with Board approval.]

The following seats are appointed and will not be elected as part of the City Clerk conducted elections:

[List the seats that are appointed. If necessary, please use an additional sheet of paper to complete the list of appointed seats.]

These _____ [insert the number of appointed seat(s)] positions shall be appointed by the President with Board approval under the following process: Following the City Clerk conducted election and the selection of a Board President, the President shall within _____ [insert a time frame] days of assuming office appoint a qualified Stakeholder to the selected seat subject to a majority vote of the Board at a public meeting. If the seat is not filled within _____ [insert the same time frame as above] days from the time the President assumes office, the seats shall be filled in accordance with the vacancy provision in Section 8. The appointed seat shall have a term of ____ [insert a time frame] year(s).

OR

☐ [OPTION C: The Board makes the appointments.]

The following seats are appointed and will not be elected as part of the City Clerk conducted elections:

[List the seats that are appointed. If necessary, please use an additional sheet of paper to complete the list of appointed seats.]

These _____ [insert the number of appointed seat(s)] positions shall be appointed by the Board under the following process: Following the City Clerk conducted election, the elected Board members shall within _____ [insert a time frame] days of assuming office appoint a qualified Stakeholder to the selected seat subject to a majority vote of the Board at a public meeting. If the seat is not filled within _____ [insert the same time frame as above] days from the time the elected Board members assume office, the seats shall be filled in accordance with the vacancy provision in Section 8. The appointed seat shall have a term of ____ [insert a time frame] year(s).

OR

☐ [OPTION D: A caucus or an outside organization makes the appointments.]

The following seats are appointed by a caucus or an outside organization and will not be elected as part of the City Clerk conducted elections:

[List the seats that are appointed. If necessary, please use an additional sheet of paper to complete the list of appointed seats.]

These _____ [insert the number of appointed seat(s)] positions shall be filled by a caucus process that is outlined in the NC Bylaws. The appointed seat shall have a term of _____ [insert a time frame] year(s).

Section 8: Vacancy Clause

(Select only ONE by placing a X in the corresponding box next to the vacancy process your board chooses.)

[This process is necessary as the City Clerk will not hold special elections to fill resulting vacancies after the election. The provisions in this section shall also apply to all seats not filled in accordance with Section 7 of this document. There are a number of processes available. The City Clerk recommends the following as possible processes:]

☐ [OPTION A: The NC uses the vacancy clause in their bylaws.]

A vacancy on the Board shall be filled according to _____ [insert the Article and Section in the NC's bylaws where the vacancy clause can be found.] of the NC Bylaws. The appointed applicant's term shall be limited to the term for the vacated seat.

OR

☐ [OPTION B: The President fills the vacancy.]

A vacancy on the Board shall be filled by a Stakeholder who satisfies the eligibility requirements for holding the vacated Board seat. The President shall have the discretion to appoint the vacancy from any applicants or among any other qualified Stakeholders at any time at a public meeting. The appointed applicant's term shall be limited to the term for the vacated seat.

OR

☐ [OPTION C: The President fills the vacancy with Board approval.]

A vacancy on the Board shall be filled by a Stakeholder who satisfies the eligibility requirements for holding the vacated Board seat. The President shall have the discretion to appoint the vacancy from any applicants or among any other qualified Stakeholders at any time, subject to a majority vote of the Board at a public meeting. The appointed applicant's term shall be limited to the term for the vacated seat.

OR

☐ [OPTION D: The Board fills the vacancy.]

A vacancy on the Board shall be filled by a Stakeholder who satisfies the eligibility requirements for holding the vacated Board seat. The Board shall have the discretion to appoint the vacancy from any applicants or among any other qualified Stakeholders at any time, subject to a majority vote of the Board at a public meeting. The appointed applicant's term shall be limited to the term for the vacated seat.

Section 9: Governing Board Composition and Voting

[All Stakeholders must have the ability to participate on your Board by having the ability to be seated as a Board member and vote. You must have at least one "at large" seat to accommodate those Stakeholders who "declare a stake in the neighborhood." This "at large" seat can be accommodated either within one of the existing Board positions OR by adding no more than one "at large" seat to the existing Board. The additional seat CANNOT be added where the "at large" seat already exists on the Board.]

State the Total Number of Seats on Your Board : _____

Using the table below, describe the number of Board seats, the eligibility requirements for holding any specific Board seats, and indicate which Stakeholders may vote for the Board seats. Please attach your table as Attachment A. See Example A, attached to this Worksheet as a sample.

BOARD POSITION	ELECTED OR APPOINTED?	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT

Section 10: Voting Model (where necessary)

[Where a NC has varying ballot types that are issued according to a voter’s Stakeholder status, the City Clerk strongly recommends that the NC provide a defined voting model. Please attach your voting model describing which Stakeholders are allowed to vote for which NC seats as Attachment B. [See Example B, attached as a sample voting model used during the 2008 NC Elections that you may utilize as a template, using your NC Board seat categories.]

Section 11: Declaring Candidacy for Positions on the Board

(Select only **ONE** by placing a **X** in the corresponding box next to the candidacy process your board chooses.)

☐ *[OPTION A: Below find sample language requiring that candidates can only seek candidacy in **no more than one Board position** at a time.]*

A candidate shall declare their candidacy for no more than one position on the Neighborhood Council Board during a single election cycle.

OR

☐ *[OPTION B: Below find sample language allowing candidates to seek **candidacy in more than one Board position** at a time. The option of allowing candidates to run for more than one position on the Board **requires** the Board to have a vacancy clause.]*

A candidate may declare their candidacy for more than one position on the Neighborhood Council Board during a single election cycle.

If a candidate seeking multiple Board positions on one NC Board is declared the winning candidate for more than one of those positions, the candidate will be required to vacate all except one Board position within no more than three days from the day the elections are certified or from the day when any and all election recounts and challenges are resolved for your 2010 NC election, whichever date is later. These vacated positions shall be filled with the remaining candidate who received the most votes, or if none, via the vacancy clause identified in this 2010 NC Election Procedures Stipulation Language Worksheet.

Where the candidate does not vacate all except one Board position by the deadline, the candidate will be stripped of all positions except for the position where the candidate received the most votes.

EXAMPLE A

BOARD POSITION	ELECTED OR APPOINTED?	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT
<i>[Below find sample language for Stakeholder eligibility to run and vote for positions. Where the Stakeholder eligibility for the seat has not been defined, the default eligibility to establish candidacy for the position would be the Neighborhood Council's Stakeholder definition.]</i>			
President	Elected	Stakeholder	Community Stakeholder who is 13 years of age at the time of the election.
Community-Based Organization Representative	Elected	Stakeholder who is at least 18 years of age at the time of the election, who is a member of a community based organization or a faith-based group.	Stakeholder who is 16 years of age.
At-large Representative	Elected	Any Stakeholder who is at least 18 years of age at the time of the election.	Any Stakeholder who is at least 18 years of age at the time of the election.
<i>[Below find sample language for candidacy and voter eligibility in districts.]</i>			
Homeowner Representative Area 3	Elected	Stakeholder who is 16 years of age or older who lives within Area 3 of the council boundaries, and owns and occupies their place of residence whether single- or multi-family.	Homeowner Stakeholder who is 16 years of age or older who lives within Area 3. Must live and own place of residence.
Sub-Area Representative At-large Stakeholder Seat	Elected	Stakeholder who may be a resident of the Sub-area or any other Stakeholder category group in the Sub-area.	Community Stakeholder who is 13 at the time of the election.
<i>[Below find sample language for candidacy and voter eligibility for the factual basis position.]</i>			
Community Director	Elected	Stakeholder older than 18 years who lives, works, or owns property or those who declare a stake in the neighborhood and affirm the factual basis for it.	Stakeholder who lives, works, or owns property in the neighborhood and also those who declare a stake in the neighborhood and affirm the factual basis for it.

EXAMPLE B

Los Angeles Neighborhood Council (LANC) Ballot Voting Model

This memorandum details the process that will be followed for voter verification process during the LANC Elections. Stakeholders must choose 'one' type of Stakeholder status. This choice will determine what type of ballot they will receive.

1) RESIDENT – DISTRICT ONE

Stakeholders 18 years and older can **ONLY** vote for District One Representative **plus**

- President, Vice-President, Secretary, Treasurer
- Factual Basis Representative

2) RESIDENT – DISTRICT ONE

Stakeholders 18 years and younger can **ONLY** vote for District One Representative **plus**

- President, Vice-President, Secretary, Treasurer
- Factual Basis Representative
- Youth Representative

3) RESIDENT – DISTRICT TWO

Stakeholders 18 years and older can **ONLY** vote for District Two Representative **plus**

- President, Vice-President, Secretary, Treasurer
- Factual Basis Representative

4) BUSINESS

Business Stakeholders can **ONLY** vote for Business Representative **plus**

- President, Vice-President, Secretary, Treasurer
- Factual Basis Representative

5) ARTIST

Artist Stakeholders can **ONLY** vote for Art/Cultural Representative **plus**

- President, Vice-President, Secretary, Treasurer
- Factual Basis Representative

6) COMMUNITY-BASED ORGANIZATION (CBO)

CBO Stakeholders can **ONLY** vote for ***no more than two*** CBO Representatives **plus**

- President, Vice-President, Secretary, Treasurer
- Factual Basis Representative