

**CITY OF LOS ANGELES
INITIATIVE,
REFERENDUM &
RECALL
PETITION HANDBOOK**



**Prepared by the Election Division
Office of the City Clerk
June Lagmay, City Clerk**

Revised as of November 2012

PREFACE

The Election Division has prepared this brief summary of the various petition processes and the requirements for filing petitions. The legal requirements for each petition type are contained in the City of Los Angeles Election Code, the Charter of the City of Los Angeles, the Constitution of the State of California, the California Elections Code, and the California Government Code. The following information is of a general nature only and in no way supersedes applicable California or City law. Proponents should research the above Codes for further details. Code references appear in brackets in each section.

CONTACT INFORMATION

The following addresses and telephone numbers are provided for your information:

June Lagmay
City Clerk
Office of the City Clerk
200 N. Spring St., Rm. 360
Los Angeles, CA 90012
(213) 978-1020

Jacob Wexler
Chief
City Clerk - Election Division
555 Ramirez Street, Space 300
Los Angeles, CA 90012
(213) 978-0444

Holly L. Wolcott
Executive Officer
Office of the City Clerk
200 N. Spring St., Rm. 360
Los Angeles, CA 90012
(213) 978-1023

Heather Holt
Executive Director
City Ethics Commission
200 N. Spring St., Rm. 2410
Los Angeles, CA 90012
(213) 978-1960

Carmen Trutanich
City Attorney
200 N. Main St., Rm. 800
Los Angeles, CA 90012
(213) 978-8100

Dean C. Logan
Registrar Recorder/County Clerk
Los Angeles County
12400 E. Imperial Hwy.
Norwalk, CA 90650
(800) 815-2666

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I. INTRODUCTION

The petition process empowers voters to propose City ordinances, City Charter amendments, the recall of City officials and Los Angeles Unified School District (LAUSD) Boardmembers, and other measures. A successful petition can place the issue in question before a vote of the people. The rules governing the petition process are set forth in the Charter of the City of Los Angeles (Charter) and the Los Angeles City Election Code (EC), as well as applicable provisions of the California Election Code (CEC) and California Government Code.

1. How are the different types of petitions used for the City of Los Angeles?

Ordinance Initiative Petition - Allows proponents to file a petition requesting adoption of an ordinance by the City Council. If the Council does not adopt the ordinance, it must be submitted to the voters of the City. [Charter §§ 450-455].

Charter Amendment Initiative Petition - Allows proponents to submit Charter proposals and amendments to the voters of the City of Los Angeles. [CEC §§ 9255-9269, Government Code §§ 34450-34462, California Constitution Article 11 and Charter § 450(b)].

Referendum Petition - Allows proponents to require that an ordinance be submitted to the voters of the City of Los Angeles before it becomes law. [Charter §§ 460-464].

Recall Petition - Allows proponents to file a petition seeking removal of certain City officials and LAUSD Boardmembers. If a successful petition is filed, the question of removal is submitted to the voters along with a list of candidates nominated to succeed the person whose removal is sought. [Charter §§ 430-438].

2. Who are the proponents of a petition?

The proponents generally are a committee of five registered voters of the City (or applicable district in recall petitions) whose names are required to appear on the petition. [EC §§ 705, 712 and 718].

3. Who may sign a petition?

Any registered voter of the City (or applicable district in recall petitions) may sign a petition.

4. What method is used to check petition signatures?

Petition signatures are verified against registered voter information maintained by the Los Angeles Registrar-Recorder/County Clerk. Signatures are checked until there are sufficient valid signatures to qualify the petition or until the petition is determined to be insufficient. The City Clerk may also use an optional random sampling technique to check initiative and referendum petitions (see Exhibits 1 and 2).

5. NOTE: All references are to calendar days, unless otherwise noted.

II. ORDINANCE INITIATIVE PETITION PROCESS

An ordinance initiative petition provides a way for citizens to submit a proposed ordinance to a vote of the registered voters of the City of Los Angeles. [Charter §§ 450-455; EC §§ 700-711].

A. Initial Actions and Responsible Parties

1. Proponents
 - a. Submit written letter to City Clerk requesting the preparation of an Official Petition Title and Summary.
 - b. Include in letter, names and registered residence addresses of the five proponents (all of whom shall be registered voters of the City of Los Angeles) and a designation of a representative.
 - c. Include the full text of the proposed ordinance.
2. City Attorney
 - a. Prepares Official Petition Title and Summary (175 total word limit).
 - b. Transmits wording to City Clerk within 10 days of request.
3. City Clerk
 - a. Transmits Official Petition Title and Summary prepared by City Attorney to proponents to incorporate into the petition.
4. Proponents
 - a. Draft petition – follow EC’s form and wording requirements (see Exhibit 3).
 - i. Incorporate Official Petition Title and Summary prepared by City Attorney.
 - ii. List names of five proponents.
 - iii. Include full text of proposed ordinance.
 - iv. Translate into required languages.
 - b. Submit two uncirculated drafts of the petition to City Clerk.
5. City Clerk
 - a. Verifies that form and wording of draft petition meet applicable requirements, including any language translation requirements, within 10 days.
 - b. If requirements met, sends dated letter approving petition for circulation.
 - c. If requirements not met, sends dated letter to proponents outlining corrections that need to be made before petition can be approved for circulation. *
6. Proponents
 - a. If requirements met, circulate petition.
 - b. If requirements not met, file with City Clerk (within 10 days of receiving the letter) two draft copies of the corrected petition. *

*The 10-day correction notification period and 10-day filing period for corrected petitions shall be repeated until City Clerk approves petition for circulation.

B. Language Requirement

Each petition section shall be printed in both English and a minority language if more than 5% of the City's voting age population is of that minority language group and the language is one of the languages identified by the federal government as a Voting Rights Act language for Los Angeles County. [EC § 701].

C. Petition Circulation/Signature Gathering

The number of signatures required for initiative petitions is 15% of the total votes cast for all candidates for Office of Mayor at which a Mayor was elected prior to the filing of the petition. [Charter § 451(b)]. Multiple petition sections may be circulated but only one person shall circulate each petition section. Petition circulators shall be at least 18 years old and registered to vote or qualified to register to vote in the State. All signatures must be gathered within a 120 day signature gathering time frame.

D. Petition Filing

1. The proponents must file all sections of a petition at the same time. The proponents may authorize, in writing, a representative to file the petition on their behalf.
2. Upon filing of a petition, the City Clerk issues a Conditional Acceptance of Filing receipt to proponents stating the number of signatures claimed by proponents. City Clerk then conducts an initial review of the petition to determine the total number of signatures and if all of the Circulator Affidavits have been completed. Proponents will have two business days to make minor clerical corrections. If the Clerk determines that the total number of raw signatures affixed to the petition does not meet the minimum signature requirement, the Clerk sends a dated letter to proponents rejecting the petition. If the total number of raw signatures meets or exceeds the minimum requirement, the Clerk issues a Final Acceptance of Filing receipt to proponents and proceeds to the signature examination process.
3. If the proponents fail to file an initiative petition within two years after it has been approved for circulation, they must re-submit the petition for approval.

E. Petition Examination

1. Examination of Initiative Petitions. After issuing the Final Acceptance of Filing receipt, the City Clerk examines signatures against the County of Los Angeles records of voter registration. The City Clerk may use the random sampling method of review as authorized in the City Election Code. [EC § 711(b); see Exhibit 1]. If the City Clerk determines that the petition was signed by the requisite number of qualified registered voters, the City Clerk shall present a certification of sufficiency to the City Council and to the proponents.
2. Supplemental Initiative Petitions. If the petition is found to be insufficient, it may be supplemented by filing, within 10 days of the City Clerk's certificate of insufficiency, one

supplemental petition bearing additional signatures secured within the 10-day period. No supplement may be filed later than 120 days after the date of the earliest signature counted in determining the sufficiency of the original petition. The City Clerk shall examine the petition, as supplemented, to determine whether the petition is sufficient or insufficient.

F. Significant Petition Time Frames

The following is a general description of the actions to be taken in the Initiative petition process and the number of days allowed for completion of each of the actions.

Days allowed

120 All signatures must be secured not more than 120 days *prior* to filing the petition with the City Clerk.

15 or 30 After the petition is filed, the City Clerk will examine and verify signatures through random sampling (15 days), standard examination (30 days).

When the City Clerk has completed the examination of a petition, a dated letter showing the result of the examination will be issued to the proponents.

20 If the petition is found **sufficient**, the City Clerk will present the dated certification of sufficiency to the City Council and the proponents without delay. Council has 20 days to take action (see below).

10 If the petition is found **insufficient**, it may be supplemented by filing within 10 days (still within the 120-day period), a supplemental petition in the same form as the original petition, bearing additional signatures secured within that 10-day period.

10 Within 10 days after the filing of a supplemental petition, the City Clerk shall examine and certify its results as provided above.

30 If a petition, or a petition as supplemented, is determined to be insufficient, the proponents may immediately view the petition and within 30 days after the certification, file with the City Clerk a statement of contest of the certification.

15 Within 15 days after the filing of a statement of contest, the City Clerk shall examine the statement and the affidavits attached or referred to therein, and after such examination, shall certify the sufficiency or insufficiency of the petition.

If the City Clerk determines that the petition is sufficient, a new certificate shall be prepared and be presented to the Council without delay.

Any judicial action challenging the City Clerk's determination on a statement of contest shall only be made in an appropriate court of law. In any such action, no signatures shall be considered which were not on the statement of contest.

G. City Council Options if Ordinance Initiative Petition is Certified "Sufficient"

Within 20 days after the certificate is presented to the City Council, the City Council must take one of the following actions [Charter § 452]:

- a. Adopt the proposed ordinance, without alteration;
- b. Call a special election to submit the proposed ordinance, without alteration, to a vote of the electors of the City at an election to be held not earlier than 110 days nor more than 140 days after the Council action on the petition; or
- c. Determine to submit the proposed ordinance, without alteration, to a vote of the electors of the City at the earlier of the following two elections that occurs more than 110 days from the date of Council action on the petition:
 - i. the next regular City election; or
 - ii. a special election consolidated with the next election conducted by the County of Los Angeles occurring wholly or partially within the same area, provided that the voters eligible to vote in the County-conducted election comprise 100% of all the voters eligible to vote on the measure.

H. A "Sufficient" Ordinance Initiative Petition Amending/Repealing a Previous Ordinance.

When an initiative petition requesting the submission of a proposed ordinance amending or repealing an ordinance previously adopted by a vote of the electors is presented to the Council by the City Clerk, the Council must submit the proposed ordinance to a vote of the electors of the City at the next election for any purpose at which all the qualified voters of the City are entitled to vote, that shall be held at any time after 90 days from the date of the certification of the petition to the Council by the City Clerk [Charter § 453].

III. CHARTER AMENDMENT INITIATIVE PETITION PROCESS

The City of Los Angeles, as a Charter City, generally has its election and petition processes detailed in its Charter and EC. However, procedures to amend the City's Charter by initiative are specified by State law. Proponents should research the CEC and other applicable State laws for further details. [See CEC §§ 9255-9269; California Government Code §§ 34450-34462].

A. Initial Actions and Responsible Parties

1. Proponents [CEC §§ 9202, 9203, 9256, 9608]
 - a. Prepare text of the proposed amendment.
 - b. Prepare Notice of Intent to Circulate Petition signed by at least one, but not more than three, proponents, in substantially the form set forth in CEC § 9202.
 - c. File Notice of Intent to Circulate Petition along with text of the proposed amendment with City Clerk.
 - d. Submit written letter to City Clerk requesting the preparation of an Official Ballot Title and Summary.
 - i. File address of person(s) proposing the measure.
 - ii. File certification set forth in CEC § 9608.
 - e. Optional: submit written statement, not to exceed 500 words, explaining the reasons for the proposed measure (this may be part of the Notice per CEC § 9202).
2. City Clerk [CEC § 9203, 9256]
 - a. Transmits written request from proponents to City Attorney to prepare an Official Ballot Title and Summary.
3. City Attorney [CEC § 9203(a)]
 - a. Prepares Official Ballot Title and Summary of the proposed measure (maximum 500 words) within 15 days of proponents' request.
4. City Clerk [CEC § 9203(b)]
 - a. Transmits the Official Ballot Title and Summary prepared by the City Attorney to the proponents to publish and incorporate into the petition.
5. Proponents
 - a. Draft petition – follow CEC's requirements [CEC §§ 9203, 9257-9263] (Exhibit 4).
 - i. Incorporate the Official Ballot Title and Summary prepared by the City Attorney.
 - ii. Include required statements and notices.
 - iii. Include the full text of the proposed amendment.
 - b. Recommended: submit two draft copies of the petition to the City Clerk; City Clerk will check that the form and wording meet applicable requirements.
 - c. Publish Notice of Intent to Circulate Petition along with the Official Ballot Title and Summary at least once in a newspaper of general circulation in the city [CEC §§ 9205(a), 9256].
 - d. Submit copies and affidavit re publication to City Clerk within 10 days of the publication [CEC §§ 9206, 9256].

B. Petition Circulation/Signature Gathering

The number of signatures required for charter amendment petitions is 15% of the registered voters of the City of Los Angeles according to the County Clerk/Registrar-Recorder's last official report of registration to the Secretary of State. [CEC § 9255(a)(3), (c)]. Proponents may begin circulating petitions after publication of the Notice of Intent to Circulate Petition and Official Ballot Title and Summary. All signatures must be gathered within the 180 days from the date of receipt of the Official Ballot Title and Summary (or resolution of any legal action regarding that title and summary). [CEC §§ 9207, 9265].

C. Petition Filing

The proponents must file all sections of a petition at the same time. The proponents may authorize, in writing, a representative to file the petition on their behalf. [CEC § 9265]. Petitions that do not substantially conform to the form requirements of the CEC shall not be accepted for filing by the City Clerk. [CEC § 9267].

D. Petition Examination

Within 30 days from the date of filing of the petition (excluding Saturdays, Sundays and holidays), the City Clerk counts the number of signatures filed and examines the signatures against the County of Los Angeles records of voter registration. The City Clerk may use the random sampling method of review as authorized in the state elections code. If the City Clerk determines that the petition was signed by the requisite number of qualified registered voters, the City Clerk shall notify the proponents and present a certification of sufficiency to the City Council at its next regular meeting. If the City Clerk determines that the petition is insufficient, the City Clerk shall notify the proponents of that finding and no further action shall be taken. [CEC §§ 9114-9115, 9266].

E. Significant Petition Time Frames

The following is a general description of the actions to be taken in the Charter Amendment Initiative petition process and the number of days allowed for completion of each of the actions.

Days Allowed

- | | |
|-----|---|
| 180 | The Charter Amendment Initiative petition generally must be filed within 180 days from the date of receipt of the Official Title and Summary by the proponents. |
| 30 | Within 30 business days from the filing date of the petition, the City Clerk shall examine and ascertain from County voter registration records whether the petition is signed by 15% of the registered voters of the City. |
| 60 | The Clerk may use a random sampling technique to determine the number of valid signatures. After checking each of the signatures selected from the random sampling, if the statistical sampling shows that the number of valid signatures is within 95 to 110% of the number of signatures of qualified voters needed to declare the petition sufficient, |

the Clerk shall within 60 business days from the date the petition was filed, examine and verify each signature filed.

When the City Clerk has completed the examination of a petition, the Clerk shall prepare a dated certificate showing the result of the examination, and shall notify the petition proponents of the sufficiency or insufficiency. If the petition is found to be sufficient, the City Clerk shall present a certification of sufficiency to the City Council at its next regular meeting. If the petition is found insufficient, no action shall be taken on the petition.

F. City Council Action if Charter Amendment Initiative Petition is Certified “Sufficient”

An amendment or repeal of a city charter proposed by a successful petition signed by 15% of the registered voters of the city, shall be submitted of the voters at either a special election called for that purpose, at any established municipal election date, or at any established election date pursuant to CEC 1000, provided that there are at least 88 days before the election. [CEC § 9255(b)].

IV. REFERENDUM PETITION PROCESS

A referendum petition provides citizens with a way to require that an ordinance be submitted to the voters of the City of Los Angeles before it becomes law. The completed petition containing the requisite number of signatures must be filed with the City Clerk within 30 days after publication of the ordinance. A referendum petition is not permitted for any ordinance that takes effect upon passage or publication. [Charter §§ 252, 460-464; EC §§ 700-704, 712-717].

A. Initial Actions and Responsible Parties

1. Proponents

- a. File with the City Clerk the names and registered residence addresses of five proponents (all of whom shall be registered voters of the City of Los Angeles), and the name of a designated representative.
- b. Draft petition – follow EC’s form and wording requirements (see Exhibit 5).
 - i. List names of five proponents.
 - ii. Include full text of the proposed ordinance.
 - iii. Translate into required languages
- c. Submit two uncirculated drafts of the petition to City Clerk.

2. City Clerk

- a. Verifies that form and wording of draft petition meet applicable requirements, including any language translation requirements.
- b. If requirements met, sends dated letter approving petition for circulation.
- c. If requirements not met, sends dated letter to proponents outlining corrections that need to be made before petition can be approved for circulation.

3. Proponents

- a. If requirements met, circulate petition.
- b. If requirements not met, file with City Clerk two draft copies of corrected petition.

B. Language Requirement

Each petition section shall be printed in both English and a minority language if more than 5% of the City’s voting age population is of that minority language group and the language is one of the languages identified by the federal government as a Voting Rights Act language for Los Angeles County. [EC § 701].

C. Petition Circulation/Signature Gathering

The number of signatures required for a referendum petition is 10% of the total votes cast for all candidates for the office of Mayor in an election at which a Mayor was elected prior to the filing of the petition. [Charter § 461(a)]. Multiple petition sections may be circulated but only one person shall circulate each petition section. Petition circulators shall be at least 18 years old and registered to vote or qualified to register to vote in the State.

D. Petition Filing

1. The proponents must file all sections of a petition at the same time. The proponents may authorize, in writing, a representative to file the petition on their behalf.
2. Upon filing of a petition, the City Clerk issues a Conditional Acceptance of Filing receipt to proponents stating the number of signatures claimed by proponents. City Clerk then conducts an initial review of the petition to determine the total number of signatures and if all of the Circulator Affidavits have been completed and fully executed. Proponents will have two business days to make minor clerical corrections. If the Clerk determines that the total number of raw signatures affixed to the petition does not meet the minimum signature requirement, the Clerk sends a dated letter to proponents rejecting the petition. If the total number of raw signatures meets or exceeds the minimum requirement, the Clerk issues a Final Acceptance of Filing receipt to proponents and proceeds to the signature examination process.

E. Petition Examination

1. Examination of Referendum Petitions. After issuing the Final Acceptance of Filing receipt, the City Clerk examines signatures against the County of Los Angeles records of voter registration. The City Clerk may use the random sampling method of review as authorized in the City Election Code. [EC § 717(b); see Exhibit 1]. If the City Clerk determines that the petition was signed by the requisite number of qualified registered voters, the City Clerk shall present a certification of sufficiency to the City Council and to the proponents.
2. Supplemental Referendum Petitions. If the petition is found to be insufficient, it may be supplemented by filing, within 10 days of the City Clerk's certificate of insufficiency, one supplemental petition bearing additional signatures secured within the 10-day period. No supplement may be filed later than the final date for filing the Referendum petition. The City Clerk shall examine the petition, as supplemented, to determine whether the petition is sufficient or insufficient.

F. Significant Petition Time Frames

The following is a general description of the actions to be taken in the Referendum petition process and the number of days allowed for completion of each of the actions.

Days Allowed

- | | |
|----------|--|
| 30 | The completed Referendum petition containing the requisite number of signatures must be filed within 30 days after the publication of the ordinance to which it applies. |
| 15 or 30 | After the petition is filed, the City Clerk will examine and verify signatures through random sampling (15 days) or standard examination (30 days). |

When the City Clerk has completed the examination of a petition, a dated letter showing the result of the examination will be issued to the proponents.

- 20 If the petition is found **sufficient**, the City Clerk will present the dated certification of sufficiency to the City Council and the proponents without delay. Council has 20 days to take action (see below).
- 10 If the petition is found **insufficient**, it may be supplemented by filing within 10 days (but within the original referendum filing period) a supplemental petition in the same form as the original petition, bearing additional signatures secured within that 10-day period.
- 10 Within 10 days after the filing of a supplemental petition, the City Clerk shall examine and certify its results as provided above.
- 30 If a petition, or a petition as supplemented, is determined to be insufficient, then the proponents may immediately view the petition and within 30 days after the certification, file with the City Clerk a statement of contest of the certification.
- 15 Within 15 days after the filing of a statement of contest, the City Clerk shall examine the statement and the affidavits attached or referred to therein, and after such examination, shall certify the sufficiency or insufficiency of the petition.

If the City Clerk determines that the petition is sufficient, a new certificate shall be prepared and be presented to the Council without delay.

Any judicial action challenging the City Clerk's determination on a statement of contest shall only be made in an appropriate court of law. In any such action, no signatures shall be considered which were not on the statement of contest.

G. City Council Options if Referendum Petition is Certified "Sufficient"

Within 20 days after the certificate is presented to the City Council, the City Council must take one of the following actions [Charter § 462]:

1. Repeal the ordinance;
2. Call a special election to submit the ordinance to a vote for approval or rejection at an election to be held not earlier than 110 days nor more than 140 days after the Council action on the petition; or
3. Determine to submit the ordinance to a vote for approval or rejection at the next regular City election to be held more than 110 days from the date of certification of such petition.

V. RECALL PETITION PROCESS

Any incumbent of an elected office, whether elected by vote of the people or appointed to fill a vacancy, may be removed from office by the registered voters of the City of Los Angeles, or the registered voters of the LAUSD in the case of removal of an LAUSD Boardmember. Certain appointed City officials may also be removed from office. The removal of the incumbent shall be known as the recall. [Charter §§ 430-440; EC §§ 700-704, 718-726].

Charter § 431(b) prohibits the implementation of recall procedures if any of the following conditions exist:

- The official has held his/her current term of office for less than three months;
- The official's current term of office expires within six months; or
- Within six months after a previous recall election for the same officer.

A. Initial Actions and Responsible Parties

1. Proponents – must be registered voters of the City or applicable District
 - a. Prepare Notice of Intention – follow form and wording requirements [EC § 719].
 - i. Include heading, proponent names, Statement of Reasons (300 words maximum) and signed Affidavit of Truth.
 - b. Serve copy of the Notice of Intention on officer sought to be recalled in person or by certified mail.
 - c. Serve copy of the Notice of Intention on City Clerk in person or by certified mail within two business days of service on officer.
 - i. File declaration regarding the time and method of service on the officer.
 - ii. File names and registered residence addresses of proponents.
 - iii. File name and contact information of designated representative.
 - d. Publish Notice of Intention, in English and other required languages, in a newspaper of general circulation in the City of Los Angeles within 14 days of service on officer.
 - e. Provide proof of publication to City Clerk within two business days of publication.
2. Officer Sought to be Recalled (Optional)
 - a. Prepares Answer – follow form and wording requirements [EC § 721].
 - i. Includes appropriate headings, Answer (300 words maximum) and affidavit.
 - b. Publishes Answer, in English and other required languages, in a newspaper of general circulation in the City of Los Angeles within 21 days of the service of the Notice of Intention.
 - c. Serves copy of Answer on the proponents' representative in person or by certified mail within same timeframe.
 - d. Serves copy of Answer on the City Clerk in person or by certified mail within two business days of service on the proponents.
 - i. Files declaration regarding the time and method of service on proponents.
 - ii. Files proof of publication.

3. Proponents
 - a. Draft petition – follow EC’s form and wording requirements (see Exhibit 6)
 - i. List names of five proponents.
 - ii. Include Statement of Reasons and Affidavit of Truth.
 - iii. Include Answer, if submitted, or statement stating otherwise.
 - iv. Translate into required languages
 - b. Submit two uncirculated drafts of petition to City Clerk.
4. City Clerk
 - a. Verifies that form and wording of draft petition meets applicable requirements, including any language translation requirements, within 10 days.
 - b. If requirements met, sends dated letter approving petition for circulation.
 - c. If requirements not met, sends dated letter to proponents outlining corrections that need to be made before petition can be approved for circulation. *
5. Proponents
 - a. If requirements met, circulate petition.
 - i. Circulation cannot begin until 28 days after the Notice of Intention was served on the officer.
 - b. If requirements not met, file with City Clerk (within 10 days of receiving the letter) two draft copies of the corrected petition. *

*The 10-day correction notification period and the 10-day filing period for corrected petitions shall be repeated until the City Clerk approves the petition for circulation.

B. Language Requirement

Each petition section shall be printed in both English and a minority language if more than 5% of the City’s or applicable jurisdiction’s voting age population is of that minority language group and the language is one of the languages identified by the federal government as a Voting Rights Act language for Los Angeles County. [EC § 701].

C. Petition Circulation/Signature Gathering

The number of signatures required for Recall petitions is 15% of the registered voters eligible to vote for the office in which the incumbent is sought to be removed. [Charter § 431(a)]. Multiple petition sections may be circulated but only one person shall circulate each petition section. Petition circulators shall be at least 18 years old and registered to vote or qualified to register to vote in the State. All signatures must be gathered within 120 days from the first day that petition was eligible for circulation.

D. Petition Filing

1. The proponents must file all sections of a petition at the same time. The proponents may authorize, in writing, a representative to file the petition on their behalf.

2. Upon filing of a petition, the City Clerk issues a Conditional Acceptance of Filing receipt to proponents stating the number of signatures claimed by proponents. City Clerk then conducts an initial review to determine the total number of signatures and if all of the Circulator Affidavits have been completed and fully executed. Proponents will have two business days to make minor clerical corrections. If the Clerk determines that the total number of raw signatures affixed to the petition does not meet the minimum signature requirement, the Clerk sends a dated letter to proponents rejecting the petition. If the total number of raw signatures meets or exceeds the minimum requirement, the Clerk issues a Final Acceptance of Filing receipt to proponents and proceeds to the signature examination process.

E. Petition Examination

1. Examination of Recall Petitions. After issuing the Final Acceptance of Filing receipt, the City Clerk examines signatures against the County of Los Angeles records of voter registration. If the City Clerk determines that the petition was signed by the requisite number of qualified registered voters, the City Clerk shall present a certification of sufficiency to the City Council and to the proponents.
2. Supplemental Recall petitions. If the petition is found to be insufficient, it may be supplemented by filing, within 10 days of the City Clerk’s certificate of insufficiency, one supplemental petition bearing additional signatures secured within the 10-day period. No supplement may be filed later than 120 days after the authorized date to begin circulating the Recall petition. The City Clerk shall examine the petition, as supplemented, to determine whether the petition is sufficient or insufficient.

F. Significant Petition Time Frames

The following is a general description of the actions to be taken in the Recall petition process and the number of days allowed for completion of each of the actions.

Days Allowed

	Notice of Intention to Recall is served on Officer.
14	Proponents must publish Notice within 14 days of service on officer.
21	Answer may be served and then published within 21 days of the service of the Notice of Intention.
28	Circulation of Recall petitions can begin 28 days after service of the Notice of Intention on the Officer to be recalled if the petition has been approved by the City Clerk.
120	All signatures must be secured within 120 days after the “first day to circulate” the petition as defined above.
30	After the petition is filed, the City Clerk will examine and verify signatures through

standard examination.

When the City Clerk has completed the examination of a petition, a dated letter showing the result of the examination will be issued to the proponents.

- 20 If the petition is found sufficient, the City Clerk will present the dated certification of sufficiency to the City Council and the proponents without delay. Council has 20 days to take action (see below).
- 10 If the petition is found insufficient, it may be supplemented by filing within 10 days (but still within the initial 120 days) a supplemental petition in the same form as the original petition, bearing additional signatures secured within that 10-day period.
- 15 Within 15 days after the filing of a supplemental petition, the City Clerk shall examine and certify its results as provided above.
- 30 If a petition, or a petition as supplemented, is determined to be insufficient, then the proponents may immediately view the petition and within 30 days after the certification, file with the City Clerk a statement of contest of the certification.
- 15 Within 15 days after the filing of a statement of contest, the City Clerk shall examine the statement, current voter registration record and the affidavits attached or referred to therein, and after such examination, shall certify the sufficiency or insufficiency of the petition.

If the City Clerk determines that the petition is sufficient, a new certificate shall be prepared and be presented to the Council without delay.

Any judicial action challenging the City Clerk's determination on a statement of contest shall only be made in an appropriate court of law. In any such action, no signatures shall be considered which were not on the statement of contest.

G. City Council Action if Recall Petition is Certified "Sufficient"

Within 20 days after the certificate is presented to the City Council, the City Council must call for the holding of a special election, and if necessary a special runoff election, for the purpose of submitting to the voters of the City at large, of the Council District, or of the Board District, as the case may be, the question of whether the officer shall be recalled, and if recalled, for the election of his or her successor. [Charter § 432].

VI. IMPORTANT POINTS

No Changes to Filed Petitions

No amendments, changes, alteration or corrections of any kind, clerical or otherwise, shall be permitted in any petition after it has been filed with and approved for proceeding to the signature examination phase by the City Clerk.

Political Reform Act of 1974

City and state law may impose disclosure and other requirements on committees supporting or opposing ballot measures. Please contact the City Ethics Commission for information.

Suggestions for Circulators

Petition circulators shall be at least 18 years old and registered to vote or qualified to register to vote in the State. Each petition section shall be circulated by only one person.

The Los Angeles County Registrar-Recorder/County Clerk makes available for purchase, an Index of Voters that may be used to collect the signatures of registered voters in a particular jurisdiction.

After circulating the petition section, that section's circulator must sign and date the circulator's affidavit. Do not sign or date the circulator affidavit prior to obtaining all signatures.

Suggested Number of Signatures to Obtain

The Election Division suggests that petitions be submitted with a substantially greater number of signatures than required.

Language Requirements [EC § 701]

Initiative and Referendum Petitions shall be printed in English, and also in any minority language if more than 5% of the voting age population of the City is limited-English proficient members of that minority language group and the minority language is one of the languages identified by the federal government as a Voting Rights Act language for Los Angeles County.

Recall Petitions, as well as the Notice of Intention and Answer, shall be printed in English, and also in any minority language if more than 5% of the voting age population of the City or applicable jurisdiction are limited-English proficient members of that minority language group and the minority language is one of the languages identified by the federal government as a Voting Rights Act language for Los Angeles County.

During the signature gathering process, Petitions presented to potential signers shall contain all the languages required pursuant to this Section.

The City Clerk will inform proponents of the language translation requirements as early as possible in the petition process.

EXHIBIT 1

RANDOM SAMPLING SAMPLE - *Ordinance Initiative and Referendum Petitions*

"...within 15 days after Final Acceptance of the filing of an Initiative petition, the City Clerk may use a random sampling technique for verification of signatures. The random sample of signatures to be verified shall be drawn in a manner that every signature filed with the City Clerk shall be given an equal opportunity to be included in the sample. The random sampling shall include an examination of at least five percent of the signatures. If the statistical sampling shows that the number of valid signatures is less than 90% of the number of signatures of qualified voters needed to declare the petition sufficient, the City Clerk shall certify the petition as insufficient. If the statistical sampling shows that the number of valid signatures is more than 110% of the number of signatures of qualified voters needed to declare the petition sufficient, the City Clerk shall certify the petition as sufficient. If the statistical sampling shows that the number of valid signatures is within 90 to 110% of the number of signatures of qualified voters needed to declare the petition sufficient, the City Clerk shall within 30 days after completing the random sampling, examine and verify each signature filed..." [EC §§ 711 (b) and 717 (b)].

Assumptions: (A) 73,963 valid signatures are required.*
(B) 130,368 total signatures submitted to City Clerk.

Step #1 - Compute percentage of necessary valid signatures to signatures submitted:

$$\frac{73,963}{130,368} = 56.7\%$$

Step #2 - Draw at least a 5% random sample of signatures submitted:

$$5\% \times 130,368 = 6,519$$

Step #3 - Apply valid signature percentage (Step #1) to random sample (Step #2):

$$56.7\% \times 6,519 = 3,697$$

Step #4 - Compute 90 to 110% range of random sample valid signature amount (Step #3):

$$\begin{aligned} .9 \times 3,697 &= 3,328 \\ 1.1 \times 3,697 &= 4,067 \end{aligned}$$

* **ORDINANCE INITIATIVE PETITIONS:** The number of valid signatures required is 15% of the total number of votes cast for all candidates for the Office of Mayor at the last General Municipal Election or Primary Nominating Election at which the Mayor was elected prior to the filing of such petition. The 73,963 valid signatures required here are 15% of the total votes cast for all candidates for the Office of Mayor at the May 17, 2005 General Election.

****REFERENDUM PETITIONS:** The number of valid signatures required is 10% of the total number of votes cast for all candidates for the Office of Mayor at the last General Municipal Election or Primary Nominating Election at which the Mayor was elected prior to the filing of such petition.

Conclusions:

A. If more than 4,067 signatures in the random sample are valid, then the City Clerk will certify the petition "sufficient."

B. If less than 3,328 signatures in the random sample are valid, then the City Clerk will certify the petition "insufficient."

C. If valid signatures in the random sample fall between 3,328 and 4,067 inclusive, then all signatures submitted must be checked until either 73,963 are found valid (in which case the petition will be certified sufficient), or until the total of 130,368 are checked and less than 73,963 valid signatures are found (in which case the petition will be certified insufficient).

Recall Petitions

“The Random Sampling signature verification method will not be used to verify the sufficiency of a Recall Petition” [EC § 726 (a)].

EXHIBIT 2

RANDOM SAMPLING SAMPLE - *Charter Amendment Petitions* [CEC § 9115]

- Assumptions:**
- A. 215,819 valid signatures required (15% of 1,438,792) registered voters in the City of Los Angeles as of April 4, 2008)*
 - B. 295,023 total signatures submitted to City Clerk.

Step #1 - Determine the percentage of the signatures submitted which must be valid in order for the petition to be certified as sufficient:

$$\frac{215,819}{295,023} = 73.15\%$$

Step #2 - Draw at least a 3% random sample of signatures submitted:

$$3\% \times 295,023 = 8,851$$

Step #3 - Apply valid signature percentage (Step #1 to random sample Step #2).

$$73.15\% \times 8,851 = 6,475$$

Step #4 - Compute 95 to 110% range of random sample valid signature amount (Step #3):

$$\begin{aligned} .95 \times 6,475 &= 6,152 \\ 1.1 \times 6,475 &= 7,123 \end{aligned}$$

* CEC § 9255 provides that the necessary signatures to amend or repeal a Charter provision are 15% of the total registered voters within that City according to the County Clerk's last official registration report to the Secretary of State prior to the filing of the petition.

Conclusions:

A. If more than 7,123 signatures in the random sample are valid, then the City Clerk will certify the petition "sufficient."

B. If less than 6,152 signatures in the random sample are valid, then the City Clerk will certify the petition "insufficient."

C. If valid signatures in the random sample fall between 6,152 and 7,123 inclusive, then all signatures submitted must be checked until either 215,819 are found valid (in which case the petition will be certified sufficient), or until the total of 295,023 are checked and less than 215,819 valid signatures are found (in which case the petition will be certified insufficient).

EXHIBIT 3

Ordinance Initiative Petition Form Requirements/Sample [EC § 707]

Initiative petitions shall be printed on standard white paper, not less than 16-pound substance, and size of 8½ by 11 inches. The petition may consist of several sections. The sections of a petition shall not be fastened by pasting them together end to end so as to form a continuous strip or roll.

Initiative petitions shall be in substantially the following form:

- A. The **heading** in 20-point upper case Roman type:
“INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS.”
- B. The **names** of the proponents of the petition in 10-point upper and lower case Roman type under the following statement also in 10-point upper and lower case Roman type:
“Committee of proponents, who are registered voters of the City of Los Angeles, sponsoring the petition:”
- C. The **official petition title** in 14-point upper case Roman type and the **official petition summary** in 12-point upper and lower case Roman type; both preceded by the following statement also in 12-point upper and lower case Roman type:
“As required by the Charter, the City Attorney has prepared the following official petition title and official petition summary of the primary provisions of this initiative ordinance measure to be adopted by the City Council or submitted directly to the voters.”
- D. The **text of the proposed measure** in 12-point upper and lower case Roman type under the following statement in 12-point upper case Roman type:
“TEXT OF THE PROPOSED MEASURE:”.
- E. **Signature lines** to include the voter’s signature, printed name, complete residence address and date signed (optional birthdate line highly encouraged for signature verification purposes).
- F. Each petition section must have an **Affidavit of Circulator** attached to the bottom of the last sheet in 10-point upper and lower case Roman type as set forth in EC § 707(g).

A template sample of an Ordinance Initiative Petition appears on the following page.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Committee of proponents, who are registered voters of the City of Los Angeles, sponsoring the petition:

John Doe Jane Doe John Doe Jane Doe John Doe

As required by the Charter, the City Attorney has prepared the following official petition title and official petition summary of the primary provisions of this initiative ordinance measure to be adopted by the City Council or submitted directly to the voters.

[INSERT OFFICIAL PETITION TITLE PREPARED BY CITY ATTORNEY
HERE]

[Insert official petition summary prepared by City Attorney here.]

TEXT OF THE PROPOSED MEASURE:

[Insert the Text of the Proposed Ordinance here.]

**Signers Must Be Registered Voters of the City of Los Angeles
Use Pen Only - Please Print All Information Except for Signature**

SIG#	LN#	NAME OF PETITIONER	ADDRESS	DATE	OFFICE USE ONLY
		Print Name 1 _____ Signature	Residence Address (No P.O. Box) City _____ Zip _____	Birthdate * Today's Date	
		Print Name 2 _____ Signature	Residence Address (No P.O. Box) City _____ Zip _____	Birthdate * Today's Date	
		Print Name 3 _____ Signature	Residence Address (No P.O. Box) City _____ Zip _____	Birthdate * Today's Date	
		Print Name 4 _____ Signature	Residence Address (No P.O. Box) City _____ Zip _____	Birthdate * Today's Date	
		Print Name 5 _____ Signature	Residence Address (No P.O. Box) City _____ Zip _____	Birthdate * Today's Date	

*Optional: Birth month and date may be used solely to facilitate the signature verification process.

AFFIDAVIT OF CIRCULATOR

I, [insert full name of circulator], do hereby certify that I am registered to vote or qualified to register to vote in the State of California; that my present, precise residential address is [insert complete residential address including number, street, city, state and zip code]; that I was at least 18 years of age at the time I circulated this petition for signatures; that each signature on the attached sheets is genuine and was affixed thereto, on the date shown, in my presence by a separate individual who to me declared himself or herself at the time of signing to be a qualified, registered voter of the City of Los Angeles and actually residing at the address as above set forth; that each signer's name and address on the attached sheets was either personally written by that signer or completed by someone acting with the authority and on the direction of that signer; and that all of the sheets constituting this petition were fastened together at the time the signatures were appended thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this (day) day of (month) at
 (City), California.

Signature of Circulator _____.

EXHIBIT 4

Charter Amendment Initiative Petition Form Requirements/Sample

Charter amendment initiative petitions shall be printed on standard white paper, uniform in size, not smaller than 8½ by 11 inches or greater than 8½ by 14 inches. The petition may consist of several sections. The sheets comprising each section shall be fastened together securely and remain so during circulation and filing, however they should not be fastened by pasting them together end to end so as to form a continuous strip or roll.

Charter amendment initiative petitions shall be in substantially the following form:

- A. The **heading** in 20-point upper and lower case Roman type [CEC § 9260]:
“Petition for Submission to Voters of Proposed Amendment to the Charter of the City of Los Angeles”
- B. The following **statement** in 12-point upper and lower case Roman type [CEC § 9260]:
“To the city council of the City of Los Angeles:
We, the undersigned, registered and qualified voters of the State of California, residents of the City of Los Angeles, pursuant to Section 3 of Article XI of the California Constitution and Chapter 2 (commencing with Section 34450) of Part 1 of Division 2 of Title 4 of the Government Code, present to the city council of the City of Los Angeles this petition and request that the following proposed amendment to the charter of the City of Los Angeles be submitted to the registered and qualified voters of the City of Los Angeles for their adoption or rejection at an election on the date to be determined by the city council.”
- C. The **official ballot title and summary** prepared by the City Attorney in 12-point upper and lower case Roman boldface type preceded by the following statement in 12-point upper and lower case Roman type [CEC §§ 9203, 9260]:
“The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:”
- D. The **text of the proposed charter amendment** in no less than 10-point upper and lower case Roman type preceded by the following statement in no less than 10-point upper and lower case Roman type: [CEC §§ 9257, 9258, 9260]
“The proposed charter amendment reads as follows:”
- E. The **Notice of Intent to Circulate Petition** in 12-point upper and lower case Roman type containing the exact language that was published in the Los Angeles newspaper of general circulation, including the names and signatures of the proponents and the statement of reasons (if any) that was part of the published Notice. [CEC § 9207, 9202].

F. The **Signature Pages**:

1. The **official ballot title and summary** must be printed in 12-point upper and lower case Roman boldface type across the top of each page of the petition on which signatures lines appear. [CEC § 9203].
2. The following **notice regarding paid circulators** must be printed in 12-point upper case Roman type prior to the portion of the petition that contains space for voters' signatures [CEC § 101]:

“NOTICE TO THE PUBLIC
THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER
OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.”

3. The **signature lines** must include the voter's signature, printed name, complete residence address and date signed (optional birthdate line highly encouraged for signature verification purposes). The spaces for signatures must be numbered consecutively starting with the number one and must include a blank space at least one inch wide after each name for use by City Clerk staff. [CEC §§ 100, 9020, 9259, 9260].
- G. Each petition section must have an **Affidavit of Circulator** attached to the bottom of the last sheet in 10-point upper and lower case Roman type as set forth in the CEC. [CEC §§ 104, 9022, 9261].

A template sample of a Charter Amendment Initiative Petition appears on the following page:

Petition for Submission to Voters of Proposed Amendment to the Charter of the City of Los Angeles

To the city council of the City of Los Angeles:

We, the undersigned, registered and qualified voters of the State of California, residents of the City of Los Angeles, pursuant to Section 3 of Article XI of the California Constitution and Chapter 2 (commencing with Section 34450) of Part 1 of Division 2 of Title 4 of the Government Code, present to the city council of the City of Los Angeles this petition and request that the following proposed amendment to the charter of the City of Los Angeles be submitted to the registered and qualified voters of the City of Los Angeles for their adoption or rejection at an election on the date to be determined by the city council

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

[INSERT OFFICIAL BALLOT TITLE PREPARED BY CITY ATTORNEY HERE]
[Insert Official Ballot Summary prepared by City Attorney here]

The proposed charter amendment reads as follows:

[Insert text of the proposed charter amendment here]

PUBLISHED NOTICE OF INTENT TO CIRCULATE PETITION

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Los Angeles for the purpose of [insert purpose here] . A statement of the reasons of the proposed action as contemplated in the petition is as follows: [insert 500 word maximum statement of reasons here if any] .

[Insert the Names of the Proponents Who Signed the Notice Here]

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

[INSERT OFFICIAL BALLOT TITLE PREPARED BY CITY ATTORNEY HERE]
[Insert Official Ballot Summary prepared by City Attorney here]

NOTICE TO THE PUBLIC
 THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

SIG#	LN#	NAME OF PETITIONER	ADDRESS	DATE	OFFICE USE ONLY
		Print Name	Residence Address (No P.O. Box)	Birthdate *	
	1	Signature	City Zip	Today's Date	
		Print Name	Residence Address (No P.O. Box)	Birthdate *	
	2	Signature	City Zip	Today's Date	
		Print Name	Residence Address (No P.O. Box)	Birthdate *	
	3	Signature	City Zip	Today's Date	
		Print Name	Residence Address (No P.O. Box)	Birthdate *	
	4	Signature	City Zip	Today's Date	
		Print Name	Residence Address (No P.O. Box)	Birthdate *	
	5	Signature	City Zip	Today's Date	

*Optional: Birth month and date may be used solely to facilitate the signature verification process.

AFFIDAVIT OF CIRCULATOR

I, [insert full name of circulator], do hereby certify that I am registered to vote or qualified to register to vote in the State of California; that my present, precise residential address is [insert complete residential address including number, street, city, state and zip code]; that I circulated this petition section and witnessed each of the appended signatures being written; that each signature on this petition section is, to the best of my information and belief, the genuine signature of the person whose name it purports to be; that all signatures on this petition section were obtained between the dates of [insert first date of circulation] and [insert last date of circulation].

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this [day] day of [month] at [City], California.

Signature of Circulator [sign full name, including middle name/initial].

EXHIBIT 5

Referendum Petition Form Requirements/Sample [EC § 713]

Referendum petitions shall be printed on standard white paper, not less than 16-pound substance, and size of 8½ by 11 inches. The petition may consist of several sections. The sections of a petition shall not be fastened by pasting them together end to end so as to form a continuous strip or roll.

Referendum petitions shall be in substantially the following form:

- A. The **heading** in 20-point upper case Roman type:
“REFERENDUM AGAINST ORDINANCE NO. _____ PASSED BY THE CITY COUNCIL”
- B. The **names** of the proponents of the petition in 10-point upper and lower case Roman type under the following statement also in 10-point upper and lower case Roman type:
“Committee of proponents, who are registered voters of the City of Los Angeles, sponsoring the petition:”
- C. The **petition title** accurately describing the ordinance (not to exceed 20 words) in 14-point upper case Roman type, beginning with: “REFERENDUM PETITION SEEKING TO OVERTURN...”
- D. The **text of the ordinance** in 12-point upper and lower case Roman type under the following statement in 12-point upper case Roman type:
“TEXT OF THE ORDINANCE:”
- E. **Signature lines** to include the voter’s signature, printed name, complete residence address and date signed (optional birthdate line highly encouraged for signature verification purposes).
- F. Each petition section must have an **Affidavit of Circulator** attached to the bottom of the last sheet in 10-point upper and lower case Roman type as set forth in EC § 713(g).

A template sample of a Referendum Petition appears on the following page.

REFERENDUM AGAINST ORDINANCE NO.
_____ PASSED BY THE CITY COUNCIL

Committee of proponents, who are registered voters of the City of Los Angeles, sponsoring the petition:

John Doe Jane Doe John Doe Jane Doe John Doe

REFERENDUM PETITION SEEKING TO OVERTURN [INSERT REST OF
PETITION TITLE HERE]

TEXT OF THE ORDINANCE:

[Insert the Text of the Ordinance here.]

EXHIBIT 6

Recall Petition Form Requirements/Sample [EC § 722]

Recall petitions shall be printed on sheets of standard white paper, not less than 16-pound substance, and size of 8½ by 11 inches. The petition may consist of several sections. The sections of a petition shall not be fastened by pasting them together end to end so as to form a continuous strip or roll.

Recall petitions shall be in substantially the following form:

- A. The **heading** in 20-point upper case Roman type as follows:
“PETITION TO RECALL (insert name and title of officer whose recall is sought)”
 - B. The **names** of the proponents of the petition in 10-point upper and lower case Roman type under the following statement also in 10-point upper and lower case Roman type:
“Committee of proponents who are registered voters of the [insert jurisdiction] sponsoring the Recall petition:”
 - C. The **Statement of Reasons and Affidavit of Truth** in 12-point upper and lower case Roman type under the following statement in 12-point upper case Roman type:
“STATEMENT OF REASONS FOR PROPOSED RECALL”
 - D. The **Answer** in 12-point upper and lower case Roman type under the following statement in 12-point upper case Roman type:
“ANSWER AGAINST PROPOSED RECALL SUBMITTED BY OR ON BEHALF OF THE OFFICER”
- If no Answer was filed, instead print the following statement in 12-point upper case Roman type:
“NO ANSWER WAS SUBMITTED BY OR ON BEHALF OF THE OFFICER”
- E. **Signature lines** to include the voter’s signature, printed name, complete residence address and date signed (optional birthdate line highly encouraged for signature verification purposes).
 - F. Each petition section must have an **Affidavit of Circulator** attached to the bottom of the last sheet in 10-point upper and lower case Roman type as set forth in EC § 722(c)(7).

A template example of a Recall Petition appears on the following page.

PETITION TO RECALL [INSERT NAME OF OFFICER]

Committee of proponents who are registered voters of the [insert jurisdiction here] sponsoring the Recall petition:

John Doe Jane Doe John Doe Jane Doe John Doe

STATEMENT OF REASONS FOR PROPOSED RECALL

[Insert 300-word maximum Statement of Reasons here.]

[Insert Affidavit of Truth here.]

ANSWER AGAINST PROPOSED RECALL SUBMITTED BY OR ON BEHALF OF THE OFFICER

[Insert Answer here.]

