

AGUA DULCE TOWN COUNCIL BYLAWS

ARTICLE 1: NAME

The name of this organization shall be the AGUA DULCE TOWN COUNCIL, hereafter called the "Council".

ARTICLE 2: AUTHORITY

The COUNCIL derives its authority from the "CHARTER FOR THE AGUA DULCE TOWN COUNCIL", hereafter called "CHARTER", which was approved by the Community of Agua Dulce on September 21, 1991. The CHARTER takes precedence over these Bylaws; the Bylaws are subordinate to and will not conflict with the CHARTER.

ARTICLE 3: AMENDMENT TO BYLAWS

1. These Bylaws may be amended at any regular or special meeting of the Council by an "AYE" vote of five (5) Council members, provided that notice of the amendment(s) was given to all Council members and the proposed Bylaw changes, clearly marked, shall be posted in public for at least 30 days prior to a vote on the changes - to ensure public input on the proposed changes.
2. The Election Procedures Addendum and TIMELINE may be amended by proposal from the Election committee and ratified by an "aye" vote of 5 Council members. (No 30 day notice required).

ARTICLE 4: COUNCIL IS NOT A LAW-MAKING BODY

The CHARTER does not impart any authority to the Council over any person or group with the exception that the Council is the only group that can speak for the community, this authority having been granted by the community when it approved the CHARTER. The Council cannot pass laws, and cannot levy assessments or taxes.

ARTICLE 5: STRUCTURE OF THE COUNCIL

1. The Council shall be a non-profit organization consisting of seven (7) members elected pursuant to the CHARTER.
2. A President, Secretary(s), and a Treasurer shall be elected within the Council membership.
3. A quorum shall consist of four (4) Council members.
4. Committee Chairs (with the exception of the Election Committee Chair) shall be appointed by the President with the concurrence of the Council.

ARTICLE 6: RULES OF ORDER

The Council shall follow Robert's Rules of Order (10th edition, copyright by Henry M. Robert III), with the following clarifications:

1. The President shall announce at the beginning of all meetings and with the concurrence of the council members present, what phases of the meeting will be open to the floor for comment, and what phases will be Council input only, and shall announce the speaking time of all members, guest speakers, and speakers from the community.
2. The President's duties shall be in accordance with Robert's Rules of Order, with the following exceptions:

- A. The President is the presiding officer of the Council and will maintain order at all Regular and Special Town Council meetings. The President shall vote on all issues.
 - B. With the consent of the majority of the Council, appoint and install all Committee Chairs (except the Election Committee) who are not members of the Council wherein they will formally affirm that they will abide by the Charter and Bylaws.
 - C. The President shall be a member ex-officio of all committees except the Election Committee.
 - D. The President, or the Secretary in the absence of the President, shall sign all legal documents. All moneys spent and checks written will be approved by the Town Council beforehand.
3. The Secretary(s) duties will be in accordance with Robert's Rules of Order, with the following exceptions:
 - A. The current Council shall decide if they shall have a "Recording Secretary" and a "Corresponding Secretary", or if they shall have only one secretary for the secretary's duties. Duties of the "Recording Secretary" shall be electronically recording the meetings, production of minutes, providing copies of such to the public upon request, and providing the corresponding secretary with copies for official files. The "Corresponding Secretary" will be responsible for producing and posting the Agendas, all written correspondence produced by the Council, maintaining the official records of the Council, and assuring that Agendas are posted in public 3 days prior to all Regular Council meetings.
 - B. Electronically record all Regular and Special Council meetings and prepare written summaries of all Regular and Special Council meetings. Minutes shall be of a summary nature and shall include date, location, time of meeting start and finish, Council attendees, summary of and reference to committee reports, special speakers, and summary of their remarks where appropriate, and summary of all Council decisions.
 - C. Maintain protected files of Council electronic records, Council minutes, Committee reports, treasury reports, Election Committee records, and all correspondence.
 - D. Assure the availability of all records to the Council, to Committee Chairs and to the public while at the same time maintaining the safety of such records for archival purposes.
 - E. Assure that agendas are posted in public according to required deadlines. (Three (3) days prior to Regular Council meetings; 24 hours prior to Special Council meetings)
 4. The Treasurer's duties shall be in accordance with Robert's Rules of Order.
 - A. The Treasurer shall receive all moneys and deposit the same in the name of the Agua Dulce Town Council in a bank approved by the Town Council. The Treasurer shall make a written report to be read at each regular Town council meeting, and present a written copy to the President and Secretary. Checks shall be signed by the Treasurer and President, with an alternate signer in the person of the Secretary. Two out of the three signatures are required.
 - B. In order that the books may be closed and audited, the Treasurer shall call for all bills owed and moneys due at the first meeting in November.
 - C. With the exception of the election committee, all other committee's must have approval before they appoint a treasurer and accept or spend any funds.
 5. There shall be no Board of Directors or Executive Board or Executive Committee.
 6. There shall be Regular Council meetings and Special Council meetings.
 - A. Regular Council meetings are scheduled meetings where all Council business is intended to be conducted including the establishment of agendas for the next meeting. Where certain Council business cannot be conducted during a regularly scheduled meeting, special meetings may be called.
 - B. Special Council meetings shall be of a limited agenda. Notification of all Special Council meetings shall be announced and posted in public at least 24 hours in advance.

- C. Reports of all Special Council meetings other than disciplinary meetings shall be made at the next regular Council meeting.
- D. Tentative agenda's for the next regular meeting shall be developed by consensus of the Council at the conclusion of each meeting.

ARTICLE 7: ELECTIONS AND INSTALLATIONS

1. All Town Council members shall be seated by an election.
2. Council elections shall be held each year in November. The Installation of Council members shall be during the first Regular Council meeting of December unless circumstances force a postponement.
3. Council members shall formally affirm that they will abide by the Charter and Bylaws defined herein.
4. With the exception of the 1991 election, all Council members shall be elected to serve for two (2) years. Three (3) members shall be elected in EVEN years; four (4) members shall be elected in ODD years.
5. Council Officers shall be elected by the Council for a term of one (1) year. Election of Officers shall take place during the first Regular Council meeting in December following the Installation of new Council members or if a Council Officer's position is vacant.
6. The Election Committee Officers shall be installed by the Town Council no later than 120-180 days prior to the election. Election Committee members shall formally affirm that they will abide by the Charter, Bylaws, Code of Conduct, and Election Procedures defined herein.
7. Write-In Candidates shall be permitted and defined as those candidates that abide by the Election Procedure (Article IX).
8. Special Election(s) shall be held in the event that there are insufficient candidates to fill Council vacancies. **Current Council members shall remain seated until the Special Election(s) is/are concluded.**
9. Elections shall follow the Agua Dulce Town Council Election Procedures unless superseded by the Council's Charter and Bylaws.

ARTICLE 8: COUNCIL VACANCIES

1. Where a Council vacancy arises, the Town Council shall request the Election Committee to hold a special election within **45 120** days in accordance with the Charter, Bylaws and Election Procedures. The elected person(s) shall complete the unexpired term(s) created by the vacancy(s).
2. If a vacancy occurs ninety (90) days or less prior to the next regularly scheduled election, the vacancy(s) will be filled at the next General Election as per the Election Procedure. In the event vacancies result in no Council quorum, special election(s) shall be held. Partial terms will be filled based on the number of votes received. Candidates with the most votes are elected to the longest term.

ARTICLE 9: CODE OF CONDUCT FOR COUNCIL MEMBERS AND COMMITTEES

The term "Council Member" includes both Council members and Committee members.

1. Council members shall conduct themselves at all times in accordance with the requirements of the Charter and Bylaws.
2. Absenteeism by a Council member amounting to three (3) out of any six (6) consecutive regular meetings without an excuse acceptable to the majority of the Council shall indicate a lack of interest in serving, and a disciplinary hearing shall be called at the next

- meeting he/she attends.
3. Council members shall not imply either in verbal or written communications that they speak for the Council unless A) they are expressing a previously established Council position, B) they have specific authority from at least four (4) Council members during a regular or special meeting relating to a specific subject, or C) they are Council Committee Chairs where the position of the committee has been endorsed by a majority of the Council. Where Council members and Committee Chairs intend to communicate Council decisions and positions, the President shall be informed of their intent to so communicate, and such communications shall be an accurate representation of the Council decisions and positions.
 4. Council members have the right to communicate with anyone at any time on any subject; however, when not representing the Council, they shall, in all written and oral communications, preface their remarks with a statement that they are speaking as individuals and not for the Council.
 5. Council members shall not make statements which distort the position of the Council or other Council members or which undermine the effectiveness of the Council. The tone and demeanor of all communications by Council members shall reflect a professional manner. Council members shall not engage in conversations or activities that discredit or create disrespect for the Council or its committees.
 6. Council members shall not engage in unlawful practices, misappropriation of funds, or actions that create the appearance of impropriety.
 7. Council members shall not vote on an item where they have a conflict-of-interest, which is defined for this purpose as something that could bring personal benefit or loss to the Council member. Possible conflict-of-interest issues shall be decided by the majority of the Council.
 8. All written correspondence from the Council, its committees or its sub-committees shall be signed by the President or a specific designee and shall be copied to the Secretary. Official Town Council stationary shall not be used in any other manner.

ARTICLE 10: HEARINGS FOR THE PROPOSED DISCIPLINE OR REMOVAL OF COUNCIL MEMBERS OR COMMITTEE CHAIRS

1. Council members or committee chairs may be disciplined by the Council when they are found to be in violation of the Code of Conduct (Article 9).
2. Council members or committee chairs may be alleged to have committed a violation of the Code of Conduct either by a signed written complaint, or at an open Council meeting. The President shall announce, or a motion may be passed, signaling the convening of a closed Council hearing.
3. Evidence of allegations shall be heard at a closed Council hearing. The hearing shall be conducted in the strictest confidence.
4. The review of evidence, and decisions concerning whether or not the allegations are true shall require the presence and agreement of at least five (5) Council members.
5. Discipline shall be defined by Article 11.
6. If, after hearing all of the evidence, the Council decides that the person so charged is not warranting of any discipline, then none shall be taken. No further action shall be taken unless requested by the accused member.
7. Following any decision to discipline or remove a member in accordance with Article 11, the President shall announce at the next regularly scheduled Council meeting that a hearing had been conducted concerning the allegation(s) and that a disciplinary or a removal decision had been taken. The name of the member and the discipline/removal decision shall be announced at that time.

ARTICLE 11: DISCIPLINE OR REMOVAL OF COUNCIL MEMBERS AND COMMITTEE CHAIRS

1. Discipline may consist of either an apology from the member or censure of the member

2. The censuring of a member can be of a length and breadth as decided upon by the Council and is not herein defined.
3. Removal of a Council member or committee chair is an extreme action and in recognizing that the voters elect Council members, this action shall be undertaken only after it is established that either a criminal offense was committed or that a violation of the Code of Conduct was so serious as to warrant this drastic action.
4. A Committee Chair may be removed by a majority vote of the Council.
5. Should the accused tender resignation the entire matter shall end at that time.

ARTICLE 12: ELECTION AND VOTING

All elections and voting shall be conducted following these Bylaws and the current addendum titled "Agua Dulce Town Council – Election Procedures."

1. Election Committee:
 - A. The Election Committee shall be formed and shall operate in accordance with the Charter, the Bylaws and the Code of Conduct found in Article 9. The mandate is to administer the election independently and impartially, upholding the Charter, Bylaws and the Agua Dulce Election Procedures.
 - B. Election Committee members shall not be related by blood, marriage, or adoption to Council member(s) or candidate(s), nor shall they be current full-time employee(s) or employer(s) of Council member(s) or candidate(s).
 - C. Committee Members shall formally affirm that they will remain impartial upon joining the Election Committee with regard to issues and candidates for the duration of membership. Lack of maintaining an impartial demeanor shall constitute grounds for removal.
 - D. As long as the Election Committee is not found in violation of the above, it may not be interfered with by the Council.
 - E. The Election Committee is a permanent (standing) committee and cannot be dissolved as long as the Town Council exists. This committee will be open to new members following submission of the final 'Election Committee Year-end Report' to the Town Council, and will close its membership for the current election year after the election of the committee officers. This committee will elect new officers each year within the timeline listed in these Bylaws Article 7 Section 6
2. Election Committee Chair's Duties:
 - A. Organize and supervise the election of Council members including the following:
 1. Review and validation of candidate applications
 2. Notification to candidates indicating results of verification of candidates eligibility
 3. Ordering the current list of Registry of Voters (Voter Index Sheets)
 4. Validation of Absentee Ballots
 5. Validation of voters at polls
 6. Publicity
 - B. Absent a public sponsored forum, the Election Committee Chair must sponsor a Candidate Forum.
 - C. Review all election procedures with committee members
 - D. Establish a "TIMELINE" as per Election Procedures.
3. Elections:
 - A. A Notice of Election shall be developed and printed for posting for the public. At a minimum, the Notice shall include the following:
 1. Date and hours of election
 2. Number of vacant seats
 3. Election Committee Contact information
 4. Where to obtain a candidate application

5. Application deadline
- B. Eligible Voters:
 1. Eligible, registered voters shall be defined as a voter, registered to vote within the Agua Dulce area of representation (see Charter, Exhibit A). Verification of voter eligibility will be conducted using the Los Angeles Registrar-Recorder voter index. Voting shall be conducted in a manner established by the "Voting Procedures."
 2. Provisional Voting is available for those voters registered to vote in Agua Dulce, but whose names do not appear on the Voter Index sheets at the polling place for whatever reason (recent registration, recent change of address within Agua Dulce, etc.) Voters of Provisional Ballots must be prepared to present two forms of identification, to verify their Agua Dulce address of residency. Provisional Voting shall be conducted in a manner established by the "Provisional Voting Procedures" section of the Election Procedures (Article XIII.)
- C. Absentee Voting
 1. Eligible voters may vote by absentee ballot. All absentee ballots must be requested using an official absentee ballot application. Procedures for absentee ballot voting are outlined in Election Procedures.
 2. Ballots shall be a separate document sealed in a separate envelope from the mailing envelope to ensure a secret ballot. The outside of the mailing envelope shall contain the signature, printed name and residence address of the voter along with the mailing address of the Election Committee. (See Sample)
 3. The Absentee Ballot format shall be the same as the regular ballot and consistent with the guidelines set forth by the current California Election Code.
 4. Ballot mailing instructions must be included with the absentee ballot, and include the deadline date for receipt of the Absentee Ballots.
 5. Absentee Ballots may be walked in, by the voter only, to the Polling Place when the Polls are open. Exceptions must be approved by a majority of the Election Committee.
 6. Absentee Ballots shall be retrieved from the Election Committee mailbox by both the Election Committee Chair and one (1) other committee member.
 7. Verification of Absentee Ballots shall be achieved by matching the signatures on both the Absentee Ballot envelope and the Absentee Ballot application and using the voter Registration log to make sure that a ballot was not cast by the Absentee Voter at a polling place.
 8. If an Absentee Ballot is challenged, and that challenge is upheld, the ballot remains in the outside envelope, is not counted, and the reason for the challenge is indicated on the envelope.
4. Voting on Community Issues
 - A. The process shall be identical to the above except that the questions, ballot content, and format shall be of an impartial nature and reviewed by the Council.
 - B. PRO and CON statements on the issue being voted on are to be published in local papers and be available to the public for a minimum of two regularly scheduled Council meetings prior to the vote.
5. Council Election Day:
 - A. The Election Committee shall conduct all Council elections or voting on special issues following current Election Procedures.
 - B. Council elections will be held at the same location(s) of any Los Angeles County election held on the same day. One polling place may be used if there is no County election on Council Election Day. Notice of polling locations will be provided thirty (30) days prior to any Council Election or community vote.

ARTICLE 13: COMMITTEES OTHER THAN THE ELECTION COMMITTEE

1. Only residents whose principal legal residence is within the Agua Dulce Area of Representation (Exhibit "A") for the previous ninety (90) days will be eligible to serve on a Council committee. Non-resident members may attend, or serve as consultants for a committee. Any exceptions to this rule shall be resolved by a majority vote of the Council.
2. Committees, other than the election committee, shall be created or dissolved by the Council as needed. Committee Chairs shall be appointed by the Council President with the approval of the majority of the Council. Committees shall conduct themselves in accordance with the Code of Conduct.
3. Committees may serve as Council focal points for the collection of information for the Council. Committees may be deliberative, investigative, and/or empowered to take action as per Robert's Rules of Order.
4. Committees shall maintain summary minutes of all meetings all committee recommendations to the Council shall be in writing and shall be filed with the Council Secretary.
5. Committee Chairs, who are not Council Members, shall be installed by the Council President subject to the Charter and Bylaws.
6. Committees formed by other organizations may request inclusion as Council Committees. The Council may agree to such inclusion subject to "item E (installation)" above.

Agua Dulce Town Council Bylaws

Approved and Adopted	March 25,1992
Revised	October 25,1993
Revised	December 22,1993
Revised	July 13, 1994
Revised	June 14,1995
Revised	October 28,1997
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Revised	May 13, 2009

Proposed Revision: February 11, 2015

Additional Revisions: April 8, 2015

**AGUA DULCE TOWN COUNCIL
ELECTION PROCEDURES
Addendum to Agua Dulce Town Council Bylaws**

This document shall be an addendum and supplemental to the Agua Dulce Town Council Bylaws.

- I. Election Committee: Formation**
- A. The Election committee is an ongoing committee whose members continue as members as long as they are in good standing and have not resigned.
 - B. The Chairperson, Secretary, and Treasurer of the Election Committee shall be elected by the committee for a term of one (1) year, and shall be installed by the Town Council.
- II. Election Committee: Membership and Duties**
- A. The Election Committee chairperson shall work with the Town Council to use all available means to solicit membership in the committee from all Agua Dulce organizations and all members of the community who wish to participate. There shall be no limit to the number of committee members. The open period for new members extends from the submission of the final report for the past election year and ends after the election of the committee officers.
 - B. The Election Committee members shall be legal residents of and valid eligible registered voters in Agua Dulce.
 - C. Election Committee members shall not be related by blood, marriage, or adoption to Council member(s) or candidate(s), nor shall they be current full-time employee(s) or employer(s) of Council members or candidate(s).
 - D. Committee members shall formally affirm that they will remain impartial upon joining the Election Committee with regard to issues and candidates for the duration of membership. Lack of maintaining an impartial demeanor shall constitute grounds for removal in accordance with Bylaws Code of Conduct, Article 9. A Committee member may be removed with a majority vote of the remaining Committee members.
 - E. All Election Committee officers must attend two (2) mandatory meetings prior to Election Day. The first mandatory meeting, announced at a regularly scheduled Council meeting and published in the press three (3) weeks prior, shall be when the Committee chooses a Chair, Secretary and Treasurer according to the TIMELINE. The second mandatory meeting shall be when the verification of candidates takes place and shall be for the specific purpose of candidate verification, instruction on Election Day procedures at the polling place, ballot counting procedures, and for the purpose of closing membership to the Committee.
 - F. Election Committee members must attend the second mandatory meeting and shall thoroughly acquaint themselves with the Agua Dulce Town Council Charter and Bylaws, as well as these Election Procedures.
 - G. Election Committee members shall recognize and respect the importance of the following:
 - 1. Confidentiality of applicant and voter information.
 - 2. Accuracy of applicant and voter verification, and ballot count.

3. Importance of remaining impartial with regard to issues and candidates for the duration of the Election Committee membership.
- H. In the event that the Election Committee Chairman resigns or is unable to perform his/her duties; the Secretary shall assume the position of Chair Pro-Tem and immediately assemble the committee to elect a new Chair. In the absence of the Secretary, this action shall devolve to the Treasurer. In the absence of both the Secretary and Treasurer, this action shall devolve to any Committee member. Election Committee members' names shall be submitted to the Council for record keeping purposes only.

III. Poll Workers

- A. Poll workers are not required to be Election Committee members, but must be valid eligible voters in Agua Dulce.
- B. Poll workers must attend one or more training sessions, as determined by the Election Committee.
- C. The Election Committee Chairperson may ask a maximum of six (6) Poll Workers to participate in the ballot count, in addition to the Election Committee Members. The Chairman may require an additional training session of the selected Poll Workers, if ballot count procedures were not thoroughly covered in the Poll Workers' Training Session(s).
- D. Poll Worker's questions that arise during polling or counting must be addressed to a member of the Election Committee. If the member is unfamiliar with the appropriate procedure, the question must be forwarded to the Election Committee Chairperson.

IV. Election Committee - Chairman's Duties:

- A. Organize and supervise the election of Council members including the following:
 1. Review and validation of all candidate applications
 2. Notification to candidates indicating results of verification of candidate eligibility
 3. Ordering the current list of registry of voters (Voter Index Sheets)
 4. Validation of Absentee Ballots
 5. Validation of voters at polls
 6. Publicity
 7. Chairperson shall be additional signatory on Election Committee checking account.
- B. The Chairperson shall publicize the following:
 1. Solicit for membership in the Election Committee
 2. Election Committee meetings
 3. Application form for candidates
 4. Release of candidate names upon filing
 5. Candidate profile/statement of issues
 6. Absentee Ballot Application and procedures
 7. Election/Voting Date and Notice of Election
 8. Election results as soon as practical after election
- C. Absent a public sponsored forum, the Election Committee Chair, assisted by the Election Committee, shall organize and sponsor at least one (1) Candidate Forum. The date of the forum(s) must be established in advance. Candidates must be advised of the date(s) for any forum(s) when they file for candidacy.
- D. Supervise and/or arrange for training session(s) to review all election procedures with Committee Members and Poll Workers.

- E. Obtain the most current Voter Index Sheets.
- F. Establish an election "TIMELINE." (See Election Procedures, Article VII, TIMELINE Procedures)
- G. Report Election Committee status on the various TIMELINE events to the Agua Dulce Town Council on a monthly basis, verbally and in writing, or more frequently if requested by the Council Secretary.
- H. Make a final written report to the Council after the first Council meeting following the election which shall consist of:
 1. The Election Committee members present at the ballot counting
 2. Approximate number of public observers present at the ballot counting
 3. The exact vote count
 4. If a "hot line" to the County Registrar's office was utilized
 5. Expenses incurred and monies expended
 6. Any other pertinent information

V. Election Committee – Secretary’s Duties

- A. One (1) Election Committee member shall be elected as the Secretary for a one (1) year term.
- B. The duties of the Secretary shall be :
 1. Take and prepare minutes of all Election Committee meetings
 2. Work with the Chairman to develop and post meeting agendas.
 3. Maintain all materials of the Election Committee to be included in the Committee’s final report to the Council
 4. Maintain an Election Committee mailbox, separate from the Council’s mailbox
 5. Provide documents to the Council Secretary when requested under a Public Records Act request, unless the documents are deemed “nondisclosable”.
 6. Secretary is additional signatory on Election Committee checking account.

VI. Election Committee – Treasurer’s Duties

- A. One (1) Election Committee member shall be elected as the Treasurer for a one (1) year term.
- B. The duties of the Treasurer shall be to deposit candidate’s application fees to the Election Committee’s account. All funds collected for/by the Election Committee shall remain in the Election Committee bank account. This account must maintain a sufficient balance to keep an active account.
- C. After the first Town Council meeting following the election the treasurer shall provide a final financial report to Town Council

VII. Timeline Procedures:

- A. The Election Committee shall determine the "TIMELINE" of all events.
- B. The Election Committee shall match specific dates with the time frames shown in the Timeline. The dates shall correspond to the number of days out from the election, irrespective of holidays or weekends.
- C. The Election Committee Chair shall frequently review the prepared Timeline as presented to the Council in order to insure that key dates are not overlooked.

VIII. Application for Council Candidacy

The Election Committee shall design the format of the application and ensure the collection of the candidate application, fee, and candidate profile.

- A. Application Form shall include:
1. Applicant's printed name, signature, address and telephone number.
 2. Number of years of residency in Agua Dulce.
 3. Instructions to submit an approximate 300-word candidate profile/statement of issues/reasons for running that will be used for publication.
 4. Instructions to submit non-refundable application fee of \$50.00, or a fee as determined by the Election Committee.
 5. Qualification rules.
 6. Deadline for application submission with either a United States Postal Service postmark, or by FAX received by the Election Committee.
 7. Instructions for mailing or faxing application.
- B. Applicant Verification Procedure:
1. All Election Committee officers and members must be present to verify candidacy applications.
 2. Candidate's residency and registered voter status must be verified. Residency means that the Candidate has been an Eligible Registered Voter whose principal legal residency has been within the Agua Dulce area of representation for one (1) year prior to candidacy. (See Charter and Exhibit "A.") The Election Committee shall verify the eligibility of all candidates with the Los Angeles County Registrar's office.
 3. Completed application, fee, and candidate profile must be received by the deadline date for applicant eligibility.
 4. Each application shall be dated and signed by the Election Committee members who verified the candidate.
 5. In the event a candidate is disqualified, the entire Election Committee shall be notified and a quorum of the Committee shall be present to review the application before a final decision is reached.
 6. Candidates shall be notified by the Election Committee as to their eligibility.
 7. The Election Committee Chair shall submit candidate information to the Council President or Secretary at the close of the application period for record keeping purposes only.
- C. Candidates vs. Number of Seats
1. Three (3) Council members shall be elected in EVEN years; four (4) Council members shall be elected in ODD years.
 2. There shall be no maximum number of candidates allowed to run.
 3. The available Council seats will be filled in order of the highest vote count in the election.
 4. **If the Write-in Candidate deadline has passed and there are no eligible, verified Write-in Candidates; and eligible, verified candidates are unopposed or there is less than a full slate of candidates; those eligible verified candidates shall be elected by acclamation and an election will not be held. A Special Election shall be held to fill vacancies created by lack of a full slate of candidates.**

IX. Write-in Candidates

Write-In Candidates shall be defined as those candidates that abide by the following procedure:

- A. Submit a written petition to the Election Committee requesting a waiver of the application deadline, with an explanation for the late submittal. Each person must also

submit a minimum of 50 signatures of Eligible Registered Voters as defined by the Charter and Bylaws.

- B. Provide proof of Eligible Registered Voter status and proof of residency, as defined by the Charter and Bylaws.
- C. Submit a completed application, candidate profile, and required fee.
- D. Submit all of the above no later than 10 days prior to the election.
- E. Write-in candidates may not be refused, providing that the above qualifications have been met. All votes for write-in candidates not meeting the above criteria will not be counted.

X. Town Council Vacancies

Council vacancies shall be filled using the following procedure:

- A. If a Special Election is required, the highest ranking member of the Council shall request the Election Committee to hold a Special Election within ~~45~~ **120** calendar days, ~~and subsequent elections until the vacancy(s) is filled in accordance with the Charter and Bylaws.~~ The elected person(s) shall complete the unexpired term(s) created by the vacancy(s).
- B. If a vacancy occurs ninety (90) days or less prior to the next regularly scheduled election, the vacancy(s) will be filled at the next General Election as per the Election procedure. In the event vacancies result in no Council quorum, a special election shall be held. Partial terms will be filled based on the number of votes received. Candidates with the most votes are elected to the longest term.

XI. Notice of Election

- A. The Election Committee shall agree upon the Notice of Election format and shall include the following information:
 - 1. Election Date
 - 2. Number of Council vacancies
 - 3. Where to obtain a candidate application
 - 4. Contact information for the Election Committee
 - 5. Deadline for candidate application receipt.
- B. The Election Committee shall make the Notice of Election available to the public.
 - 1. Physical locations in Agua Dulce
 - 2. Media and press
 - 3. Websites
 - 4. Other
- C. Organizations and/or individuals may distribute Notice of Election at their own expense provided they use an exact replica with no changes, additions, or deletions.
- D. Organizations and/or individuals may include additional materials in the same distribution provided that any other materials clearly identify the organization and/or individual distributing the materials.

XII. Council Election – Ballot Preparation

- A. The ballot format shall be consistent with the guidelines set forth by the current California Election Code.
- B. Each ballot must be serialized with a different number. The number on each ballot will not correspond to any numbering system used on the Voter sign-in sheets.
- C. Candidates will be listed on the ballot in random order by lottery.

- D. The Election Committee Chair will be responsible for insuring that there are sufficient numbered ballots produced and provided to each polling place. Each ballot must have a colored symbol or be on unique paper (other than white) or have another unique identifier. Photocopied ballots will not be allowed.
- E. The ballots given to each polling place will be identified by the numbers assigned to each polling place. (i.e. Women’s Club – ballots #200-400)
- F. The quantity of ballots provided to each polling place will be kept in a protected area, out of sight and reach of those other than poll workers. A ballot tally sheet will be kept to cross reference the number of ballots given out and the number of ballots still on hand.
- G. Poll workers must be sure that each Voter receives only one (1) ballot after signing the sign-in log.

XIII. Council Election – Provisional Ballots

- A. If the voter is not shown on the voter index, he/she may opt to vote “Provisionally.”
- B. The voter shall be referred to a member of the Election Committee to go through the Provisional Ballot process.
- C. A separate Provisional Ballot sign-in sheet shall be available in each polling place.
- D. A special Provisional Envelope is to be designed and produced by the Election Committee. The following information must be collected on the front of the Provisional Envelope:
 - 1. Printed Name and Address of Voter;
 - 2. Proof of Identification presented by Voter (i.e., driver’s license, DMV Identification, utility bill with current address, printed check, other). Envelope must have room for detail (i.e., driver’s license number and address shown);
 - 3. Signature of Voter;
 - 4. Signature of Election Committee member completing the information.
- E. The voter receives a regular ballot. After marking his ballot, it is enclosed in the Provisional Envelope and returned to the Election Committee member.
- F. The sealed voted-Provisional Ballot envelopes are to be placed in the regular Ballot Box. Provisional Ballots will be verified if they affect the outcome of the election.
- G. If Provisional Ballots will affect the election results, all Provisional Ballots will be verified by affirmation of Los Angeles County Registrar of Voters before opening the Provisional Ballot envelope(s) for counting.
- H. For verification purposes, names and addresses of provisional voters shall be noted on a separate paper. Actual Provisional Ballots shall remain sealed and placed in the election material box to be sealed.
- I. At the close of the polls, the total number of Provisional Ballot Envelopes must be recorded.

XIV. Absentee Ballot Procedures

- A. Absentee Ballot Application
 - 1. The Absentee Ballot Application format shall be consistent with the guidelines set forth by the current California Election Code. (See sample) The application shall include the following information:
 - a. Town Council Election date
 - b. Deadline for receipt of the completed application by the Election Committee.
 - c. Voter name, date of birth, residence address, and a phone number.

- d. Mailing address if different from residence address.
 - e. Signature of the voter along with the following statements: “THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT THE PROPER SIGNATURE OF THE APPLICANT. I certify under **penalty of perjury** under the laws of the State of California that the name and residence address and information I have provided on this application are true and correct.”
 - f. The following statement must be included: “WARNING: Perjury is punishable by imprisonment in state prison for two, three, or four years. (Section 126 of the California Penal Code)”
 - g. The mailing address or drop off location for completed applications.
 - h. An area for Election Committee use.
2. The Election Committee shall make the Absentee Ballot Application available to the public.
 - a. Physical locations in Agua Dulce
 - b. Media and press
 - c. Websites
 - d. Other
 3. Organizations and/or individuals may distribute Absentee Ballot Applications at their own expense provided they use an exact replica with no changes, additions or deletions and that the name(s) of distributing individuals or organizations are legibly written on the line provided on the application.
 4. Organizations and/or individuals may include additional materials in the same distribution provided that any other materials clearly identify the organization and/or individual distributing the materials.
 5. The Election Committee shall process all Absentee Ballot Applications and distribute the Absentee Ballots to the applicants as soon as possible.
 6. If an Absentee Ballot has not been received by the voter within 5 days of the election, the voter shall be able to contact the Election Committee by phone or email.
- B. Absentee Ballot
1. All absentee ballots must be requested using the Official Absentee Ballot Application.
 2. The Absentee Ballot will have the same format as the ballots used at polling places.
 3. The Election Committee shall have a certain group of ballots designated as Absentee Ballots.
 4. Upon receipt of completed and signed Absentee Ballot Application, a member of the Election Committee will verify voter eligibility using the voter index, then mail the voter an Absentee Ballot, instructions for mailing and completing the ballot, and a mailing envelope with cross reference identification for the Application. Instructions shall include the following information:
 - a. The original ballot must be used.
 - b. The deadline for receipt of Absentee Ballots
 - c. The ballot must be put in a separate envelope to be provided by the voter.
 - d. A reminder to include postage on the outside envelope.
 5. Outside mailing envelope must include the following information:
 - a. The mailing address of the Election Committee
 - b. A return address area that indicates the proper area for printed name of voter, voter’s residence address, and a line for their signature.
 - c. Cross reference identification for the Application

6. Absentee Ballots may be mailed to the Election Committee any time after the voter has received it. Ballots must be received by the Election Committee on or before the date of the election.
7. Absentee Ballots shall be retrieved from the Election Committee mailbox by both the Election Committee Chair and one (1) other Committee member no less than every other day during the specified mailing period. Absentee Ballot signatures may be verified prior to Election Day, but original mailing envelopes must remain sealed until counted on Election Day.
8. Absentee Ballots may be walked in, by the voter only, to the polling place when the polls are open. Exceptions must be approved by a majority of the Election Committee.

C. Counting of Absentee Ballots

1. Absentee Ballots must be counted by the Election Committee members.
2. All Absentee Ballots must be matched up with the respective Application. This process can be done as the Absentee Ballots are received in the mail. Signature verification of Absentee Ballots shall be done by matching the signature on the outside envelope to the signature on the Application.
3. After the polls close, the voter index sheets indicating those voters who voted in person at the polls will be cross referenced with the verified Absentee Ballots to ensure an Absentee Ballot voter did not vote more than once.
4. After the Absentee Ballot has been checked against the voter index sheet and determined to be valid, the outside envelope and Application are separated from the sealed inner ballot envelope.
5. The outside envelope and Application will be combined and saved for the Election Committee records to be archived. The number of Absentee Voters participating in the election will be determined from these records.
6. The inner sealed envelopes will be accumulated and opened en mass after all Absentee Ballots have been separated from the outside envelopes. The Absentee Ballots can then be mixed in with the general voter ballots.
7. If an Absentee Ballot is challenged, and that challenge is upheld, the ballot remains in the outside envelope, is not counted, and the reason for the challenge is indicated on the envelope.

XV. Council Election Day

- A. Council elections shall be held at the same location(s) of any Los Angeles County election held on the same day. One polling place may be used if there is no Los Angeles County election on Election Day. Notice of polling locations will be provided thirty (30) days prior to any Council Election or community vote.
- B. Voter must vote at his/her County assigned polling place, unless no County assigned polling place has been assigned. Those voters with no County assigned polling place may vote at any Agua Dulce polling place.
- C. The Election Committee shall provide the following materials at each polling site:
 1. A numbered sign in log, including a statement on each page that the voter is signing under penalty of perjury.
 2. A witnessed empty ballot box is locked and placed at each polling site prior to 7:00 a.m. and shall be opened ONLY at the time the ballots are to be counted. A ballot box must be on the table used by poll workers where they may keep a close eye on it. It is not to be placed on a separate table without constant supervision.
 3. In the event a ballot box becomes so full no more ballots will fit, another witnessed

- empty box will be locked and provided by the Chair. The original box is to be sealed and remain on site until all of the boxes are collected after the polls close. Each box will be individually identified with polling site number.
4. Current Voter Index sheets.
 5. Ballots. A block of sequentially numbered ballots will be assigned to each polling site. (The numbering will not correlate in any way to the sign-in logs or anything else).
 6. Provisional Voting Envelopes (See Article XIV. D.)
 7. Voting booths or tables
 8. Pens and other office supplies deemed necessary by the Committee.
- D. Polls shall be open from 7:00 a.m. to 8:00 p.m. on Election Day and manned by a minimum of two (2) people at all times. The Election Committee will schedule the poll workers at each polling site during the open hours. One Committee member familiar with “special ballots” (i.e., Provisional and Absentee Ballots) must be in each polling place at all times.
 - E. The Election Committee members and poll workers shall verify voter eligibility using the Voter Index sheets. Each voter’s name will be checked off the Voter Index sheet as they vote.
 - F. Election Committee must video-tape the ballot counting process. Video or electronic taping of the ballot counting process by members of the public or the press shall be permitted, provided that it does not present a hazard to the safety of the public or interfere with the ballot count and/or taping by the Election Committee.
 - G. Observers of the ballot count will be defined as any Candidates, Council Members, press members, or any member of the public. Observers may be present during the ballot count, provided they do not participate or interfere in any way.
 - H. The ballot count shall be conducted by the Chair and designated Election Committee members. Up to five (5) pre-trained Poll Workers may be asked to assist in the count. The actual number of ballot counters will be at the discretion of the Chair, but will not exceed a total of eight (8) individuals. At no time will an Observer (as defined above in Section XVI. G. of Election Procedures) be allowed to participate in the vote count. A voter tally sheet(s) shall be provided to each vote counter,
 - I. Only those write-in candidates as defined in Section X of these Election Procedures will be counted.
 - J. A designated area must be cordoned off for the ballot counting process so there is complete separation of the ballot counters from the Observers (as defined above).
 - K. The Election Committee Chair shall direct prompt removal of anyone who disrupts or interferes with the orderly conduct of the counting process. Anyone taking issue with the election counting process must complete an Election Comment Card and submit it to the Election Chair.
 - L. There will be no interim release of results until all ballots are counted and any verification is completed.
 - M. The Chair or a designated committee member shall contact each candidate with election results within twenty-four (24) hours of completion or cessation of the ballot count.

XVI. Final Election Committee Action

- A. The Election Committee shall execute its final duty of the election year in the form of an audit report to the Council. This report shall be delivered to the Council at the first regular Council meeting after the election. The report will include the following:
 1. The total number of ballots assigned to each polling site and used per polling site.
 2. Verification that sign-in log totals and the total ballots used per polling site balance, and any discrepancies noted.
 3. Number of Absentee Ballots not counted.

4. Final Treasurers report
 5. Any other information deemed relevant by the Election committee.
- B. The report will be delivered to sitting Council members and newly elected Council members. Each Council member's copy shall contain ORIGINAL SIGNATURES of the following:
1. Election Committee Chair
 2. Election Committee Treasurer
 3. One other Election Committee member
 4. Town Council Secretary (person holding position on Election Day)

XVII. Storage and Destruction of Election Committee Ballot Materials

All ballots, video tapes, envelopes, and sign-in sheets pertaining to the election shall be kept for a period of two (2) years by the Council Secretary. The Council Secretary shall receive this material in a tape-sealed container, with the exception of the video tapes, which shall be presented for separate storage. The signatures of those participating in the ballot counting are to be written across the tape in such a manner as to impede tampering. Financial documents must be maintained in the Council archives for seven (7) years and should be presented in a separate envelope or container for storage.

- A. After the contents of the aforementioned election materials box have been stored for the required time period, the Council Secretary will give the Council President notice in advance of the planned ballot box opening. The box shall be opened by the Council Secretary in the presence of a minimum of two (2) Town Council members. The Secretary will then proceed to destroy the contents of the sealed container, except financial records, to insure that they can not be reconstructed. A signed statement will be submitted by the Council Secretary for the Council Records stating that the contents were intact as originally stored and were disposed of as prescribed by procedure.
- B. If sufficient cause is given to review the ballot box contents prior to the conclusion of the record storage period, the Council President shall notify the Town Council, and request the Council Secretary to retrieve the sealed container for opening. The sealed container shall be opened at a videotaped Council meeting for which candidates and requesting parties shall receive prior notice. Upon completing the necessary review of the contents, the box shall be resealed in the same manner as detailed under paragraph "A." of this section. If copies of documents are requested, a bonded copy service must be retained and paid for by the requesting party.

Agua Dulce Town Council Election Procedures

Approved and Adopted	December 7, 2005
Revised	May 13, 2009

<i>Proposed Changes</i>	<i>February 11, 2015</i>
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<i>Additional Changes</i>	<i>April 8, 2015</i>
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ELECTION TIMELINE

TIME FRAME	ACTION TO BE TAKEN
The first Town Council Meeting following the finalization of the election results	Final election committee report, Open Membership for the Election Committee
FIRST WEEK IN JULY	Last date to elect and install Election Committee Officers Membership closes for current election year
90 days prior to a Regular Election	Notice of election, date of election, and number of vacant seats given to the public at a regular Council meeting and published to the community. Incumbents at that time must declare their intent to run or not. A Notice of the dates of the Nominating Period should be given at this time.
90 days prior to a Regular Election	Nominating Period opens. Declaration of Incumbents should be filed, and applications for candidates should be placed at public locations in Agua Dulce and published in the media.
45 days prior to a Regular Election	Last day for withdrawal of any candidate. Notice of Insufficient Eligible Applicants Location(s) of Polling places should be publicized
40 days prior to a Regular Election	Verification of candidates
14 days prior to a regular election	Last day for receipt of absentee ballot application
<u>10 days prior to a Regular Election</u>	<u>Last day for Write-in Candidates to submit required documents and fees. Election Committee to determine Write-in Candidate eligibility.</u>
<u>10 days prior to a Regular Election</u>	<u>If there are no Write-in Candidates, and candidates are unopposed or there is less than a full slate of candidates, those candidates shall be elected by acclamation. If there are a greater number of candidates than number of open seats, an election will be held.</u>
0 days	Election Day. Polls Open 7:00 a.m. to 8:00 p.m. Absentee Ballots due by 8:00 p.m.
Special Election	Election Committee shall create an expedited TIMELINE for an election that can be completed in 45 120 days