

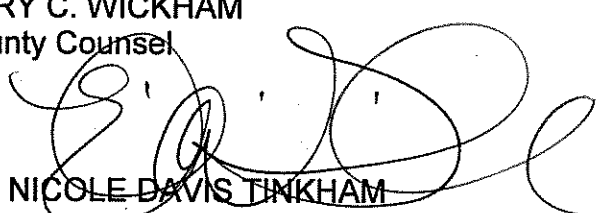
ANALYSIS

This ordinance would call a special election to be held on November 3, 2020, for the purpose of voting upon an amendment to the Charter of the County of Los Angeles that would annually allocate in the County's budget no less than ten percent of the County's locally generated unrestricted revenues in the general fund to address the disproportionate impact of racial injustice through community investment and alternatives to incarceration and prohibit using those funds for carceral systems and law enforcement agencies as detailed in the ordinance adopting the proposed charter amendment, to be phased in by June 30, 2024.

The ordinance also directs the consolidation of this election with the statewide general election to be held on the same day.

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By:



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NDT:vn

Requested: 7/20/20
Revised: 7/24/20

ORDINANCE NO. _____

An ordinance calling a special election to be held on November 3, 2020, throughout the County of Los Angeles for the purpose of voting upon an amendment to the Los Angeles County Charter and directing the consolidation of the election with the statewide general election to be held on the same day.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Call of Election and Purpose. A special election is hereby called, proclaimed and ordered to be held on November 3, 2020, for the purpose of voting upon a proposed amendment to the Charter of the County of Los Angeles.

SECTION 2. Resolution Establishing Form of Proposition. The exact form of the Proposition as it is to appear on the ballot and the complete text of the proposed amendment is as follows:

<u>PROPOSED COUNTY CHARTER AMENDMENT.</u> COMMUNITY INVESTMENT AND ALTERNATIVES TO INCARCERATION MINIMUM COUNTY BUDGET ALLOCATION. Shall the measure, annually allocating in the County's budget no less than ten percent (10%) of the County's locally generated unrestricted revenues in the general fund to address the disproportionate impact of racial injustice through community investment and alternatives to incarceration and prohibiting using those funds for carceral systems and law enforcement agencies as detailed in the ordinance adopting the proposed charter amendment, be adopted?	YES
	NO

PROPOSITION _____

This Proposition (XXXXX) shall become effective only if it is submitted to the voters at the election held on November 3, 2020 and is approved. The Charter amendment shall become operative on July 1, 2021.

First: Section 11 of Article III of the Charter of the County of Los Angeles is amended to read:

Section 11. It shall be the duty of the Board of Supervisors:

(1) To appoint all County officers other than elective officers, and all officers, assistants, deputies, clerks, attaches [14] and employees whose appointment is not provided for by this Charter. [15]

...

(8) To allocate, in compliance with all laws and regulations, the County's locally generated unrestricted revenues in the general fund as follows:

A. Set aside a baseline minimum threshold of at least ten percent (10%) of the County's locally generated unrestricted revenues in the general fund (Net County Cost), as determined annually in the budget process or as otherwise set forth in the County Code or regulations, to be allocated on an annual basis, after input from, among others, the public and County departments at a public hearing, for the following primary purposes:

i. Direct Community Investment.

1. Community-based youth development programs.

2. Job training and jobs to low-income residents focusing on jobs that support the implementation of the "Alternatives to Incarceration" workgroup recommendations as presented to the County Board of Supervisors on March 10, 2020, especially construction jobs for the expansion of affordable and supportive housing, restorative care villages, and a decentralized system of care.

3. Access to capital for small minority-owned businesses, with a focus on Black-owned businesses.

4. Rent assistance, housing vouchers and accompanying supportive services to those at-risk of losing their housing, or without stable housing.

5. Capital funding for transitional housing, affordable housing, supportive housing, and restorative care villages with priority for shovel-ready projects.

ii. Alternatives to Incarceration.

1. Community-based restorative justice programs.

2. Pre-trial non-custody services and treatment.

3. Community-based health services, health promotion, counseling, wellness and prevention programs, and mental health and substance use disorder services.

4. Non-custodial diversion and reentry programs, including housing and services.

B. The set aside shall not be used for any carceral system or law enforcement agencies, including the Los Angeles County Sheriff's Department, Los Angeles County District Attorney's Office, Los Angeles County Superior Courts, or

Los Angeles County Probation Department, including any redistribution of funds through those entities. This restriction does not extend to State law requiring the County to fund court facilities and expenditures, including, but not limited to, the Trial Court Facilities Act of 2002 (2002 Senate Bill No. 1732) and Lockyer-Isenberg Trial Court Funding Act of 1997 (1997 Assembly Bill No. 233), other mandatory fines and fees, or any other County commitments to the extent required by law.

C. The unrestricted revenues that are set aside shall phase in over a three-year period, beginning July 1, 2021, and incrementally grow to the full set-aside by June 30, 2024, pursuant to the procedures codified in the County Budget Act in the Government Code.

D. The set aside cannot supplant monies otherwise allocated for the same categories listed in Subsection (8)(A), as defined and set forth in the County Code or regulations.

E. The Board of Supervisors shall establish an inclusive and transparent process on the allocation of funds set aside by this Subsection (8).

F. Notwithstanding this Subsection (8), the Board of Supervisors may, by a four-fifths vote, reduce the set-aside in the event of a fiscal emergency, as declared by the Board of Supervisors, that threatens the County's ability to fund mandated programs.

Second: In the event that the amendment to the Charter of Los Angeles County contained in this Proposition is rendered inoperative because of the actions of any

court, legislative or other body, or for any other reason, the provisions of the County Charter in effect on November 3, 2020, shall remain in full force and effect.

Third: If any section, subsection, subdivision, paragraph, sentence, clause, phrase, or word of this Proposition is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, phrases, or words of this amendment to Section 11 of Article III of the Charter. The voters of the County of Los Angeles declare that they would have independently adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase, or word of this Proposition irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses, phrases, or words of this amendment to Section 11 of Article III is declared invalid or unenforceable.

SECTION 3. Consolidation. The special election shall be consolidated with the statewide general election to be held on Tuesday, November 3, 2020. The Proposition shall be placed upon the same ballot as that provided for the general election. The precincts, polling places, or vote centers, and precinct board members shall be the same as provided for the statewide general election.

SECTION 4. Proclamation. Pursuant to section 12001 of the Elections Code, the Board of Supervisors of the County of Los Angeles hereby PROCLAIMS that a special countywide election shall be held on Tuesday, November 3, 2020, to vote upon the Charter Amendment described in Section 2 of this Ordinance.

SECTION 5. Effective Date. Pursuant to Section 9141 of the Elections Code and Section 25123 of the Government Code, this Ordinance shall take effect upon the adoption thereof.

SECTION 6. Authority. This Ordinance is adopted pursuant to sections 23720, 23730, and 23731 of the Government Code, and sections 9141, 10402, 10403, and 12001 of the Elections Code.

SECTION 7. Publication. This Ordinance shall be published once before the expiration of 15 days after its passage in a daily newspaper of general circulation, printed, published and circulated in the County of Los Angeles pursuant to Government Code section 25124.

The Executive Officer-Clerk of the Board of Supervisors is ordered to file a copy of this Ordinance with the Registrar-Recorder at least 88 days prior to the day of the election.

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