

ANALYSIS

This ordinance calls a special election to be held on November 6, 2012, for the purpose of voting upon an amendment to the Los Angeles County Charter which would limit any person elected and qualified for the office of member of the Board of Supervisors to five (5) consecutive terms commencing with a term of office which begins on or after December, 2002.

The limitation on terms shall not apply to any unexpired term to which a person is elected or appointed following a vacancy if the remainder of that term is less than one-half of the full term of office.

This ordinance also consolidates the special election with the statewide general election to be held the same day.

JOHN F. KRATTLI
County Counsel

By
BRANDI M. MOORE
Deputy County Counsel
Government Services Division

BMM:lr

ORDINANCE NO. _____

An ordinance calling a special election to be held in the County of Los Angeles on November 6, 2012, and consolidating the special election with the primary 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 and ordered to be held in the County of Los Angeles on November 6, 2012, for the purpose of submitting to the voters of the County a proposed amendment to the Charter of the County of Los Angeles.

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

<p>PROPOSED CHARTER AMENDMENT. TERM LIMITS: BOARD OF SUPERVISORS. Shall the County Charter be amended to change the term limits for any person elected to the office of the Board of Supervisors to five consecutive terms beginning on or after December 2002; except that, such limitation shall not apply to any unexpired term following a vacancy if the remainder of that term is less than one-half of the full term?</p>	<p>YES _____ NO _____</p>
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MEASURE ____

First: Section 4 of Article II of the Charter of the County of Los Angeles is amended to read as follows:

Section 4. The County of Los Angeles shall have a Board of Supervisors consisting of five members, each of whom must be an elector of the district which he represents, must reside therein during his incumbency, must have been such an elector for at least one-year immediately preceding his election, and shall be elected by such district. Their terms of office shall be four years, and each shall hold until his successor is elected and qualified. No person while a member of the Board of Supervisors shall receive any compensation, in addition to that provided for by this Section, for services rendered to any public or governmental entity. They shall each receive as compensation for their services a salary, payable monthly from the County Treasury, which shall be the same as that now or hereafter prescribed by law for a judge of the Superior Court in and for the County of Los Angeles, except that retirement benefits shall be those now or hereafter provided by law for officers and employees of the County of Los Angeles. They shall devote all their time during business hours to the faithful service of the public.

Notwithstanding any other provisions of this Charter, this amendment shall be operative as to incumbent members of said Board during their respective terms. If any provision of this amendment is held inoperative as to incumbent members during their current terms, then no change made by this amendment shall be operative as to incumbent members during their current terms, but in all other respects this amendment shall be operative to the extent legally possible.

No person shall be elected and qualified for the office of member of the Board of Supervisors if such person has been elected or served in such office for ~~three~~five consecutive terms, commencing with a term of office which begins ~~in~~on or after December, 2002. The limitation on terms shall not apply to any unexpired term to which a person is elected or appointed following a vacancy if the remainder of the terms is less than one-half of the full term of office.

Second: This Measure shall take effect as provided for in Government Code Section 23723 and 23724.

Third: In the event that the amendment to the Los Angeles County Charter contained in this Measure does not take effect because of the actions of any court, legislative or other body, or for any reason, the provisions of the County Charter in effect on November 6, 2012, shall remain in full force and effect.

Fourth: If any provision of this Measure, or its application to any person or circumstance, is held invalid, the remainder of this measure, to the extent it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this measure are severable.

SECTION 3. Consolidation. The special election shall be consolidated with the statewide general election to be held on Tuesday, November 6, 2012. The Measure shall be placed upon the same ballot as that provided for the general election. The precincts, polling places 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 County-wide election shall be held on Tuesday, November 6, 2012, to vote upon the Charter amendment described in Section 2 of this ordinance. The polls shall be open from 7:00 a.m. to 8:00 p.m.

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

SECTION 6. Authority. This ordinance is adopted pursuant to Section 23730 and 23731 of the Government Code, and Section 12001 and 9141 of the Elections Code.

SECTION 7. Publication. This ordinance shall be published once before the expiration of fifteen (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 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 eighty-eight (88) days prior to the day of the election.

SECTION 8. Printing in Sample Ballot. The Los Angeles County Registrar-Recorder/County Clerk shall print the entire ordinance in the sample ballot.

[2012 SPCELECBMCC]