

Proposed Amendments to Attachment A, Related
Bylaws Provisions & Standing Rules – March 2019

1) **ATTACHMENT A**

BYLAWS ATTACHMENT A

[Note: Attachment included with the Bylaws for convenience only. This Attachment reflects Board policy that may be amended without the two- distribution requirement that applies to the actual Bylaws and Appendices A and B. Amendment of this Attachment shall be by a majority of the Board members voting.]

All candidates for Elected Representative shall comply with the PPCC Code of Conduct as set forth in the Standing Rules attached to the Bylaws and shall conduct campaigns in accordance with subsection 3.H.1 herein.

Election Procedure for Elected Representatives

Sec. 1. Election Committee.

A. On or before the last PPCC Meeting in June, the Chair in coordination with the Chair-elect [person elected to serve as Chair for the term beginning July 1] shall appoint an Election Committee which shall consist of five persons selected by the Chair, none of whom shall be a candidate for Elected Representative and at least one of whom should be willing and able to supervise the electronic ballot function. After appointment, should a member of the Election Committee become a candidate for Elected Representative the Chair shall appoint another eligible person to replace that member.

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B. The Committee shall be responsible for implementing and supervising the elections of the Elected Representatives as provided herein.

Sec. 2. Notice of Election Nominations.

A. No later than three (3) weeks prior to the date of the July PPCC Meeting, the Election Committee shall make public a Notice of Election Nominations which sets forth the offices up for election, the qualifications necessary for the offices, and the deadlines for submitting nominations. The Notice should also include persons who may be contacted for information on the elections. Notice to the candidates of the obligation, if elected, to immediately inform the Chair of a change in Principal Residence shall also be included.

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B. In making public a Notice of Election Nominations, the Chair and Election Committee shall decide on appropriate means to notify as many Residents, owners of real property and operators of businesses in Pacific Palisades as reasonably feasible by using, for example, local newspapers, social media and PPCC email list.

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Sec. 3. Nomination Process.

A. Dissemination of election procedures. Any incumbent, as well as any person indicating an interest in becoming a candidate, shall be directed to the PPCC website for a complete description of the PPCC Election Procedures.

B. Boundaries.

1. The boundary for the At-large Representative is the Pacific Palisades Area shown on the Boundary Map of Pacific Palisades, as contained in Appendix "B" to the Bylaws.

2. The boundary of each Area is shown on the Boundary Map of Pacific Palisades, as contained in Appendix "B."

C. Nomination Papers. Only the candidate can prepare the document submitting or withdrawing his/her own nomination.

D. Filing Deadlines.

1. All candidates. Any candidate, including any incumbent running for reelection, must submit a Candidate's Application and Statement no later than 6pm on the day of the regularly scheduled July PPCC Meeting. The Chair shall announce the list of candidates at the July PPCC Meeting. If there is a person whose name has not been announced who it is believed has erroneously been left off the list of candidates, that person or someone designated by that person must be present at that July PPCC Meeting with that Candidate's Application and Statement and must submit the Statement to the Chair, along with proof that such Statement had previously been timely submitted, immediately following the announcement of the list of candidates. That person shall then be added to the list of candidates if otherwise qualified.

2. Additional requirement for incumbent. No later than 6pm on the day of the last PPCC Meeting in June, incumbent Elected Representatives must notify the Chair in writing whether or not they will run for reelection. At the last PPCC Meeting in June, the Chair shall announce the names of the incumbents who are running for reelection. If the Chair is not notified in writing by 6pm before the start of that meeting, the incumbent will be deemed conclusively not to be running.

E. Notice Procedure. Any notification or statement required by this nomination process:

1. shall be given by personal delivery to the Chair by the deadlines set forth in subsections 3.D.1 and 2 above, as applicable, or

2. shall be sent by electronic delivery to the Chair by the deadlines set forth in subsections 3.D.1 and 2 above, as applicable. Electronic delivery shall mean individual delivery to the Chair by any available electronic means of communication, including email and text messaging. Delivery by email shall be to info@pacpalicc.org or such other email address as the Chair designates; delivery by text message or any other electronic means shall be to such phone number or other electronic address as the Chair designates.

F. Withdrawal of Nomination. Any candidate who decides to withdraw shall promptly notify the Chair in writing of that decision. Such notice shall be given in writing to the Chair by

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Deleted: 3. must be mailed to the Pacific Palisades Community Council, P.O. Box 1131, Pacific Palisades, CA 90272, by a delivery process which shows a U. S. postmark indicating it was mailed at least seven days prior to the date of the July PPCC Meeting and which requires a return receipt. Timely submittal of a posted document is determined by the official U.S. Postal Service postmark. Business or home office meter-stamp dates are not acceptable as evidence of timely submittal. ¶

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personal or electronic delivery as defined in subsections 3.E.1 and 2 above. The Chair shall publicly announce any such withdrawal at the next regularly scheduled PPCC Meeting after the withdrawal and if practicable by using local newspapers, social media and PPCC email list. Votes for candidates who withdraw shall not be counted.

G. Candidate Application and Statement.

Each Candidate's Application and Statement shall include, but not be limited to, the following:

1. In the case of a candidate for Area Representative,

a) Number of years as a Resident.

b) Number of years as a Resident in the area for which the candidate is seeking election.

c) Number of years at current Principal Residence and that address.

2. In the case of a candidate for At-large Representative, the current Principal Residence address, business street address or address of real property owned in Pacific Palisades, as applicable, and number of years at that address,

3. The candidate's email address and, if available, any campaign website address (optional); candidates may also submit campaign website addresses to the Chair by personal or electronic delivery as defined in subsections 3.E.1 and 2 above no later than 2pm on the day after the July PPCC Meeting,

4. Position on issues the candidate believes are of importance to the Community or to the candidate's area. Maximum of 200 words. If a Statement is over 200 words, it will be edited by the Chair or the Chair's designee. Email and (optional) campaign website addresses shall not count toward the 200-word maximum.

5. Candidate Statements, email addresses and timely-received (optional) campaign website addresses shall be published on the PPCC website and also may be published if practicable in local newspapers or other news media,

H. Campaigns.

1. Commencement and Conduct. Candidates shall not commence campaigning until after the July PPCC Meeting is adjourned. Campaigns shall be conducted in accordance with the PPCC Code of Conduct. Candidates shall not provide, and shall instruct any surrogates not to provide, direct links to the electronic ballot on the PPCC website from any platform maintained by them, including campaign websites, social media and email accounts or other campaign materials. Candidates may otherwise provide links to the PPCC main website address in campaign materials.

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A. Before the public release of the election results as set forth in subsection 7.D below, should a complaint be made concerning an alleged campaign violation by a candidate, the Election Committee shall determine, after hearing from the accused candidate and duly considering all relevant facts, whether a violation of subsection 3.H.1 above occurred. With the concurrence of the Executive Committee, the Election Committee may impose discipline for any such violation, up to and including public reprimand, disqualification of candidacy and removal from the list of candidates on the PPCC website and/or the ballot. Proceedings under this subsection shall be kept confidential, except as follows: 1) if the complaint has been made publicly the Election Committee's decision shall be publicly announced; 2) the reasons for any decision to impose public discipline shall be publicly announced.

B. After the public release of the election results, the provisions of Article XV of the Bylaws shall govern any complaint not previously made to or considered by the Election Committee concerning an alleged campaign violation by a candidate who was elected as an Area or At-large Representative. The provisions of Article XV shall also govern if new evidence arises of an alleged campaign violation that was raised in a complaint previously made to or considered by the Election Committee.

Sec. 4. Electronic Ballot Preparation and Distribution

A. Ballot Preparation

1. Candidate Information. The ballot shall include the names of each candidate for Elected Representative and a link to the Candidates' Statements. The candidates for the At-large Representative should be listed separately following the list of Area Representative candidates.

2. Voter Instructions

a) The ballot shall include a "Statement of Eligibility To Vote for the At-large Candidate" with the following places to check:

Statement of Eligibility To Vote for the At-large Candidate, Check Only One

Pacific Palisades Principal Residence located at [street address]:

Owner of real property in the Pacific Palisades located at [street address]:

Operator of a business in the Pacific Palisades located at [street address]:

Electronic Signature _____ Date _____

b) The ballot shall allow eligible voters to vote for both the At-large Representative and Area Representative in the area in which they reside, or to vote only for Area Representative and not the At-large Representative, or the reverse, at the option of each voter.

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c) The ballot shall inform voters of the grounds for disqualification of ballots or votes and shall instruct voters that votes cast for more than one candidate for an office shall be disqualified, as set forth in subsection 7.B.2(f) below.

B. Ballot Distribution.

1. Notice. On or before publication of the link to the electronic ballot and commencement of voting as set forth in subsection 4.B.2 below, the Election Committee shall prepare a Notice of Ballot Availability listing all the candidates and stating:

a) that the ballot may be accessed electronically on the PPCC website, the PPCC website address, and the day that voting may commence on the PPCC website;

b) the last day that ballots may be electronically cast;

c) information on how an individual eligible voter may obtain assistance if needed with the electronic ballot;

d) whether a candidates' forum will be held as set forth in Sec. 6 below, when and where it will be held and other relevant information about any such forum; and

e) such other information as may be useful.

The Notice of Ballot Availability will be distributed in the same manner as set forth herein for the Notice of Election Nominations.

2. Distribution. A link to the electronic ballot shall be published on the PPCC website and voting shall commence eight (8) days after the August PPCC Meeting. The Election Committee shall take reasonable steps to assist any individual eligible voter who is unable to access the electronic ballot and requests assistance in doing so.

Sec. 5. Voting Process.

A. Eligibility to Vote. Any individual 18 years of age or over on the deadline for ballot submission is eligible to vote, subject to the additional requirements of A.1. and A.2., below.

1. Area Representatives. Only Residents may vote and there shall be only one vote per Resident.

2. At-large Representative. Any individual who is a Resident of, owns real property in, or operates a business with a street address in Pacific Palisades is eligible to vote for the At-large Representative.

B. Casting of Ballots. Voting shall be by electronic ballot accessed solely on the PPCC website.

C. Deadline. The deadline for submission of all ballots shall be two weeks after commencement of voting. Electronic ballots must be submitted as instructed on the PPCC website.

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1. There shall be no write-in candidates.
2. If there is only one candidate for an Elected Representative office, the name of that person shall still appear on the ballot.

Sec. 6. Candidates' Forum. If there are two or more candidates for an Elected Representative office, a candidates' forum shall be held at the August PPCC Meeting. All candidates shall be invited and encouraged to attend and participate in the forum, whether or not in contested races. The Election Committee, in coordination with the Chair, shall manage the conduct of the forum and determine the applicable rules and procedures. Subject to timing considerations, eligible voters shall be allowed to ask relevant questions of the candidates, either in writing or orally as determined by the Election Committee. The PPCC Code of Conduct shall apply to all participants in the forum, including the candidates, PPCC Board members and audience members.

Sec. ~~7~~. Counting Process.

A. Opening of ballots. The ballots shall be opened in the presence of the Election Committee in sufficient time after the last ballot deadline to allow announcement of the election results as set forth in subsection 7.D below.

B. Disqualification of a vote or a ballot.

1. Grounds for disqualification of a ballot. Ballots shall be disqualified if:

- a) The voter's eligibility cannot be determined.
- b) ~~The ballot is not timely returned.~~
- ~~c) A ballot other than the ballot supplied by the Board is returned.~~
- ~~d) A ballot is incomplete or contains false information.~~

2. Grounds for disqualification of a vote.

- a) A vote for an Area Representative shall be disqualified if the voter has voted for both an Area Representative and an At-large Representative but is only eligible to vote for the At-large Representative.
- b) A vote for an Area Representative shall be disqualified if the voter has voted for a candidate in an area that is not the voter's area of Principal Residence.
- c) In contested elections involving three or more candidates, a vote for an Area Representative shall be disqualified if the voter votes for more than one candidate for Area Representative in his or her area without ranking his or her preferences for instant runoff.
- d) A vote for the At-large Representative shall be disqualified if the Statement of Eligibility is not completed or is not signed or contains false information.

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e) In contested elections involving three or more candidates, a vote for At-large Representative shall be disqualified if the voter has voted for more than one candidate for At-large Representative without ranking his or her preferences for instant runoff.

f) If the Election Committee determines that a voter has cast a vote for more than one candidate for a particular office (other than in contested elections in which the voter has ranked preferences for instant runoff), those votes shall be disqualified. If a ballot is cast for candidates from multiple areas, only the vote cast for the correct area shall be counted.

3. Decision. A majority of the members of the Election Committee present during the counting of ballots must agree for a ballot, or a portion thereof, to be disqualified.

C. Counting.

1. The votes in contested elections shall be counted twice, with at least two persons participating in each tabulation.

2. If a voter votes for candidates in more than one area, only the vote for a candidate in the voter's area shall be counted.

3. In contested elections involving two candidates, should the candidates tie the winner shall be determined by a coin flip publicly conducted by the Election Committee at the first PPCC Meeting in September in the presence of the tied candidates or their designees. The Election Committee shall decide who flips the coin. The candidate whose last name or if necessary first name occurs last alphabetically shall call the coin flip.

4. The instant runoff voting procedure shall be used for contested elections involving three or more candidates. The ballot shall provide for each voter to indicate the voter's runoff choices by ranking candidates in order of preference, i.e., 1,2,3. If no candidate is the first choice of at least half of the voters, a runoff count shall be conducted. The counting of ballots simulates a series of runoff elections, eliminating the candidates from the bottom who have the least support. In each round, every voter's ballot counts as a single vote for his or her top- ranked candidate who is still in the running, as indicated on that voter's ballot. Candidates with the least support or who have withdrawn are eliminated. Counting continues until there are just two candidates remaining. A majority elects the finalist with the highest number of votes. Should the finalists tie, the winner shall be determined by a coin flip publicly conducted by the Election Committee at the first PPCC Meeting in September in the presence of the tied finalists or their designees. The Election Committee shall decide who flips the coin. The candidate whose last name or if necessary first name occurs last alphabetically shall call the coin flip.

D. Results.

The names of the Area and At-large Representative candidates who have been elected and the number of votes received by each shall be released first to each candidate and then, no later than the first PPCC Meeting in September, to the public.

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E. Preservation of ballots. Ballots shall be preserved until the close of the second meeting following the release of the election results unless a challenge by a candidate to the results is pending.

F. Challenge. Only a Candidate in a contested election may challenge the results. Such challenge shall be in writing and shall state the reasons for the challenge. Any challenge:

1. shall be given by personal delivery to the Chair or to the presiding officer at a PPCC Meeting, if such meeting occurs within 10 calendar days following the public release of the election results (names of those who have been elected and vote totals of all candidates), or

2. shall be sent by electronic delivery to the Chair as defined in subsection 3.E.2 above no later than 10 calendar days following the public release of the election results (names of those who have been elected and vote totals of all candidates).

All candidates in any contested election as to which a timely challenge is made shall be notified of the challenge. The Executive Committee in conjunction with the Election Committee shall make the final determination on any timely election challenge. If needed for the determination, the ballots may be made available to members of the two committees but shall not be made available to any other persons.

Sec. 8. Area and At-large Alternates.

See Article VIII, 1.C and 1.D of the Bylaws and Standing Rule 7 for the procedures relevant to the election of Area and At-large Alternate Representatives.

2) BYLAWS

ARTICLE IX, MEETINGS

Sec. 2. SCHEDULE. The regular PPCC Meetings shall be on the second and fourth Thursdays of each month except during July, August, November and December when there shall be one regular PPCC Meeting, or when the Board has voted to cancel one or more of such meetings. During years in which the election of Area and At-large Representatives takes place, the July Meeting shall be on the fourth Thursday of the month and the August Meeting shall be on the second Thursday of the month. The Chair, or in the absence of the Chair, the Vice-Chair, may call special PPCC Meetings as the Chair or Vice-Chair deems necessary.

ARTICLE VIII, SELECTION AND ELECTION OF REPRESENTATIVES

Sec. 1. REPRESENTATIVES.

B. AREA REPRESENTATIVES

1. One Representative shall be selected from each of the eight geographical areas shown on the map and generally described in Appendix "B" attached hereto as part

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of these Bylaws. In case of conflict between the map and the description, the map will govern. The descriptions interpret the map.

2. Area Representatives shall be elected by the Residents of each area. Each candidate must be a Resident of the area in which the candidate is running for office. No later than three (3) weeks prior to the date of the July PPCC Meeting, PPCC shall make public the manner in which an individual can become a candidate. Any individual desiring to be a candidate for election or re-election shall submit his or her application in accordance with the Election Procedure set forth in Attachment "A" herein.

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C. ALTERNATE AREA REPRESENTATIVES

1. Following the election of Area Representatives, the Chair shall appoint a committee of three former Chairs which shall be chaired by the Chair Emeritus [most recent former Chair available to serve], and shall publicize the opportunity to become an Alternate Area Representative giving not less than fifteen (15) days' notice to Residents of each area.
2. This "Three Chairs" Committee shall nominate a proposed Alternate Area Representative for each area with input from the Area Representative. Any candidate for Alternate Representative must be a Resident of the area in which the candidate seeks to be considered. Candidates shall submit a candidate statement as described in the Election Procedure, except there shall be no limitation on the length of such statement. Upon election by a majority of the Board members voting, an Alternate Area Representative shall serve as a voting member of the Board at any Board meeting from which the Area Representative is absent. If an Area Representative resigns or is unable to continue in office, the Alternate Representative shall become the Area Representative for the remainder of the elected term.
3. A second Alternate Area Representative for that Area shall be nominated by the Three Chairs Committee pursuant to the process described in subparagraph 2, above. Further details on second alternate election and succession shall be set forth by a Standing Rule which shall provide for not less than thirty (30) days' notice to Residents of the area.

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D. AT-LARGE REPRESENTATIVE AND ALTERNATE

1. One representative shall be elected from the Community at large.
2. Any individual who is a Resident of, owns real property in, or operates a business with a street address in Pacific Palisades is eligible for election to the office of At-large Representative.
3. No later than three (3) weeks prior to the date of the July PPCC Meeting, PPCC shall make public the manner in which an individual can become a candidate. Any individual desiring to be a candidate for election or re-election shall submit his or her application in accordance with the Election Procedure set forth in Attachment "A" herein.

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4. Any individual who is a Resident of, owns real property in, or operates a business with a street address in Pacific Palisades is eligible to vote in the election of the At-large Representative. Voting shall be in accordance with the Election Procedure.
5. Following the election of the At-large Representative, the Chair shall appoint a committee of three former Chairs which shall be chaired by the Chair Emeritus [most recent former Chair available to serve]. Not less than fifteen (15) days' notice shall be given to individuals who are Residents of, own real property in or operate a business with a street address in Pacific Palisades. The "Three Chairs" Committee shall nominate a proposed Alternate At-large Representative with input from the At-large Representative. Any candidate for Alternate At-large Representative shall submit a candidate statement as described in the Election Procedure, except there shall be no limitation on the length of such statement. Upon election by a majority of the Board members voting, an Alternate At-large Representative shall serve as a voting member of the Board at any Board meeting from which the At-large Representative is absent and, if the At-large Representative resigns or is unable to continue in office, shall become the At-large Representative for the remainder of the elected term.
6. A second Alternate At-large Representative shall be nominated by the "Three Chairs" Committee pursuant to the process described in subparagraph 5, above. Further details on second Alternate election and succession shall be set forth by a Standing Rule which shall provide for not less than thirty (30) days' notice to individuals who are Residents of, own property in or operate a business with a street address in Pacific Palisades.

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ARTICLE III, DEFINITIONS

- H. "PRINCIPAL RESIDENCE" shall mean (1) voter registration address; (2) automobile registration home address, (3) the address where one normally returns after work or after a temporary absence while at school, or (4) the place where one has spent the major portion of time within the prior twelve (12) months.

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ARTICLE IV, MEMBERSHIP

The PPCC is composed of (1) members of the Board and (2) individuals who own real property located in, reside in, or operate a business with a street address located in Pacific Palisades.

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3) BYLAWS APPENDIX C, STANDING RULES

SR-11. For purposes of these Bylaws and Attachment A hereto, an individual who operates a business shall mean either the owner of record of the business or the person who has primary responsibility for management of the day-to-day operations of the business (the Manager). If the owner of record of a business or of real property located in Pacific Palisades is a non-human entity, then the person who is the authorized representative of

the owner of record, or the Manager in the case of a business, shall be deemed the individual who is eligible to become a candidate for the office of At-large Representative or vote in the election for At-large Representative.