



MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS
FROM: CAROL LYNCH, CITY ATTORNEY
DATE: NOVEMBER 17, 2009
SUBJECT: TOT BALLOT MEASURE PROCESS
REVIEWED: CAROLYN LEHR, CITY MANAGER

Recommendation

Consider following up with County Clerk's Office regarding the TOT Ballot Measure process.

Background

At the recent election, it appears that the County of Los Angeles did not send out all of the sample ballots with the accompanying election information (impartial analysis, ballot arguments, and candidates' statements) prior to or at the same time that the absentee ballots were sent out to the absentee voters.

Mayor Clark is concerned that the County did not comply with the Elections Code and that the County's failure to do so may have affected the outcome of Measure TOT, which would have increased the City's Transient Occupancy Tax from 10% to 12%.

Discussion

Mayor Clark would like the City Council to discuss the matter and determine whether to have Staff pursue the matter with the County Clerk's Office.