

TABLE OF CONTENTS

TABLE OF CONTENTS

NEIGHBORHOOD EMPOWERMENT

Department of Neighborhood Empowerment Contact Information

NEIGHBORHOOD COMMISSIONERS

Board of Neighborhood Commissioners

CITY ATTORNEY

Office of the City Attorney Neighborhood Council Legal Advice Division

YOUR NEIGHBORHOOD COUNCIL

Certification Report

Bylaws

Boundary Map

REFERENCE DOCUMENTS

Charter

Ordinance

Plan

Brown Act

Ethics

Public Records Act

Americans with Disabilities Act

Citywide Election Procedures

Election Templates

THE GOVERNING BOARD

Code of Civility

Parliamentary Procedures

Roles and Responsibilities of Board Members

Running Effective Meetings

Outreach

FUNDING

Program Orientation

Forms and Guidelines

Frequently Asked Questions

EMPOWERMENT ACADEMY

RESOURCES

Community Impact Statement

Parking Passes

Your Government at a Glance

Legal Framework

eDemocracy

Additional Resources



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**The Department of
Neighborhood Empowerment**

**Board of
Neighborhood Commissioners**

The Board of Neighborhood Commissioners ("Commission" or "Board") is comprised of seven members, each from a different background and a different part of the city. They are appointed by the Mayor, and confirmed by the City Council. The Commission is responsible for setting and overseeing policy. That includes approval of contracts, leases, and rules and regulations. The Commission holds regular public meetings every 1st and 3rd Tuesday of each month, and may hold special meetings to conduct business.



Board of Neighborhood Commissioners

LINDA LUCKS

President

REV. DR. LEWIS LOGAN

Vice President

TSILAH BURMAN

DANIEL GATICA

EUN SOOK LEE

DIANE MIDDLETON

MICHELE SIQUEIROS



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**ARTICLE IX
DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT**

Sec. 900. Purpose.

To promote more citizen participation in government and make government more responsive to local needs, a citywide system of neighborhood councils, and a Department of Neighborhood Empowerment is created. Neighborhood councils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood.

Sec. 901. Department of Neighborhood Empowerment.

The Department of Neighborhood Empowerment shall have the duties and responsibilities set forth in this Article and elsewhere in the Charter to implement and oversee the ordinances and regulations creating the system of neighborhood councils enacted pursuant to Section 905. Duties and responsibilities shall include:

- (a) prepare a plan for the creation of a system of neighborhood councils to ensure that every part of the City is within the boundary of a neighborhood council, and has an opportunity to form a neighborhood council (Plan);
- (b) assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that do not divide communities, and organizing themselves, in accordance with the Plan;
- (c) arrange Congress of Neighborhood meetings if requested to do so by recognized neighborhood councils;
- (d) assist neighborhood councils with the election or selection of their officers;
- (e) arrange training for neighborhood councils' officers and staff;
- (f) assist neighborhood councils to share resources, including offices, equipment, and other forms of support for them to communicate with constituents, other neighborhood councils and with government officials; and
- (g) perform other duties as provided by ordinance.

Sec. 902. Board of Neighborhood Commissioners.

(a) There shall be a board of seven commissioners to be known as the Board of Neighborhood Commissioners (board). Commissioners shall be appointed by the Mayor, and shall be from diverse geographic areas, as further specified by ordinance. Appointment and removal of commissioners shall otherwise be in accordance with Section 502.

(b) The board shall be responsible for policy setting and policy oversight, including the approval of contracts and leases and the promulgation of rules and regulations, but shall not be responsible for day-to-day management.

(c) The board shall operate in accordance with Sections 503 through 508 and 510 of the Charter.

Sec. 903. General Manager.

(a) There shall be a general manager of the Department of Neighborhood Empowerment who shall be appointed by the Mayor, subject to confirmation by the Council, and may be removed as provided in Section 508.

(b) The general manager shall have those powers and duties set forth in Section 510.

(c) The general manager shall appoint, discharge and prescribe the duties of staff, consistent with the civil service provisions of the Charter.

Sec. 904. Development of the Neighborhood Council Plan.

The Department of Neighborhood Empowerment shall develop a Plan for a citywide system of neighborhood councils, in conformance with the following:

(a) The Department of Neighborhood Empowerment shall seek public input in the formulation of the Plan.

(b) The Plan shall contain a statement of goals, policies and objectives of the Neighborhood Council system, and shall contain specific regulations, in draft ordinance format (Regulations) which, if adopted by ordinance, would be sufficient to implement the Plan.

(c) The Regulations shall establish the method by which boundaries of neighborhood councils will be determined. The system for determining boundaries shall maintain neighborhood boundaries to the maximum extent feasible, and may consider community planning district boundaries where appropriate.

(d) The Regulations must ensure that all areas of the City are given an equal opportunity to form neighborhood councils.

(e) The Regulations shall establish the procedure and criteria for recognition or certification of neighborhood councils.

(f) The Regulations shall not restrict the method by which the members of a neighborhood council are chosen, if the process otherwise satisfies the requirements of this Article.

(g) The Regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business.

(h) The Mayor and Council shall provide for the creation of the Department of Neighborhood Empowerment and appointment of the general manager within 120 days of the effective date of this Article.

Sec. 905. Implementation of the Plan.

The Department of Neighborhood Empowerment shall complete development of the Plan and present the Plan and all necessary Regulations for a system of neighborhood councils to the Council and Mayor within one year of the establishment of the department and commission. The Council shall consider the Regulations, and within six months after presentation of the Plan to Council may adopt ordinances to implement the Regulations as proposed, or as modified by the Council consistent with the requirements of the Plan set forth in Section 904. If implementing ordinances are not adopted within this time period, the Regulations shall become effective, and to the extent not inconsistent with law shall be binding upon all City departments and offices.

Sec. 906. Certification of Neighborhood Councils.

(a) By-laws. Each neighborhood council seeking official certification or recognition from the City shall submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing, at a minimum:

- (1) the method by which their officers are chosen;
- (2) neighborhood council membership will be open to everyone who lives, works or owns property in the area (stakeholders);
- (3) assurances that the members of the neighborhood council will reflect the diverse interests within their area;
- (4) a system through which the neighborhood council will communicate with stakeholders on a regular basis;

-
- (5) a system for financial accountability of its funds; and
(6) guarantees that all meetings will be open and public, and permit, to the extent feasible, every stakeholder to participate in the conduct of business, deliberation and decision-making.

(b) **Petitioning for Certification and Approval.** Neighborhood councils may petition for certification or recognition in accordance with rules and procedures set forth in the Plan.

Sec. 907. Early Warning System.

The Regulations shall establish procedures for receiving input from neighborhood councils prior to decisions by the City Council, City Council Committees and boards and commissions. The procedures shall include, but need not be limited to, notice to neighborhood councils as soon as practical, and a reasonable opportunity to provide input before decisions are made. Notices to be provided include matters to be considered by the City Council, City Council Committees, and City boards or commissions.

Sec. 908. Powers of Neighborhood Councils.

Subject to applicable law, the City Council may delegate its authority to neighborhood councils to hold public hearings prior to the City Council making a decision on a matter of local concern.

Sec. 909. Annual City Budget Priorities.

Each neighborhood council may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified neighborhood councils of the deadline for submission so that the input may be considered in a timely fashion.

Sec. 910. Monitoring of City Services.

Neighborhood councils shall monitor the delivery of City services in their respective areas and have periodic meetings with

responsible officials of City departments, subject to their reasonable availability.

Sec. 911. Appropriation.

The Mayor and Council shall appropriate funds for the Department of Neighborhood Empowerment and for the startup and functioning of neighborhood councils for the first two years after the effective date of this Article. Funds shall be appropriated into a special fund to be established by ordinance. The Mayor and Council shall thereafter appropriate funds for the department and neighborhood councils at least one year in advance of each subsequent fiscal year.

Sec. 912. Review.

The Mayor and Council shall appoint a commission as prescribed by ordinance to evaluate the provisions of this Article, the Regulations adopted pursuant to this Article, and the efficacy of the system of neighborhood councils no later than seven years after the adoption of the Charter. The commission shall make recommendations to the Council regarding changes to the Charter or the Regulations, as it deems appropriate.

Sec. 913. Transfer of Powers.

Notwithstanding any other provision of the Charter, the Mayor and Council shall not transfer powers, duties or functions of the Department of Neighborhood Empowerment to any other department, office or agency pursuant to Section 514 during the first five years after implementation of the Plan pursuant to Section 905.

Sec. 914. Effect of Ordinances.

The Council may adopt ordinances concerning neighborhood councils consistent with requirements for the Plan set forth in Section 904 at any time, which ordinances shall supercede any inconsistent Regulations that have become effective pursuant to Section 905.

ORDINANCE NO. 172728

An ordinance amending Division 22 of the Los Angeles Administrative Code, creating a Department of Neighborhood Empowerment

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Sec. 1. Division 22 of the Los Angeles Administrative Code is hereby amended by adding a new Chapter 28 to read:

CHAPTER 28 THE DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

ARTICLE 1 DUTIES OF THE DEPARTMENT

Sec. 22.800. Purposes.

There shall be a department in the City government known as the Department of Neighborhood Empowerment, which shall be referred to in this chapter as the “**Department**”. This Department shall be charged with the goal of promoting increased public participation in government and working to make government more responsive to local needs. The Department shall ensure that every part of the City is within the boundaries of a neighborhood council. The Department shall provide equal opportunity for all by enabling neighborhood groups to form neighborhood councils. The Department shall facilitate the delivery of City services to the neighborhoods by helping to identify and coordinate the needs of the communities with the responsibilities of the City departments by coordinating and involving the relevant City staff in integrated problem-solving with the neighborhood councils.

Sec. 22.801. Duties of the Department.

The Department shall:

- (a) implement and oversee compliance with City ordinances and regulations relating to a system of neighborhood councils;
- (b) prepare a Neighborhood Council Plan (Plan) for the creation of a system of neighborhood councils to ensure that every part of the City is within the boundary of a neighborhood council and that each neighborhood has an opportunity to form a neighborhood council, in accordance with Section [22.809](#);
- (c) determine methods for certification of neighborhood councils;

(d) assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that minimize the division of communities and organizing themselves in accordance with the Plan;

(e) help neighborhood councils to meet together on a citywide basis and facilitate these meetings if and when requested to do so by recognized neighborhood councils;

(f) assist neighborhood councils with the election or selection of their officers;

(g) assist neighborhood councils to share resources, including offices, equipment and other forms of support and to communicate with constituents, other neighborhood councils and with government officials;

(h) arrange training for department staff and neighborhood councils officers and staff, such as training in leadership, cultural awareness, dispute mediation, civics, communications, equipment utilization and any other training necessary to achieve the goals set forth in Section [22.809](#);

(i) arrange community empowerment education for top level City officials, including elected officials and commissioners;

(j) with the assistance of the Information Technology Agency, create and maintain an internal and external information and communication network, including a Citywide database of neighborhood organizations and similar information, that would be available for public use;

(k) help coordinate the relationships between existing and newly created advisory committees and neighborhood councils;

(l) perform other duties as provided by ordinance;

(m) ensure that notification required in Section [22.809](#)(f) is provided to the neighborhood councils along with sufficient committee or staff reports on the matters of interest to facilitate meaningful participation; and

(n) facilitate citywide meetings to be held, on at least a semi- annual basis, of representatives of all neighborhood councils.

ARTICLE 2 CONTROL AND MANAGEMENT

Section

22.802	General Manager.
22.803	Appointment and Removal of the General Manager.
22.804	Powers and Duties of the General Manager.
22.805	Board of Neighborhood Commissioners.
22.806	Powers and Duties of the Board.
22.807	Conflict of Interest.
22.808	Organization and Meetings of the Board.
22.809	Development of the Neighborhood Council Plan.
22.810	Implementation of the Plan.
22.811	Certification of Neighborhood Councils.
22.812	Annual City Budget Priorities.
22.813	Monitoring of City Services.

Sec. 22.802. General Manager.

The Department shall be under the control of a General Manager.

Sec. 22.803. Appointment and Removal of the General Manager.

The General Manager shall be appointed by the Mayor, subject to confirmation by the Council, and may be removed by the Mayor, as provided in Charter Section [508](#).

Sec. 22.804. Powers and Duties of the General Manager.

The powers and duties of the General Manager shall be those specified in Charter Section [510](#).

Sec. 22.805. Board of Neighborhood Commissioners.

(a) The Board of Neighborhood Commissioners shall consist of seven board members and be referred to in this chapter as the “**Board**” or the “**Commission**”.

(b) The Board shall be comprised of seven members, all of whom shall represent the City in its entirety. The members shall reflect the diverse geographic areas of the City and the diversity of communities of interest, neighborhoods, ethnicity, race, gender, age and sexual orientation.

(c) The Board members shall be appointed by the Mayor and confirmed by the Council and may be removed by the Mayor and vacancies filled in accordance with the provisions of the City Charter.

Sec. 22.806. Powers and Duties of the Board.

The Board shall be responsible for setting and overseeing policy, approving contracts and leases and promulgating rules and regulations. It shall not be responsible for the day-to-day management of the Department.

Sec. 22.807. Conflict of Interest.

Members of the Board and Board nominees shall be subject to all ethics and conflict of interest laws and regulations applicable to governing boards and commissions in the City of Los Angeles.

Sec. 22.808. Organization and Meetings of the Board.

(a) The Board shall adopt rules of order and appoint from among its members a president and vice-president who each shall hold office for one year or until their successors are elected, unless their respective membership on the Board ceases sooner. The Board shall hold regular public meetings at least twice each month and may hold meetings more often if necessary to conduct business. All meetings shall be noticed and

held in accordance with law. Members of the Board shall be paid \$50 per meeting for each meeting of the Board attended, not to exceed \$250 in any one calendar month.

(b) At least four members shall constitute a quorum, but a smaller number may adjourn from time to time until a quorum is present. The Board may establish a committee or committees composed of three of its members to consider matters for, to conduct hearings on behalf of, and make recommendations to the board on matters relating to neighborhood empowerment.

(c) The powers conferred on the Board shall be exercised by order or resolution adopted by a majority of its members and recorded in the Board's minutes.

Sec. 22.809. Development of the Neighborhood Council Plan.

The Department of Neighborhood Empowerment shall seek public input in its development of a Plan for a Citywide system of neighborhood councils. The Plan shall contain a statement of goals, policies and objectives of the Neighborhood Council system, and shall contain specific regulations, in draft ordinance format. These regulations, when adopted by ordinance, shall be sufficient to implement the Plan and shall conform with the following:

(a) The regulations shall establish the method by which boundaries of neighborhood councils will be determined based on standards adopted by the Commission and approved by City Council. The system for determining boundaries shall maintain neighborhood boundaries to the maximum extent feasible and may consider community planning district boundaries where appropriate.

(b) The regulations must ensure that all areas of the City are given an equal opportunity to form neighborhood councils.

(c) The regulations shall establish the procedure and criteria for recognition or certification of neighborhood councils.

(d) The regulations shall not restrict the method by which the members of a neighborhood council are chosen, if the process otherwise satisfies the requirements of this article.

(e) The regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business. However, neighborhood council meetings are not all required to be held within the boundaries of the area represented by the neighborhood council.

(f) Early Notification Procedures. The regulations shall establish procedures for receiving input from neighborhood councils prior to decisions by the City Council, City Council committees and boards and commissions. The procedures shall include, but need not be limited to, notice to neighborhood councils as soon as practical and a reasonable opportunity to provide input before decisions are made. That notice shall be required for matters that will be considered by the City Council, City Council committees, City boards or commissions and any other City official who is required to hold a noticed public hearing. However, failure of a neighborhood council to receive notice shall not invalidate any action of the City Council, City Council Committees, City boards or commissions or any other City official.

Sec. 22.810. Implementation of the Plan.

The Department of Neighborhood Empowerment shall complete development of the Plan and present it and all necessary regulations for a system of neighborhood councils to the Council and Mayor within one year of the establishment of the department and commission. The Council shall consider the regulations and, within six months after presentation of the Plan to Council, may adopt ordinances to implement the regulations as proposed or as modified by the Council consistent with the requirements of the plan set forth above in Section [22.809](#). If implementing ordinances are not adopted within the time period set forth in Charter Section [905](#), then the regulations adopted by the Board shall become effective, and to the extent not inconsistent with law shall be binding upon all City departments and offices.

Sec. 22.811. Certification of Neighborhood Councils.

(a) **By Laws.** Each neighborhood council seeking official certification from the City shall submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing, at a minimum:

- (1) the method by which their officers are chosen;
- (2) that neighborhood council membership will be open to everyone who lives, works, owns property or otherwise identifies themselves as a stakeholder in the area, based on their participation in among other things, educational institutions, religious institutions, community organizations or other non-profit organizations;
- (3) assurances that the members of the neighborhood council will reflect the diverse interests within their area;
- (4) a system through which the neighborhood council will communicate with stakeholders on a regular basis;
- (5) a system for financial accountability of its funds; and
- (6) guarantees that all meetings will be open and public, and permit, to the extent feasible, stakeholders to participate in the conduct of business, deliberation and decision-making.

(b) **Petitioning for Certification and Approval.** Neighborhood councils may petition for certification in accordance with rules and procedures set forth in the Plan.

Sec. 22.812. Annual City Budget Priorities.

Each neighborhood council may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified neighborhood councils of the deadline for submission so that the input may be considered in a timely fashion.

Sec. 22.813. Monitoring of City Services.

Neighborhood councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their reasonable availability.

Sec. 22.812. Annual City Budget Priorities.

Each neighborhood council may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified neighborhood councils of the deadline for submission so that the input may be considered in a timely fashion.

Sec. 22.813. Monitoring of City Services.

Neighborhood councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their reasonable availability.

**City of Los Angeles
Ordinance No. 174975**

An ordinance amending **Section 7 of Ordinance No. 174006**, an ordinance establishing Regulations to implement the Plan For a Citywide System of Neighborhood Councils (Plan).

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 7 of Ordinance No. 174006 is amended to read:

Sec. 7. FUNDING.

A. Money appropriated in the budget each year for certified neighborhood councils for costs related to the functions, operations, and duties of being a certified neighborhood council shall be placed in the Department of Neighborhood Empowerment Fund. The functions, operations, and duties of a certified neighborhood council include, but are not limited to, meeting and office space, office equipment, computers, supplies, and communications, such as the costs associated with newsletters, postage, or printing written materials. At the discretion of each neighborhood council, and as approved by the Department of Neighborhood Empowerment, all or part of the money so appropriated may be used for neighborhood improvement projects.

B. Any money which the Mayor and Council appropriate as grant funds each fiscal year for certified neighborhood councils shall be available for various neighborhood improvement projects. In order to be eligible for grant money, a certified neighborhood council shall submit an application to the Department and may be awarded grants, pursuant to the provisions as set forth in Article VIII, Section 2 of the Plan.

**City of Los Angeles
Ordinance No. 174006**

An ordinance establishing Regulations to implement the Plan For a Citywide System of Neighborhood Councils (Plan).

WHEREAS, the City Charter created the Department of Neighborhood Empowerment (Department) and a citywide system of neighborhood councils; and

WHEREAS, the Department of Neighborhood Empowerment has completed the development of the Plan which contains goals, policies and objectives of the Neighborhood Council system; and

WHEREAS, the Governmental Efficiency Committee of the City Council has reviewed the Draft Plan and has made recommendations thereto; and

WHEREAS, the goals and objectives of the Neighborhood Council system are to: promote public participation in City governance and decision-making processes so that government is more responsive to local needs and requests and so that more opportunities are created to build partnerships with government to address local needs and requests; promote and facilitate communication, interaction, and opportunities for collaboration among all neighborhood councils regarding their common and disparate concerns; facilitate the delivery of City services and City government responses to neighborhood councils' problems and requests for assistance by helping neighborhood councils to both identify and prioritize their needs and to effectively communicate those needs; ensure equal opportunity to form neighborhood councils and participate in the government decision-making and problem solving process; create an environment in which all people can organize and propose their own neighborhood councils so that they develop from the grassroots of the community; foster a sense of community for all people to express ideas and opinions about their neighborhoods and their government; and

WHEREAS, these Regulations, required by the City Charter, will implement the Plan to ensure that the policies, goals and objectives of the Neighborhood Councils system will be achieved;

**NOW, THEREFORE,
THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:**

Sec. 1. Department Responsibilities. In addition to the responsibilities set forth in Article IX of the City Charter and Section 22.801 of the Los Angeles Administrative Code, the Department shall:

A. Assist all groups and stakeholders seeking certification so they will have an equal opportunity to form and develop neighborhood councils by:

- 1. Providing assistance to areas of the City with traditionally low rates of participation in government;**
- 2. Helping communities understand the processes and procedures for establishing a neighborhood council;**
- 3. Assisting with completion of certification documentation; and**
- 4. Mitigating barriers to participation, such as the need for translation and childcare services.**

B. Assist neighborhoods and neighborhood councils with public and civic education, outreach and training with an emphasis given to areas that have traditionally low rates of participation in government.

- C. Assist applicants and neighborhoods to prepare all petitions and forms referenced in the Plan, to identify suitable neighborhood council boundaries, and organize neighborhood councils in accordance with the Plan.**
- D. Assist neighborhood councils with the election or selection of their governing body.**
- E. Help coordinate meetings and facilitate communication among neighborhood councils that request assistance.**
- F. Help coordinate, arrange, and convene the biannual Congress of Neighborhood Councils meetings.**
- G. Promote and facilitate open communication among City agencies and neighborhood councils, and provide education, guidance and assistance in developing strategies for providing comments and feedback to the City Council and its committees and City boards and commissions.**
- H. Provide operational support and facilitate the sharing of resources among neighborhood councils, including, but not limited to, meeting and office space, office equipment, and mail and communications in order to communicate among constituents, neighborhood councils, and government officials.**
- I. Create and maintain a database of information about neighborhood councils, including, among other information, names and contact information that will be available for public use.**
- J. Act as an information clearinghouse and resource to neighborhood councils.**
- K. Coordinate efforts to establish and ensure continued operation of the Early Notification System as prescribed in the Plan.**
- L. Arrange training for neighborhood councils' officers and staff.**
- M. Review and Evaluate the Neighborhood Council System on an annual basis. As part of its annual report, the Department shall provide information on the size, geographic scope, and economic and demographic conditions of areas in which neighborhood councils have and have not been certified.**
- N. Report quarterly, commencing from the adoption date of the Plan, to the appropriate Council Committee on the Department's certification efforts, and on strategies and recommendations for certifying areas with traditionally low rates of civic participation in government to ensure participation by all the City's neighborhoods in the certification process.**
- O. Provide adequate levels of staffing, with consideration to resource availability, for each neighborhood council.**

Sec. 2. Certification of Neighborhood Councils.

A. Department Responsibilities. On or about July 1, 2001, the Department shall have the following responsibilities:

1. Announce and inform the public of the neighborhood council certification process citywide; however, the Department shall not accept completed certification applications until October 1, 2001.
2. Actively promote the formation of neighborhood councils citywide, giving emphasis to those areas and community stakeholder groups with traditionally low rates of civic participation in government.
3. Facilitate and encourage collaboration and discussion among neighboring and overlapping applicant groups.
4. Provide technical assistance on how to proceed with a unified certification application.
5. Provide dispute resolution services to applicants where more than one application is submitted for a neighborhood council boundary area to gain consensus on a unified certification application.

B. Qualification and Criteria for Neighborhood Council Certification. Any group of persons in a community may seek certification as a neighborhood council by presenting an application to the Department that includes the following information:

1. A boundary proposal that sets forth the rationale for the boundary choice, and shows how the boundaries comply with the following Boundary Goal Criteria:
 - (a) The proposed area has a minimum of 20,000 residents. However, areas that have fewer than 20,000 residents may be considered for certification providing they meet the following criteria and otherwise meet all other requirements of the Plan:
 - (1) The proposed area is separated from adjacent communities by significant geographic or other features; or
 - (2) The proposed area is identified by name within any of the adopted community plans within the City of Los Angeles; or
 - (3) The proposed area represents an historic, identifiable neighborhood or community and includes local City service providers, such as a public library, park or recreation center, fire or police station or a public school.

- (b)** The proposed area, to the maximum extent feasible, follows historic and contemporary community and neighborhood borders, utilizes natural boundaries or street lines and is geographically compact and contiguous.
- (c)** Neighborhood council boundaries may not overlap with other neighborhood council boundaries unless the area proposed for inclusion into each neighborhood council is designated for a public use, such as a park, school, library, police or fire station or major thoroughfare or contains a landmark or facility with historical significance.

The application proposal for overlapping boundaries with another neighborhood council must include a detailed rationale for incorporating the proposed area.

- 2.** A detailed description of the outreach process used to identify community stakeholders within the proposed neighborhood council boundary as well as the following:
 - (a)** Proof of the collection of no less than 200 and no more than 500 signatures from community stakeholders within the proposed neighborhood council boundaries.
 - (b)** Signatures shall, to the maximum extent feasible, reflect the broadest array of community stakeholders who will be active participants in the neighborhood council.
- 3.** A copy of the neighborhood council's approved by-laws which shall include the following:
 - (a)** The neighborhood council name.
 - (b)** A statement that the neighborhood council membership is open to all community stakeholders.
 - (c)** A list of the offices of its governing body and its method for regularly electing or selecting its officers who shall serve as the governing body subject to the following:
 - (1)** The governing body must, to the extent possible, reflect the diversity of the neighborhood council's community stakeholders. No single stakeholder group may comprise a majority of the neighborhood council's governing body, unless approved by the Department upon a showing of extenuating circumstances.
 - (2)** No person may serve more than eight consecutive years in any office of the governing body.

(3) The governing body shall include an officer named "Treasurer," whose duties shall include, but not be limited to, maintaining the neighborhood council's book of accounts and submitting account statements to the Department no less than once but not more than three times during the fiscal year, as prescribed by the Department.

(d) A description of its meeting procedures which shall include provisions that each neighborhood council shall do the following:

(1) Meet at least once per calendar quarter.

(2) Obey any or all applicable sections of the state's Ralph M. Brown Act.

(3) Establish procedures for communicating with all neighborhood council community stakeholders on a regular basis in a manner that ensures that information is disseminated throughout and in a timely manner.

(4) Adopt procedures for running meetings, including provisions that identify: the number of governing body members that constitute a majority and a quorum; the number of votes by which a governing body may take an action on a matter before it; the manner in which an action by the governing body can be reconsidered, if at all.

(e) The method it will use to address grievances and resolve disputes by which an individual community stakeholder or group of community stakeholders of a neighborhood council may express concerns to their neighborhood council about its actions.

4. A description of its system of financial accountability that meets the requirements set forth in Article III, Section 2 (d) of the Plan;

5. An acknowledgment and agreement that the neighborhood council will abide by any applicable provisions of the City's governmental ethics ordinance, as set forth in Los Angeles Municipal Code Section 49.5.1 et. seq., and an acknowledgment and agreement that it will abide by all applicable laws of the federal, state and local government.

6. The names of no less than three and no more than five individuals who shall act as official contacts between the applicants and the Department until the neighborhood council is certified.

Sec. 3. Certification Process.

A. Certification. The Department will review and make an evaluation of the certification application to determine whether the application meets all of the criteria set out in Article III, Section 2 of the Plan.

B. Department Responsibilities. Once a certification application is submitted to the Department, the Department shall evaluate the application to determine whether it is complete. After determining that an application is complete and that it describes a specific set of boundaries for a proposed neighborhood council, the Department shall forward the application, any accompanying information, and its recommendation to the Board of Neighborhood Commissioners ("Commission") for consideration and notify the neighborhood council in writing that the application has been forwarded to the Commission for its consideration.

The Department shall evaluate the certification application and make a recommendation to the Commission pursuant to the procedures set forth in Article IV of the Plan.

1. If the Department receives two or more certification applications that identify the same, similar, or overlapping neighborhood council boundaries, the Department shall immediately notify in writing all contacts, as required to be identified in Subdivision 6 of Subsection B of Section 2 of this ordinance and Article III, Section 2 (f) of the Plan, for all affected applicant groups in an effort to work with applicants to produce a unified application. The procedures set forth in Article IV Section 2 (b) of the Plan should thereafter be followed to the maximum extent feasible.

2. If at any time during the process as described in Article IV of the Plan, the Department determines that an application is not complete, it shall return the application to the applicants along with a written description of the missing components required for the certification application. Applicants may thereafter at any time re-submit the application after amending it to meet all the necessary criteria.

3. If the Department fails to evaluate or make a recommendation on the application as set forth in Article IV, Section 2 of the Plan, the Department shall forward the application to the Commission for its consideration without the Department's recommendation.

C. Before the Commission acts on a proposed certification, the matter shall be set for a public hearing. The Department shall post public notices, as set forth in Article IV, Section 3 of the Plan, setting forth the time, place and purpose of the hearing, which shall be posted within the boundaries of the proposed neighborhood council for 15 days. The notices shall be translated in accordance with the provisions set forth in Article IV, Section 3 of the Plan.

Notice of the time, place and purpose of the hearing shall also be mailed to the applicant and to the contacts identified in the application as required in Subdivision 6 of Subsection B of Section 2 of this ordinance, within the time frames set forth in Article IV, Section 3 of the Plan. The Commission shall act on the certification within ten days after the expiration of the 15 day posting period, unless the Commission's regularly

scheduled meeting does not fall within this ten day period or unless the Commission and the neighborhood council applicants agree to an extension of time.

The Commission meeting should be conducted within the boundaries of the proposed neighborhood council, if feasible. In a case where two or more certification applications have identified the same, similar, or overlapping neighborhood council boundaries, the Commission shall make a final determination on how the final boundaries of each neighborhood council shall be drawn, giving consideration to the criteria set forth in Article III, Section 2(a) of the Plan and any other applicable provisions of the Plan. The Commission shall either approve or disapprove the certification application based upon the criteria set forth above in Subsection B of Section 2 of this ordinance and the criteria set forth in the Plan.

D. Appeals. If the Commission approves the application, the proposed neighborhood council shall be recognized and certified as a neighborhood council. If the Commission disapproves the application, the applicants may appeal to the City Council within the time as set forth in Article IV, Section 9 of the Plan. The City Council may, by ten votes, sustain, reverse or modify the Commission's decision to disapprove a certification application.

Sec. 4. Boundary Adjustment.

A. Adjustment of Boundaries. A neighborhood council may file a petition with the Commission to adjust its boundaries. All petitions must meet the criteria set forth in this ordinance and in Article III, Section 2 of the Plan. Reasons for boundary adjustments may include, but are not limited to:

1. Incorporating an uncertified adjacent community into the neighborhood council;
2. Reconfiguring the size of the neighborhood council based on a decrease or increase in population; or
3. Increasing or reducing the size of the neighborhood council to increase effectiveness and efficiency.

B. Boundary Adjustment Other Than Incorporation.

1. Department Responsibilities. The Department shall review a petition within 15 days of its receipt and make a recommendation to the Commission. Before the Commission acts on a proposed boundary adjustment, the matter shall be set for a public hearing. Fifteen days prior to the hearing, the Department shall post public notices within the boundaries of the proposed neighborhood council, setting forth the time, place and purpose of the hearing, as set forth in Article V, Section 2(d) of the Plan. The notices shall be translated in accordance with the provisions set forth in Article V, Section 2(d)(ii) of the Plan.

Notice of the time, place and purpose of the hearing shall also be mailed to the applicant pursuant to the time frames set forth in Article V, Section 2 (d) of the Plan. The Commission meeting should be conducted within the boundaries of the proposed neighborhood council, if feasible. The Commission shall act on the boundary adjustment within ten days after the expiration of the 15-day posting period, unless the Commission's regularly scheduled meeting does not fall within this ten day period or unless the Commission and the neighborhood council applicants agree to an extension of time.

2. Commission Action. The Commission shall consider the recommendation of the Department, review the petition and determine whether the petition meets the criteria of this ordinance and Article V, Section 2 of the Plan at a public hearing, noticed as set forth in Section 4B above, and make its determination within ten days of receipt of the Department's recommendation, unless the Commission's regularly scheduled meeting does not fall within this ten day period or unless the Commission and the neighborhood council applicants agree to an extension of time.

3. Appeals. If the Commission approves the petition, the neighborhood council boundary shall be determined to be changed in accordance with the petition. If the Commission disapproves the petition, the neighborhood council may appeal to the City Council within the time set forth in Article V, Section 2 (b) of the Plan. The City Council may, by ten votes, sustain, reverse or modify the Commission's decision to disapprove a boundary adjustment petition.

C. Incorporation Into Adjoining Neighborhood Councils. The Commission shall have the authority to expand a neighborhood council's boundary in order to incorporate an area of the City that has not formed a neighborhood council into the boundary of another, adjoining neighborhood council provided that:

1. The proposed area to be incorporated into a neighborhood council's boundary lies between two or more neighborhood councils;

2. The proposed area to be incorporated does not qualify for certification under the provisions of this Plan; and

3. Community stakeholders of the proposed area to be incorporated and of the affected neighborhood council agree to the proposed incorporation.

4. Department Responsibilities. After determining that a petition is complete, the Department shall forward the petition, any accompanying information and its recommendation to the Commission for consideration. The Department shall notify the neighborhood council in writing that the petition has been forwarded to the Commission for its consideration. The Department shall evaluate the petition and make a recommendation to the Commission pursuant to the procedures set forth in Article V of the Plan.

- (a) If at any time during the process as described in Article V of the Plan, the Department determines that a petition is not complete, it shall return the petition to the applicants along with a written description of the missing components required for the petition. Applicants may thereafter at any time re-submit the application after amending it to meet all the necessary criteria.
- (b) If the Department fails to evaluate or make a recommendation on the petition as set forth in Article V, Section 2 (d) of the Plan, the Department shall forward the application to the Commission for its consideration without the Department's recommendation.

5. Commission Action. Before the Commission acts on the petition, the matter shall be set for a public hearing. The Department shall post public notices, as set forth in Article V, Section 2 (d) of the Plan, setting forth the time, place and purpose of the hearing, which shall be posted within the boundaries of the proposed neighborhood council for 15 days. The notices shall be translated in accordance with the provisions set forth in Article V, Section 2(d)(ii) of the Plan.

Notice of the time, place and purpose of the hearing shall also be mailed to the applicant pursuant to the time frames set forth in Article V, Section 2 (d) of the Plan. The Commission meeting should be conducted within the boundaries of the proposed neighborhood council, if feasible. The Commission shall act on the incorporation petition within ten days after the expiration of the 15-day posting period, unless the Commission's regularly scheduled meeting does not fall within this ten day period or unless the Commission and the neighborhood council applicants agree to an extension of time.

6. Appeals. If the Commission approves the petition, the proposed area shall be incorporated into the neighborhood council named in the Incorporation Petition. If the Commission disapproves the petition, the applicants may appeal that decision to the City Council within the time frames set forth in Article V, Section 2 (d) (vii) of the Plan. The City Council may, by ten votes, sustain, reverse or modify the Commission's decision to disapprove the petition.

Sec. 5. Complaints Concerning Neighborhood Councils, DeCertification

A. Complaints Concerning Neighborhood Councils. If the Department receives a complaint of a violation of any provision of the Plan, including, but not limited to, a violation of open meeting procedures, a failure to comply with the 10 diversity goals of the Plan and/or violations of the code of ethics, the Department shall notify the neighborhood council of these complaints and take steps to resolve the complaint with the neighborhood council. Efforts to achieve compliance with the Plan and any other applicable state, federal and local ordinances, including but not limited to complaints involving violation of open meeting procedures, a failure to comply with the diversity

goals of the Plan and/or violations of the code of ethics must first be made by the Department prior to initiating an action to de-certify a neighborhood council.

B. Involuntary De-Certification. If the Department finds that efforts taken pursuant to Subsection A above to bring the neighborhood council into compliance with the Plan or applicable local, state or federal laws have failed, the Department may initiate de-certification by recommending to the Commission that the neighborhood council be de-certified.

1. Department Responsibilities. Once the Department has determined that efforts taken pursuant to Subsection A to bring the neighborhood into compliance with the Plan have not been successful, the Department may initiate de-certification by taking the steps set forth in Article V, Section 5 of the Plan.

2. Commission Action. Before the Commission acts on a proposed decertification, the matter shall be set for a public hearing. Fifteen days prior to the hearing, the Department shall post public notices within the boundaries of the proposed neighborhood council, setting forth the time, place and purpose of the hearing, as set forth in Article V, Section 5(b) of the Plan. The notices shall be translated in accordance with the provisions set forth in Article V, Section 5(b)(iii) of the Plan. At the same time that notices are posted pursuant to Article V, Section 5 (b) of the Plan, notice of the time, place and purpose of the hearing shall also be mailed to the official contacts for the neighborhood council.

The Commission meeting should be conducted within the boundaries of the proposed neighborhood council, if feasible. The Commission shall act on the de-certification within ten days after the expiration of the 15day posting period, unless the Commission's next regularly scheduled meeting does not fall within this ten day period or unless the Commission and the neighborhood council agree to an extension of time.

The Commission may de-certify a neighborhood council based upon substantial evidence and upon a finding that the neighborhood council has failed to demonstrate the willingness or ability to comply with the provisions of the Plan or a finding that the neighborhood council is unwilling or unable to comply with applicable local, state and federal laws. If the Commission de-certifies a neighborhood council, it shall no longer be officially recognized as a certified neighborhood council in the City of Los Angeles and shall return all City-owned resources, including unexpended City-appropriated funds, to the City within five days after the City has taken its final action to de-certify the neighborhood council.

3. Appeals. If the Commission de-certifies a neighborhood council, the neighborhood council may file an appeal pursuant to the provisions of Article V, Section 5 (f) of the Plan. The City Council may, by ten votes, sustain, reverse or modify the Commission's decision to de-certify the neighborhood council.

D. Voluntary De-Certification.

1. A neighborhood council may file a petition with the Commission for de-certification. A de-certification application must be signed by at least 3/4 of the governing body of the neighborhood council seeking decertification and must also include the following:

(a) Evidence of the processes used for outreach to stakeholders and the involvement of stakeholders in the decision to de-certify;

(b) Evidence that stakeholders in the neighborhood council area have been surveyed on the de-certification application;

(c) Evidence that the neighborhood council's governing body has widely publicized within the neighborhood council area the fact that there is an application for de-certification pending before the Commission in its neighborhood council area; and

(d) Evidence that the neighborhood council took its formal action on the de-certification after giving a 15-day public notice.

2. **Department Responsibilities.** Fifteen days prior to the hearing, the Department shall post public notices within the boundaries of the proposed neighborhood council, setting forth the time, place and purpose of the hearing, as set forth in Article V, Section 6 (b) of the Plan. The notices shall be translated in accordance with the provisions set forth in Article V, Section 6(b)(iii) of the Plan. At the same time that notices are posted pursuant to Article V, Section 6 (b) of the Plan, notice of the time, place and purpose of the hearing shall also be mailed to the official contacts for the neighborhood council.

3. **Commission Action.** The Commission meeting should be conducted within the boundaries of the proposed neighborhood council, if feasible. The Commission shall act on the de-certification within ten days after the expiration of the 15-day notice period, unless the Commission's next regularly scheduled meeting does not fall within this ten day period or unless the Commission and the neighborhood council agree to an extension of time. The Commission may de-certify a neighborhood council based upon a finding that the evidence set forth in Section D 1 above has been shown and a finding that 3/4 of the governing body of the neighborhood council has consented to the de-certification.

If the Commission approves the petition, the neighborhood council shall be de-certified and will no longer be officially recognized as a certified neighborhood council in the City of Los Angeles and shall return all Cityowned resources, including unexpended City-appropriated funds, to the City within five days after the City has made its final decision to decertify the neighborhood council.

4. Appeals. If the Commission disapproves the petition, the neighborhood council may file an appeal pursuant to the provisions of Article V, Section 6 (f) of the Plan. The City Council may, by ten votes, sustain, reverse or modify the Commission's decision to decertify the neighborhood council.

Sec. 6. Early Notification System (ENS)

A. ENS Website. The Department may assist the Information Technology Agency in coordinating the development of an ENS website through which information may be made available to certified neighborhood councils by the City Council, its committees, and City boards and commissions.

B. Procedures for Sharing City Information with and Receiving Comment from Neighborhood Councils.

1. Information from the City should be sent to certified neighborhood councils as soon as practical so that certified neighborhood councils are afforded as much opportunity as is practical to provide comment before decisions are made.

2. Certified neighborhood councils may provide comment and feedback to the City Council, its committees, and to City boards and commissions by using the ENS.

3. The neighborhood council may communicate its views either by way of mailed letter, fax, E-mail, or by a representative appearing in person to make a presentation on an item before the City's decision-makers. Should each certified neighborhood council be provided with an electronic mail (e-mail) address, pursuant to Article VII of the Plan, the use of this e-mail address shall be strictly limited to official neighborhood council business, such as communicating with neighborhood council members about meeting times and places and communicating with the City regarding matters of importance to neighborhood councils.

Sec. 7. Funding.

A. Money appropriated in the budget each year for certified neighborhood councils for costs related to the functions, operations, and duties of being a certified neighborhood council shall be placed in the Department of Neighborhood Empowerment Trust Fund. The functions, operations, and duties of a certified neighborhood council include, but are not limited to, meeting and office space, office equipment, computers, supplies, and communications, such as the costs associated with newsletters, postage, or printing written materials.

B. Grant money appropriated each fiscal year for certified neighborhood councils shall be available for various neighborhood improvement projects. In order to be eligible for grant money, a certified neighborhood council shall submit an application to the Department and may be awarded grants, pursuant to the provisions as set forth in Article VIII, Section 2 of the Plan.

Sec. 8. Severability. If any provision of this Ordinance or its application to any person, property or circumstances, is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this Ordinance or the application of those provisions to other persons, property or circumstances, which can be implemented without the invalid provisions, and, to this end, the provisions of this Ordinance are declared to be severable.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in a daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of May 15, 2001.

J. MICHAEL CAREY, City Clerk
By KONRAD CARTER, Deputy
Approved _____

Mayor
Approved as to Form and Legality
JAMES K. HAHN, City Attorney
By GWENDOLYN R. POINDEXTER Assistant City Attorney

Said ordinance was presented to the Mayor on May 17, 2001; the Mayor returned said ordinance to the City Clerk on May 31, 2001 without his approval or his objections in writing, being more than ten days after the same was presented to the Mayor.

Said ordinance shall become effective and be as valid as if the Mayor had approved and signed it. (Section 250(b), City Charter)
C.F. 96-1157-S4