

RESOLUTION

Be It resolved that the Board of Neighborhood Commissioners create the following policy:

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT REMEDY FOR THE NON-COMPLIANCE OF NEIGHBORHOOD COUNCIL INTERIM BOARDS WITH TIMELY ELECTIONS REQUIREMENTS

WHEREAS Section 22.801 of the Los Angeles Administrative Code and Ordinance 174006 establishes regulations to implement the Plan for a Citywide System of Neighborhood Councils and charges the Department of Neighborhood Empowerment (Department) with assisting all groups and stakeholders and,

WHEREAS Ordinance 174006, Section 2 (B) establishes qualification and criteria for Neighborhood Council certification, including "a method for regularly electing or selecting its officers," and

WHEREAS it has been the Department's experience that there are instances wherein Neighborhood Councils have been unable to conduct timely elections subsequent to their certification and are unlikely to proceed towards conducting an initial election, and

WHEREAS Section 902 (b) Article IX of the new Charter provides that the Board of Neighborhood Commissioners "shall be responsible for policy setting and policy oversight, ... and the promulgation of rules and regulations but not be responsible for day-to-day management," and,

WHEREAS the Board of Neighborhood Commissioners RESOLVE to establish a policy to provide the Department with a remedy for the non-compliance of Neighborhood Council Interim Boards and holding Timely Elections subsequent to certification.

DEFINITIONS:

For purposes of this policy, "seriously delayed" shall be defined as situations where the Neighborhood Council has not held its election within six (6) months of its date of certification.

For purposes of this policy, "unlikely to conduct an election in a timely manner" is defined as situations where the weight of the evidence is that the Neighborhood Council, regardless of the reason(s) is probably not capable of developing election procedures, coordinating pre-election outreach and/or administering the election on a timely basis.

POLICY:

Upon a finding of the Board of Neighborhood Commissioners that an initial election is seriously delayed and that the Neighborhood Council is unlikely to conduct their election in a timely manner, the Board may authorize the Department of Neighborhood Empowerment to remedy problems associated with the seriously delayed initial election of a Neighborhood Council by appointing an Independent Election Administrator to conduct the election of the Neighborhood Council.

The process utilized by the Department, in conjunction with the Independent Election Administrator in the preparation for and conduct of the election, could include the following:

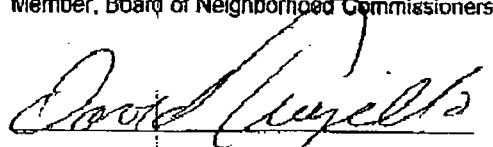
- 1) Establishment of a volunteer Stakeholder Elections Committee to assist in the preparations for and the conduct of the election.
- 2) Finalization of Election Procedures consistent with the Neighborhood Council's approved bylaws.
- 3) Selection of an election administrator and final arbiter, as appropriate.
- 4) Determination of the election date and related schedule of activities.
- 5) Implementation or coordination of election related outreach activities.
- 6) Implementation or coordination of election day and post Election Day activities, as appropriate.
- 7) Periodic community meetings to secure stakeholder input regarding election procedures, timelines, the election arbiter, the election administrator, and election related activities.

This policy shall permit the Department and an Independent Election Administrator to share tasks. In no instance would this policy prevent the Department from establishing or utilizing other policies or exhaustive remedies or strategies that would assist the Neighborhood Council in proceeding toward and holding elections.

Moved by:


Member, Board of Neighborhood Commissioners

Seconded by:


Member, Board of Neighborhood Commissioners

VOTES:

Ayes:

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Nays:

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DATE: 10.19.04