

Mr. Cohen,

I'm writing in response to your Elections Challenge for the Encino Neighborhood Council Elections on September 29, 2012.

You stated that the Challenge was based on "Concerns regarding Ballots" and "Eligibility of Voter" and "Eligibility of Candidate."

Your challenge based on ballots is rejected because you never explain, elaborate, or substantiate the challenge.

Your challenge addressing the eligibility of voters is also rejected because you fail to establish the participation of ineligible voters. You reference the bylaws and refer to a bylaw definition of Stakeholder as "a Person who Lives, Works, or Own Property in Encino." This is not the definition but is an abbreviated version that fails to include those who have "a stake within the ENC boundaries and affirm a factual basis for it."

Your limited definition of an Encino Stakeholder is incorrect and your judgment that members of a local church should not be allowed to vote is in contrast with the Encino NC bylaws.

Finally, your challenge addressing the eligibility of Talar Dardarian as a candidate is also rejected. The deadline for challenging the eligibility of a Candidate was September 6, 2012 so your "Eligibility of Candidate" challenge fails simply because of the late filing. If you had filed on time, the challenge would still have failed because the Encino Neighborhood Council bylaws do not require Candidates for the Planning and Land Use Representative seat to be a resident but specify that eligible candidates "live, work, or own property within the Council geographical boundaries."

Ultimately, the Encino Neighborhood Council bylaws were adhered to as the foundation for the policies and procedures that were followed during the Encino NC elections. The citywide stakeholder definition includes those who live, work, own property or those who declare a stake in the community and affirm a factual basis for it. This stakeholder definition is a commitment to including the larger community, not grounds for a challenge.

Your desire for an election with properly vetted Voters and Candidates has already taken place on September 29, 2012.

Thank you for your commitment to the integrity of the Neighborhood Council electoral process.