

12-1682  
 Related CF 11-1912

MOTION

The Los Angeles Neighborhood Councils are in the process of conducting their bi-annual Board elections. On Saturday, October 13, 2012, the Eagle Rock Neighborhood Council conducted its elections where 313 of the 792 votes cast were from those claiming to be "factual basis stakeholders" who are reported to have little or no relationship with the Eagle Rock community. This was clearly an attempt by outside interests to take control of the Eagle Rock Neighborhood Council and constitutes an abuse of the Neighborhood Council (NC) electoral process.

With the 1999 City Charter changes, the voters established the neighborhood council system and defined stakeholders as those who "live, work, or own property in the certified neighborhood council". In April 2006, the City Council by ordinance, as provided in the Charter, created the Neighborhood Council Review Commission (NCRC) and tasked the Commission to review the efficacy of neighborhood council system. One specific area of review was the definition of stakeholder.

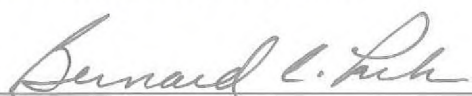
In December 2007, the Council approved various recommendations from the NCRC's Final Report relative to NC elections, including Recommendation 42a, as follows: "The Plan for Citywide System of Neighborhood Councils to state that stakeholder status in Neighborhood Councils shall be open to those who live, work, or own property in the Neighborhood and also to those who declare a stake in the neighborhood and affirm the factual basis for it."

During the hearing process leading to the adoption of the above stakeholder definition, some expressed concern that the definition was vague, ambiguous, and overbroad and that it did not provide sufficient protection for NCs from takeover by outside interests. In addition, authority for a stakeholder "self affirmation" of the "factual basis" was seen as lacking an appropriate mechanism for accountability. The definition and procedures appeared to need more clarity to protect NC integrity.

The above seems prophetic with respect to the recent Eagle Rock NC elections. The current definition has been problematic for some time and given recent electoral challenges at the Eagle Rock NC, it is timely that issue of "factual basis stakeholders" be reexamined in a comprehensive manner by the Department of Neighborhood Empowerment, with the assistance of the City Attorney, and with input from the Neighborhood Councils.

**I THEREFORE MOVE** that the Department of Neighborhood Empowerment (DONE), with the assistance of the City Attorney, and with input from the Neighborhood Councils, be instructed to prepare and present a comprehensive review of the definition and processes for qualifying a Neighborhood Council stakeholder, as set forth in the City Charter, the Plan for a Citywide System of Neighborhood Councils and DONE's Neighborhood Council 2012 Election Manual, including in that review specific qualifications for "factual basis stakeholders," limiting to a maximum of two the number of board seats for which "factual basis stakeholders" may run or vote (with the balance being comprised of individuals that either live, work, own property or go to school within the NC boundaries), and the process for documenting "factual basis stakeholder" status.

PRESENTED BY:   
 JOSE HUIZAR  
 Councilmember, 14<sup>th</sup> District

SECONDED BY: 

  
 OCT 23 2012

ORIGINAL