Dear Neighborhood Council Leader,

During the course of each year the Board of Neighborhood Commissioners visits all areas of the City and invites local Neighborhood Councils to share their best practices and experience with us. This is one of the opportunities for dialogue between the Commission and Neighborhood Council stakeholders that we value most. In this way, we stay current on the progress and positive impact your Neighborhood Council has made on your community. We also gain insight and knowledge as to the opportunities you have taken, the challenges you face, the support you need, and the overall direction your Neighborhood Council is heading in as the system evolves, gains influence, and engages diverse stakeholders from across our City.

We are interested in hearing about the tools you use to mobilize and connect with your community and to ensure that your Neighborhood Council speaks for a wide range of interests. We are especially interested in how your Neighborhood Council embraces the goal of engaging community members who have not participated in the past. We want to understand what improvements need to be made on a policy level and how our Commission can work with the Department of Neighborhood Empowerment to provide the support and guidance that you need.

We invite you to refer to the attached questionnaire as a guide for the topics we are interested in having you share with us. We also welcome the opportunity for you to cover other areas of interest that may not be captured within this questionnaire. We look forward to meeting you and hearing about your successes, challenges and the suggestions you have for making this system of Neighborhood Councils even stronger.

Sincerely,
Board of Neighborhood Commissioners

Attachment
Written best practices reports received will be available on the Department of Neighborhood Empowerment’s website for public viewing.
Questions for Neighborhood Council Leaders Presenting to the Board of Neighborhood Commissioners

The questions below will help provide important information and feedback to the Commission and the Department of Neighborhood Empowerment (Department) that will assist us in understanding how Neighborhood Councils are expanding participation across our city and representing their community’s interest with local government. We hope to learn more about your successes, challenges, and ways that the Department and Commission can better support the Neighborhood Council system.

1. How many seats are on your Board? Are there any vacant seats? If so, how many? Does the Board reflect the diversity of stakeholders in your Neighborhood Council area? Which stakeholders are not currently represented on the Board?

2. How often does your Board meet? How many people on average attend your meetings? How do you structure your meetings? What strategies have you used to increase participation and/or engage stakeholders in your meetings?

3. How does your Board determine the issues or agenda that you will address? What are some of the issues and activities that your Board has addressed over the past year? Who sets the Board agenda? How do stakeholders participate in setting the agenda and making decisions for the Neighborhood Council?

4. Do you have an outreach strategy for engaging various stakeholder groups in your Neighborhood Council? How do you reach out to these various stakeholder groups? What strategies have you used to ensure that your Board is inclusive of diverse groups and has a voice in your Neighborhood Council? In reaching out to and including diverse stakeholder groups in your Neighborhood Council, what support could you use and/or what tips do you have to share with others?

5. What are your best practices and successes that you would like to share with other Neighborhood Councils?

6. What are the biggest challenges facing your Neighborhood Council? How do you think the Department or this Commission can support you?

7. How does your Board make decisions about how to spend your money? What are some of the expenditures that you have made over the past year? How much of your money is spent on administrative costs? How much is spent on community beautification? How much is spent on other neighborhood projects? How do you include stakeholders in making decisions about how you spend your money?

8. Have all of your Board members complied with the mandatory Ethics and Brown Act trainings? What steps do you take to inform members of this responsibility and to encourage compliance? Do you have suggestions for encouraging compliance citywide?
Neighborhood Council System Reforms

This past year, the Los Angeles Neighborhood Council System turned fifteen years old. This one-of-a-kind civic experiment has fostered grassroots activism, civic innovation, and provided a stronger voice to communities that otherwise would have less influence at City Hall.

Fifteen years of evolution has also uncovered areas where the system can be improved. Some of these improvements are fundamental, stemming from the charter section that empowers Neighborhood Councils, and others are simpler matters of policy change that can be implemented by city departments or by ordinance.

In July of 2017, I assumed chairpersonship of the City Council Committee that oversees the Neighborhood Council System, the Health, Education and Neighborhood Councils Committee. Having previously served on a Neighborhood Council, I have a strong interest in ensuring their continued viability.

To determine what changes may be needed in the system going forwards, I embarked on a listening tour to many of the Neighborhood Council Alliances. Additionally, my office sent a survey to all Neighborhood Council listservs soliciting feedback from Neighborhood Council members and the interested public. Over 160 Neighborhood Council stakeholders responded. Reviewing these submissions, evaluating the information presented in the committee hearings I have held over the past nine months on pending Neighborhood Council policy matters, and meeting with the Department of Neighborhood Empowerment and the City Clerk, I have developed a list of policy ideas for the Neighborhood Council System that should be reviewed.

As these ideas will need substantial input from Neighborhood Council members and stakeholders before determining which should move forward. To ensure enough time is provided to develop that input, this motion will not be heard in committee until at least 90 days after it is introduced in order to provide Neighborhood Councils time to deliberate on the proposals and submit Community Impact Statements.

I THEREFORE MOVE that the Department of Neighborhood Empowerment be INSTRUCTED, with assistance as needed from the CLA, CAO, City Clerk and City Attorney, to report back within 60 days on the following:

- Recommendations and next steps for amending City Charter Article IX to change the name of the Department of Neighborhood Empowerment (DONE) to the Neighborhood Councils Department (NCD), the Board of Neighborhood Commissioners (BONC) to the Neighborhood Councils Commission (NCC), and phasing out the use of the term 'branding ‘EmpowerLA’ due to the confusion reported by the public and the perception of Neighborhood Council members that DONE’s role should be primarily to support Neighborhood Councils, which the name Neighborhood Councils Department would better reflect.

- Recommendations and next steps for amending the Los Angeles Administrative Code to remove the "Community Impact Stakeholder," which has caused substantial confusion and disputed elections, and recommendations and next steps for including specific additional definitions by ordinance of eligible voters and board members of Neighborhood Councils, such as student or parent/guardian of a student.

- Recommendations and next steps for amending City Charter Article IX Section 901.d and 904.f to remove any reference to "selections" and clarify that Neighborhood Council board members will be elected. Neighborhood Council "selection" processes are utilized by a limited and decreasing number of councils and are not viewed by the public as being as democratic as elections as they do not provide for a secret ballot or equitable participation.

- Recommendations and next steps for creating a one-time review process, overseen by the Board of Neighborhood Commissioners, to evaluate Neighborhood Council bylaws to determine if board seats
are equitably allocated amongst stakeholder types and provide formal suggestions to Neighborhood Councils on ways to adjust board seats as needed to increase equity.

- Recommendations and next steps for adopting regulations to provide a uniform minimum voting age and board member age to allow consistent participation across the City, and what that age should be.
- Recommendations and next steps for developing and adopting a planning and land use training required for all Chairs and Vice-Chairs of Neighborhood Council planning and land use committees.

I FURTHER MOVE that the City Clerk be INSTRUCTED, with assistance as needed from the CLA, CAO, DONE and City Attorney, to report back within 60 days on the following:

- Recommendations and next steps on a process for Neighborhood Councils to be able to roll-over a non-cumulative maximum of $10,000 in any given fiscal year.
- Recommendations and next steps for removing Section 5.485.h of Chapter 88 of Division 5 of the Los Angeles Administrative Code (Ordinance 179545; see Council File 03-1260), and recommendations for other amendments to that Chapter, in order to remove the expiration of the ability for Neighborhood Councils to accept in-kind or monetary donations.
- On the costs and other implications of holding all Neighborhood Council elections on the same day in order to provide for a uniform citywide advertising and outreach campaign.

I FURTHER MOVE that the Department of Neighborhood Empowerment, and all relevant departments denoted below, be INSTRUCTED to:

- Develop a process, with the assistance of GSD and the City Clerk, to assist Neighborhood Councils with accessing shared space in City facilities, as envisioned in Council File 16-0298.
- Develop an ongoing compendium of best practices generated from Neighborhood Councils and share those on a periodic basis with all Neighborhood Councils and include 'how-to guides' for accomplishing those best practices.
- Develop point of contact lists for key city departments and agencies, including DCP, DOT, Public Works’ Bureaus, Aging, Disability, HCID, DCA, LADWP, Port, Airport, Cannabis Regulation, Emergency Management, Animal Services, LAPD, LAFD, Recreation and Parks, Zoo, Finance, Library, Economic and Workforce Development and BIDs, with assistance from those listed departments and agencies, and share those lists with Neighborhood Councils, facilitate the training of those points of contact at those relevant departments on the most fruitful ways to assist and communicate with Neighborhood Council members, and coordinate with Neighborhood Councils to formally appoint a point of contact at each NC to communicate between each NC and the point of contact at each department, thus creating a single line of communication.

I FURTHER MOVE that Neighborhood Councils and Neighborhood Council Alliances be REQUESTED to provide feedback and/or Community Impact Statements (CISs) to the Health, Education, and Neighborhood Councils Committee within 90 days.

PRESENTED BY:  
DAVID E. RYU  
Councilmember, 4th District  

SECONDED BY:  
...
ARTICLE IX
DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

Section
900 Purpose.
901 Department of Neighborhood Empowerment.
902 Board of Neighborhood Commissioners.
903 General Manager.
904 Development of the Neighborhood Council Plan.
905 Implementation of the Plan.
906 Certification of Neighborhood Councils.
907 Early Warning System.
908 Powers of Neighborhood Councils.
909 Annual City Budget Priorities.
910 Monitoring of City Services.
911 Appropriation.
912 Review.
913 Transfer of Powers.
914 Effect of Ordinances.

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 supersede any inconsistent Regulations
that have become effective pursuant to Section 905.
Los Angeles Charter and Administrative Code

CHAPTER 28
THE DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

Article
1  Duties of the Department
2  Control and Management
3  Neighborhood Councils

ARTICLE 1
DUTIES OF THE DEPARTMENT

Section
22.800  Purposes.
22.801  Duties of the Department.
22.801.1  Acceptance of Donations and Gifts by 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.

SECTION HISTORY

Chapter, Article and Section Added by Ord. No. 172,728, Eff. 8-30-99.

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 selection of their governing body and conduct the City's portion of the outreach effort necessary to mobilize stakeholders to vote in neighborhood council elections.

(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 available for public use to:

1. Provide access to all current rules, regulations, and election/seLECTION/voting and any other procedures adopted by the Department of Neighborhood Empowerment;

2. Provide access to all historic rules, regulations, and election/seLECTION/voting and any other procedures adopted by the Department of Neighborhood Empowerment that are no longer in force;

3. Provide access to all current non-confidential legal opinions by the City Attorney on matters relating to the Department of Neighborhood Empowerment, Board of Neighborhood Commissioners, Department rules or regulations, and Department procedures for elections/seLECTIONs/voting and any other matter;

4. Provide access to all historical non-confidential legal opinions by the City Attorney on matters relating to the Department of Neighborhood Empowerment, Board of Neighborhood Commissioners, Department rules or regulations, and Department procedures for elections/seLECTIONs/voting and any other matter that are no longer in force; and

5. Provide a Citywide database of existing neighborhood organizations and similar information, sortable by areas and individual Neighborhood Councils.

(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.

(o) ensure that neighborhood councils have adequate office and meeting space to conduct their business by facilitating the shared utilization of City owned or leased space, coordinating the acceptance and use of donated space by private donors, as well as securing suitable office and meeting space on behalf of certified neighborhood councils. The City Clerk shall have the authority to execute standard short-term rental and lease agreements with a duration of one year or less for the purpose of fulfilling its obligations under this subsection, pursuant to guidelines established by the City Clerk.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.
Amended by: Ord. No. 175,937, Eff. 6-1-04; Subsec. (f), Ord. No. 179,680, Eff. 4-15-08; Subsec. (p) added, Ord. No. 180,155, Eff. 9-26-08; Subsec. (j), Ord. No. 183,488, Eff. 5-3-15; Subsec. (o) amended and Subsec. (p) deleted, Ord. No. 184,835, Eff. 5-1-17.

Sec. 22.801.1. Acceptance of Donations and Gifts by the Department.

A Neighborhood Council may accept gifts as described in Section 22.814 of this Code or request that the Department or City Council accept the gift on its behalf. The Department, under the limited circumstances set forth below, shall have the power and authority to accept gifts on behalf of the City of Los Angeles that relate to the Department's programs and activities, that relate to any or all of the Neighborhood Councils, or that relate to the Citywide system of Neighborhood Councils.

If the Department is acting to accept a gift as authorized under this section, then the General Manager of the Department, or the General Manager's designee, shall be the agent authorized to accept gifts.

Gifts may include any item, monetary or non-monetary, tangible or intangible, that is contributed, provided, given, transferred, donated, bequeathed or devised to the City. The authority to accept gifts includes the authority to reject or rescind the acceptance of any gift at any time. Nothing in this section requires the acceptance or retention of any gift.

(a) Limitations on Acceptance of Gifts. With the exception of a gift that is a leasehold interest for office, storage or meeting space, as further described in Subsection (b) below, no gift may be accepted by the Department that exceeds the value of $10,000 and any gift in excess of this amount shall be submitted to City Council for acceptance or rejection.

(b) Donated Office Space or Meeting Space. The Neighborhood Councils shall not have any authority to accept any interest in real property, including any fee simple interest or any leasehold interest. However, a Neighborhood Council may request that the Department, which is hereby granted the authority, accept a lease on its behalf as long as the gift is a leasehold interest for office, storage, or meeting space, the lease does not exceed a one-year term, and the leasehold interest is valued less than $20,000 per year or $1,666.66 per month. If the value for that leasehold gift exceeds these allowable monetary threshold values or the allowable leasehold term, then the leasehold gift must be submitted to City Council for acceptance or rejection.
(c) **Assessment of Value.** For the purposes of determining the value of any gift accepted by the Department, or when the Department is requested to accept a gift by any Neighborhood Council, including determining whether the gift is valued in excess of the monetary threshold value that requires the gift to be submitted to City Council, then the value of the gift shall be calculated as follows:

1. If the gift is monetary in nature, then the value is measured in United States dollars.

2. The value of all non-monetary gifts is determined in the sole discretion of the General Manager, or the General Manager's designee, based on his or her determination of the fair-market value of the gift.

(d) **Donor Disclosure Form.** No gift valued at more than $500 shall be accepted by the Department or the Neighborhood Councils unless the person or entity that is the source of the gift completes the Department's approved donor disclosure form.

The requirement for completing a donor disclosure form shall not be avoided by donating successive or incremental gifts during a single calendar year, where the successive or incremental gifts would be independently valued at less than $500, but the accumulated value of the gifts over the course of that calendar year exceeds the value of $500. If any person donates an accumulation of gifts within the same calendar year that total in value more than $500, then the donor must complete the donor disclosure form for each gift that exceeds this allowable accumulated total.

The donor disclosure form shall be dated and completed with information from the donor that includes and memorializes the following information required by State law:

1. That the Department or the Neighborhood Council, whichever is applicable, shall receive and control the gift;

2. That the gift shall be used solely for official business related to the Neighborhood Council system;

3. Whether the gift contains any restrictions, limitations or conditions, so long as the donor does not designate the gift for any specific person(s). The donor shall state and list the names of persons or the category of persons using the gift, e.g., the board of the Neighborhood Council, the executive committee of the Neighborhood Council, or the stakeholders of the Neighborhood Council. However, the Department, or the Neighborhood Council if the Neighborhood Council controls the gift, shall determine in its sole discretion the specific person(s) who may use the gift; and

4. States the donor's name or identifying information, address, a description of the gift, and the fair-market value or an estimate of the fair-market value for the gift.

In addition, the donor disclosure form shall contain an area for the entry of information by the Department or the Neighborhood Council that describes the official use for the gift.

The donor disclosure form shall also require the donor to disclose any contract, license, permit or project that the donor is currently seeking, intends to seek, or sought in the past six months from the City.

The donor disclosure form shall be filed with the Department within 30 days of the receipt of the gift.

(e) **Post Acceptance Handling of Gifts.** Monetary gifts accepted by the Department shall be deposited into the Neighborhood Empowerment Trust Fund (Trust Fund) in accordance with Section 5.485 of this Code. If the Department accepts an unconditional monetary gift on behalf of a Neighborhood Council, then the Department shall deposit 10% of the amount of the gift into a special account for disbursement to Neighborhood Councils in economically disadvantaged areas consistent with Section 5.485(d) of this Code.
Code. The Department shall accept non-monetary gifts by delivery, receipt of physical possession, or other method of transfer of title or possession as is required by law. The Department shall track physical inventory donated to the Neighborhood Council system by maintaining any necessary perpetual stock records of furniture or equipment, as required under Sections 7.79 and 7.84 of this Code. The Department will enter all monetary gifts pertaining to the Neighborhood Council system into the City's Financial Management Information System (FMIS) and will enter all non-monetary gifts pertaining to the Neighborhood Council system and valued above $5,000 into the Citywide Inventory System (CWIS). Items valued above $5,000 will be assigned an inventory control number and an inventory tag will be provided to the Neighborhood Council by the Department for those items. The Department shall insure that all gifts accepted for the benefit of the Neighborhood Council system are appropriately registered or recorded in accordance with the provisions in this section.

(f) **Restricted Gifts.** The Department shall comply with any special terms, conditions or restrictions on any gift. In addition, if any monetary gift that is accepted by the Department contains terms, conditions or restrictions, then the monies shall be deposited in an appropriate account in the Trust Fund in accordance with Section 5.485 of this Code. The Department shall notify the City Controller of any special terms, conditions or restrictions placed on the use of those monies.

(g) **Expenditure of Monies.** The Department is authorized to expend monies from the Trust Fund, including expenditures from any account or sub-account in the Trust Fund, either on behalf of the Department or on behalf of any or all of the certified Neighborhood Councils, and may expend funds for the purchase of equipment, services or furnishings in support of the established programs and activities of the Department or the Neighborhood Councils, or in furtherance of the purposes or goals of the Citywide system of Neighborhood Councils, as stated in the City Charter, the Plan, and the Regulations implementing the Plan, subject to any special terms, conditions or restrictions attached to the gift. Monies may also be expended on neighborhood improvement projects that have been approved under the administrative processes established by the Department. Prior to the expenditure of any monies in any account or sub-account that was established because a gift contained a special term, condition or restriction, the Department shall provide the Controller with written documentation to demonstrate that any expenditure complies with the special term, condition or restriction.

(h) **Record-Keeping.** The Department shall prepare a periodic written report that contains information covering all gifts accepted in the preceding six-month period of time, commencing on April 1st and October 1st of each year, and this report shall be submitted to City Council with copies to the Controller and the Board of Neighborhood Commissioners within 30 days after the close of the six-month period. This report to City Council shall include the following information:

1. An accounting of the Trust Fund and the Neighborhood Council checking accounts, including a balance statement, a list of deposits, identification of the name of the donor that is the source of the donated monies, the date of the deposit, a list of all expenditures, including the payee, the amount paid, the date, and the purpose of each expenditure.

2. A summary of the donor disclosure forms that have been filed with the Department that lists the gifts that have been accepted by the City through the Department and/or Neighborhood Councils. This summary shall state the donor's name, a brief description of the gift, the date of the gift's acceptance, and the gift's value. Copies of the relevant donor disclosure forms that have been referenced in the summary shall be affixed to the summary.

3. For those accepted gifts in which a donor disclosure was not submitted, the Department shall provide the following information:

   i. That the Department or the Neighborhood Council, whichever is applicable, shall receive and control the gift.

http://library.amlaw.com/alpcscripts/get-content.aspx
(ii) That the gift shall be used solely for official business related to the Neighborhood Council system.

(iii) Whether the gift contains any restrictions, limitations or conditions. The Department shall also state and list the names of persons or the category of persons using the gift, e.g., the Department or the specific Neighborhood Council.

(iv) The donor's name or identifying information, address, a description of the gift, and the fair-market value or an estimate of the fair-market value for the gift.

(4) A list of any donated leasehold interest in office, storage, or meeting space that is occupied by a Neighborhood Council, including the location of the space, the Neighborhood Council occupying the space, the donor's name, the value of the leasehold interest, the leasehold term, and any limits, restrictions, or conditions upon which the donation is based.

(i) **Prohibited Gifts.** No gift shall be accepted by the Department that:

1. Involves or relates to providing childcare services.
2. Is a gift from a foreign or domestic government entity, excluding grants or grant funding related to the Citywide System of Neighborhood Councils.
3. Involves a fee interest in real property, or any partial or full ownership interest in real property, except that a leasehold or possessory interest for office, storage or meeting space as described in Subsection (b), above, is allowed.
4. Requires ongoing maintenance or costs that will be expended by the City for upkeep in an amount exceeding $1,000 annually, such as a gift of a monument, artwork, or mural that requires ongoing and continuous expenses by the City to maintain the gift.
5. Includes livestock or animals, whether rare or domestic, wild or tame.
6. Is a gift involving a motorized vehicle, automobile, aircraft or boat, or any vehicle that requires registration with the California Department of Motor Vehicles.

The Board of Neighborhood Commissioners may develop further policies with respect to the specific types of gifts that may or may not be accepted.

(j) The acceptance of any gift under this section does not warrant, guarantee, or purport to establish any benefits that may be derived under State or Federal law. However, the Department is authorized to facilitate the attempt by any donor of a gift to receive from the Department a written acknowledgment of the gift for tax purposes, including that the General Manager of the Department, or the General Manager's designee, may provide a contemporaneous written acknowledgment, a disclosure regarding a quid pro quo contribution, or any mandatory disclosure regarding the gift for tax related purposes.

(k) The provisions of this section shall expire, and be deemed to have been repealed, three years after its effective date, unless earlier amended and extended by the Council by ordinance.

**SECTION HISTORY**

Added by Ord. No. 179,545, Eff. 3-16-08.

**Sec. 22.801.2. Neighborhood Council Elections administered by the Department.**
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.
22.810.1 Regulations Implementing the Plan for a Citywide System of Neighborhood Councils (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.

SECTION HISTORY

Article and Section Added by Ord. No. 172,728, Eff. 8-30-99.

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.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

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.

SECTION HISTORY
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, whereby the appointed Board members shall each be a resident or worker within one of the seven Area Planning Commission regions, and reflect the diversity of communities of interest, neighborhoods, ethnicity, race, gender, age, homeowner and renter status, and sexual orientation. The Mayor is encouraged to consider current and former members of neighborhood councils in appointing the Board members.

(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.

SECTION HISTORY
Added by Ord. No. 172,728, Eff. 8-30-99.
Amended by: Subsec. (b), Ord. No. 180,593, Eff. 4-25-09.

Sec. 22.806. Powers and Duties of the Board.

(a) 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.

(b) The Board is authorized to define the types and duration of contacts that constitute "substantial and ongoing participation" for a community interest stakeholder under Section 22.811(a)(1). The Board's definition of a community interest stakeholder shall be subject to the concurrence of the City Council and the Mayor. Any change to the definition of a community interest stakeholder shall not be implemented within seven days of the start of the election cycle. Instead, the change will be implemented prior to the start of the next election cycle. For the purposes of this ordinance, an election cycle shall be defined as the period between the opening of the stakeholder or candidate filing period, whichever comes first, for the first regional Neighborhood Council election and the certification of elections for the last regional Neighborhood Council election.

SECTION HISTORY
Added by Ord. No. 172,728, Eff. 8-30-99.

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.

SECTION HISTORY
Added by Ord. No. 172,728, Eff. 8-30-99.
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.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.
Amended by: Ord. No. 173,492, Eff. 10-10-00.

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.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

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.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

Sec. 22.810.1. Regulations Implementing the Plan for a Citywide System of Neighborhood Councils (Plan).

(a) **Department Responsibilities.** In addition to the responsibilities set forth in Article IX of the City Charter and Section 22.801 of this Code, the Department of Neighborhood Empowerment (Department) shall:

(1) Assist all groups and stakeholders seeking certification so they will have an equal opportunity to form and develop Neighborhood Councils by:

   (A) Providing assistance to areas of the City with traditionally low rates of participation in government;

   (B) Helping communities understand the processes and procedures for establishing a Neighborhood Council;

   (C) Assisting with completion of certification documentation; and

   (D) Mitigating barriers to participation, such as the need for translation and child care services.

(2) 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.

(3) 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.

(4) Assist Neighborhood Councils with the selection of their governing body and conduct the City's portion of the outreach effort necessary to mobilize stakeholders to vote in Neighborhood Council elections.

(5) Help coordinate meetings and facilitate communication among Neighborhood Councils that request assistance.

(6) Help coordinate, arrange, and convene the biannual Congress of Neighborhood Councils meetings.

(7) 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.

(8) 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.

(9) 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.

(10) Act as an information clearinghouse and resource to Neighborhood Councils.

(11) Coordinate efforts to establish and ensure continued operation of the Early Notification System as prescribed in the Plan.

(12) Arrange training for Neighborhood Councils' officers and staff.

(13) 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.

(14) 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.

(15) Provide adequate levels of staffing, with consideration to resource availability, for each Neighborhood Council.

(b) Certification of Neighborhood Councils.

(1) Department Responsibilities. The Department shall have the following responsibilities:

   (A) Announce and inform the public of the Neighborhood Council certification process Citywide.

   (B) 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.
(C) Facilitate and encourage collaboration and discussion among neighboring and overlapping applicant groups.

(D) Provide technical assistance on how to proceed with a unified certification application.

(E) 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.

(2) **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:

(A) A boundary proposal that sets forth the rationale for the boundary choice, and shows how the boundaries comply with the following Boundary Goal Criteria:

   (i) 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.

   (ii) 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.

   (iii) 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.

(B) A detailed description of the outreach process used to identify community stakeholders within the proposed Neighborhood Council boundary as well as the following:

   (i) Proof of the collection of no less than 200 and no more than 500 signatures from community stakeholders within the proposed Neighborhood Council boundaries.

   (ii) Signatures shall, to the maximum extent feasible, reflect the broadest array of community stakeholders who will be active participants in the Neighborhood Council.
Council.

(C) A copy of the Neighborhood Council's approved by-laws which shall include the following:

(i) The Neighborhood Council name.

(ii) A statement that the Neighborhood Council membership is open to all community stakeholders.

(iii) 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 stakeholders. All stakeholders must be eligible to vote and run for at least one board seat. Neighborhood councils may allocate their board seats to specific stakeholder categories and establish stakeholder eligibility requirements in voting for the board seats. If a neighborhood council allocates its board seats to specific stakeholder categories, then the neighborhood council must include at least one seat for which every stakeholder is eligible to vote and run. Neighborhood councils may not allocate a majority of their board seats to a single stakeholder group, unless approved by the Department upon a showing of extenuating circumstances. The election procedures created by the Department or City Clerk pursuant to Section 20.36 shall require, in a situation where a neighborhood council requires that a stakeholders to provide proof of eligibility, that proof of stakeholder status for community interest stakeholders must be consistent with and substantially equivalent to the evidentiary proof required of stakeholders who live, work or own property.

(2) Terms of members of the governing body shall be for two or four years, to be decided upon by individual Neighborhood Councils. Neighborhood Councils may limit the total number of terms that a member of the governing body may serve, if the term limitations are set forth in the Neighborhood Council's bylaws after the effective date of this ordinance.

(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.

(iv) 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.

(v) 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.

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

(E) 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.

(F) The names of no fewer 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.

(c) Certification Process.

(1) 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.

(2) 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.

(A) 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 Paragraph (F) of Subdivision (2) of Subsection (b) of this section 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 then be followed to the maximum extent feasible.

(B) 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.
(C) 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.

(3) 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 Paragraph (F) of Subdivision (2) of Subsection (b) of this section, 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 Subdivision (2) of Subsection (b) of this section and the criteria set forth in the Plan.

(4) 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.

(d) Boundary Adjustment.

(1) 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 section and in Article III, Section 2 of the Plan. Reasons for boundary adjustments may include, but are not limited to:

(A) Incorporating an uncertified adjacent community into the Neighborhood Council;

(B) Reconfiguring the size of the Neighborhood Council based on a decrease or increase in population; or

(C) Increasing or reducing the size of the Neighborhood Council to increase effectiveness and efficiency.

(2) Boundary Adjustment Other Than Incorporation.

(A) 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 Neighborhood Council, stating the time, place and purpose of the hearing, as set forth in Article VI, Section 2(d) of the Plan. The notices shall be translated in accordance with the provisions set forth in Article VI, 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 VI, 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.

(B) **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 VI, Section 2 of the Plan at a public hearing, noticed as set forth in Paragraph (2)(A) 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.

(C) **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 VI, 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.

(3) **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:

(A) The proposed area to be incorporated into a Neighborhood Council’s boundary lies between two or more Neighborhood Councils;

(B) The proposed area to be incorporated does not qualify for certification under the provisions of this Plan; and

(C) Community stakeholders of the proposed area to be incorporated and of the affected Neighborhood Council agree to the proposed incorporation.

(4) **Incorporation Initiated by an Entity Other than the Commission.** An incorporation petition may be submitted by an entity other than the Commission, if community stakeholders of the area to be incorporated and of the affected certified Neighborhood Council have agreed to the proposed incorporation.

(A) **Department Responsibilities.** After determining that an incorporation petition initiated by community stakeholders or an entity other than the Commission 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 VI of the Plan.
(i) If at any time during the process as described in Article VI 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.

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

(B) **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 VI, Section 2(d) of the Plan, stating 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 VI, 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 VI, 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.

(C) **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 VI, 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.

(e) **Decertification of a Neighborhood Council/ Declaration of a Board Vacancy by the Board of Neighborhood Commissioners.**

(1) **Department Action.** On its own initiative, or after a recommendation by Regional Grievance Panel, the Department may seek the involuntary decertification of a Neighborhood Council or may seek a declaration of vacancy for one or more Neighborhood Council board seats. Immediately upon the issuance of the Department's petition for decertification of a Neighborhood Council Board or declaration of vacancy in one or more board seats, the Department immediately shall freeze and suspend the access to and use of any City funds previously available to the Neighborhood Council or board members named in the petition.

(2) **Opportunity to Cure/Exhaustive Efforts.** Prior to initiating the process to decertify a Neighborhood Council or to vacate one of more Neighborhood Council board seats, the Department first shall provide notice to the Neighborhood Council of the applicable law, rule or regulation upon which the decertification or vacancy declaration will be founded. After giving notice to the Neighborhood Council Board, the Department may give the Neighborhood Council Board an opportunity to come into compliance with the applicable law, rule or regulation. The Department also may exercise "exhaustive efforts" by taking over all powers vested in the Neighborhood Council Board in an effort to bring the Neighborhood Council, Neighborhood Council Board or Board members into compliance with the law, rule or regulation. If, despite the opportunity to cure
and/or the Department's exhaustive efforts, compliance is not achieved, then the Department may initiate the process described in Subdivision (c)(3) below.

(3) **Involuntary Decertification/Vacation of Board Seats.** The Department may petition the Board of Neighborhood Commissioners (Commission) to involuntary decertify or declare one or more board seats vacant in accordance with Article VI, Section 5 of the Plan.

(A) **Commission Hearing.** To the extent feasible, the Commission hearing on a petition for decertification or vacation of one or more board seats, shall be conducted within the boundaries of the Neighborhood Council at issue.

(B) **Notice.** At least 15 days before the Commission acts on a petition for decertification or vacation of one or more board seats, the Department shall post at least five public notices of the hearing. The notices shall be posted within the boundaries of the proposed Neighborhood Council, stating the time, place and purpose of the hearing, as set forth in Article VI, Section 5(b)(iii) of the Plan. The Department shall provide email notification to the Neighborhood Council Board of the hearing. The public notices shall be translated in accordance with the provisions set forth in Article VI, Section 5(b)(iii) of the Plan.

(C) **Commission Determination Regarding Decertification.** The Commission may decertify a Neighborhood Council based upon evidence that the Neighborhood Council failed to demonstrate the willingness or ability to comply with any rule, regulation or law applicable to Neighborhood Council. If a Neighborhood Council is decertified, the Neighborhood Council no longer shall be a certified Neighborhood Council in the City of Los Angeles. Within 48 hours, a decertified Neighborhood Council immediately shall vacate any City owned, leased or controlled property and shall surrender to the City all City-owned property, including personal and intellectual property.

(D) **Commission Determination Regarding Vacating One or More Board Seats.** As an alternative to decertifying the Neighborhood Council, the Commission may vacate one or more board seats based on evidence that one or more board member has failed to demonstrate a willingness to comply with any rule, regulation or law applicable to the Neighborhood Council Board or board member.

(E) **Appeals.** If the Commission decertifies a Neighborhood Council or declares one or more board seats vacant, the Neighborhood Council or an individual whose seat was declared vacant may file an appeal pursuant to the provisions of Article VI, Section 5(f) of the Plan. The City Council may by ten votes, sustain, reverse or modify the Commission's decision.

(4) **Voluntary De-Certification.**

(A) 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 de-certification and must also include the following:

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

(ii) Evidence that stakeholders in the Neighborhood Council area have been surveyed on the de-certification application;
(iii) 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

(iv) Evidence that the Neighborhood Council took its formal action on the de-certification after giving a 15-day public notice.

(B) **Department Responsibilities.** Fifteen days prior to the hearing, the Department shall post public notices within the boundaries of the proposed Neighborhood Council, stating the time, place and purpose of the hearing, as set forth in Article VI, Section 6(b) of the Plan. The notices shall be translated in accordance with the provisions set forth in Article VI, Section 6(b)(iii) of the Plan. At the same time that notices are posted pursuant to Article VI, Section 6(b) of the Plan, notice of the time, place and purpose of the hearing shall also be mailed to the Neighborhood Council.

(C) **Commission Action.** The Commission meeting should be conducted within the boundaries of the 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 Paragraph (A), 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 City-owned 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.

(D) **Appeals.** If the Commission disapproves the petition, the Neighborhood Council may file an appeal pursuant to the provisions of Article VI, Section 6(f) of the Plan. The City Council may, by ten votes, sustain, reverse or modify the Commission's decision to deny decertification of the Neighborhood Council.

(f) **Early Notification System (ENS).**

(1) **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.

(2) **Procedures for Sharing City Information with and Receiving Comment from Neighborhood Councils.**

(A) 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.

(B) Certified Neighborhood Councils may provide comment and feedback to the City Council, its committees, and to City boards and commissions by using the ENS.
(C) The Neighborhood Council may communicate its views either by way of mailed letter, fax, electronic mail (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 e-mail address, pursuant to Article VIII 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.

(g) Funding.

(1) Money appropriated in the budget each year for certified Neighborhood Councils for the costs related to the functions, operations and duties of a certified Neighborhood Council shall be placed in the Neighborhood Council 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 City Clerk, all or part of the money so appropriated may be used for neighborhood improvement projects. The City Clerk is authorized to promulgate all procedures, rules and regulations, as well as to issue any directives necessary for the administration of Neighborhood Council expenditures, including neighborhood improvement projects and Neighborhood Purpose Grants.

(2) 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 City Clerk and may be awarded grants, pursuant to the provisions as set forth in Article IX Section 2 of the Plan. The City Clerk is authorized to promulgate all procedures, rules and regulations, as well as to issue any directives necessary for the administration of the grant process discussed in this subdivision.

SECTION HISTORY

Added by Ord. No. 176,704, Eff. 7-17-05.

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 or owns real property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the neighborhood council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious 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.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

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.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

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.

SECTION HISTORY

Added by Ord. No. 172,728, Eff. 8-30-99.

ARTICLE 3
NEIGHBORHOOD COUNCILS

Section
22.814 Acceptance of Donations and Gifts.
22.815 Neighborhood Council Checking Accounts.
22.816 Neighborhood Council Elections.
22.817 Neighborhood Purposes Grants.
22.818 Neighborhood Council Grievances.
22.819 Neighborhood Council Input at City Board and Commission Meetings.
22.820 Neighborhood Council Subdivision.

Sec. 22.814. Acceptance of Donations and Gifts.
A Neighborhood Council that has been certified under the Plan for a Citywide System of Neighborhood Councils (Plan) and the Regulations Implementing the Plan (Regulations) under the limited circumstances set forth below, shall have the power and authority to accept gifts on behalf of the City of Los Angeles that relate to that Neighborhood Council's purposes, missions, or goals, to its programs or activities, or to the Citywide System of Neighborhood Councils if the acceptance of the gift is consistent with the purposes and goals expressed in the City Charter, the Plan, and the Regulations.

Gifts may include any item, monetary or non-monetary, tangible or intangible, that is contributed, provided, given, transferred, donated, bequeathed or devised to the City through the Neighborhood Councils. The authority to accept any gift includes the authority to reject or rescind the acceptance of any gift at any time. Nothing in this section requires the acceptance or retention of any gift. Nothing in this article precludes the Neighborhood Council from requesting that the City Council or the Department make a determination regarding the acceptance of any gift.

(a) **Limitations on Acceptance of Gifts.** A Neighborhood Council shall only accept gifts that relate to its purpose, mission, policies, and programs, to the Citywide system of Neighborhood Councils, consistent with the City Charter, the Plan and the Regulations. No gift shall be accepted by any Neighborhood Council that exceeds $10,000 in value. Gifts valued in excess of $10,000 shall be submitted to City Council for acceptance or rejection.

No gift of real property shall be accepted by the Neighborhood Council, including any gift for a fee simple estate or a leasehold interest in property. Gifts for a leasehold interest in real property for a term of one year or less, comprising office, storage, or meeting space, may be accepted by the Department acting on behalf of the Neighborhood Council under Section 22.801.1 of this Code. The Neighborhood Council may also request that City Council accept any gift on its behalf involving real property.

(b) **Assessment of Value.** For the purposes of determining the value of any gift that is accepted by a Neighborhood Council, including whether the gift is valued in excess of the monetary threshold value that requires the gift to be submitted to City Council, then the value of the gift shall be calculated as follows:

1. If the gift is monetary in nature, then the value is measured in United States dollars.

2. The value of all non-monetary gifts is determined based on an assessment of the gift's fair market value by the governing body of the Neighborhood Council at the public meeting where the decision is made to accept the gift.

(c) **Donor Disclosure Form.** No gift valued at more than $500 shall be accepted unless the person or entity that is the source of the gift completes the Department's approved donor disclosure form.

The requirement for completing a donor disclosure form shall not be avoided by donating successive or incremental gifts during a single calendar year, where the successive or incremental gifts would be independently valued at less than $500, but the accumulated value of the gifts over the course of that calendar year exceeds the value of $500. If any person gives or donates an accumulation of gifts within the same calendar year that total in value more than $500, then the donor must complete the donor disclosure form for each gift that exceeds this allowable accumulated total.

The donor disclosure form shall be dated and completed with information from the donor that includes and memorializes the following information required by State law:

1. That the Neighborhood Council shall receive and control the gift;

2. That the gift shall be used solely for official business related to the Citywide system of Neighborhood Councils;
(3) Whether the gift contains any restrictions, limitations or conditions, so long as the donor does not designate the gift for any specific person(s). The donor shall state and list the names of persons or the category of persons using the gift, e.g., the board of the Neighborhood Council, the executive committee of the Neighborhood Council, or the stakeholders of the Neighborhood Council. However, the Neighborhood Council, in its sole discretion, shall determine the specific person(s) who may use the gift; and

(4) States the donor's name or identifying information, a description of the gift, and the fair-market value or an estimate of the fair-market value for the gift.

In addition, the donor disclosure form shall contain an area for the entry of information by the Department or the Neighborhood Council that describes the official use for the gift.

The donor disclosure form shall also require the donor to disclose any contract, license, permit or project that the donor is currently seeking, intends to seek, or sought in the past six months from the City.

The donor disclosure form shall be filed with the Department within 30 days of the receipt of the gift.

(d) Method of Acceptance. Prior to conducting any public hearing to accept or reject any gift, the Neighborhood Council must have a completed donor disclosure form if that form is required under Subsection (c) above.

The acceptance of the gift by the Neighborhood Council shall occur at a meeting that is noticed in compliance with the Ralph M. Brown Act. The Neighborhood Council shall list on its agenda for the public meeting an item that describes the gift, the gift source or donor, that the Neighborhood Council will make a determination regarding the gift's value, and that the Neighborhood Council may take possible action regarding the acceptance or rejection of that gift or refer the gift to City Council or the Department for action.

When a gift is valued at less than $500 and the donor disclosure form is not required to be completed, the Neighborhood Council may delegate to a member of its board the ability to accept these gifts and to determine their value. This delegation of power to a board member shall occur at a public meeting and the board member accepting the delegation shall file, on a monthly basis, a list containing the information specified in Subsection (i)(2), below.

(e) Accounts / Post-Acceptance of Monetary Gifts. Neighborhood Councils shall deposit monetary gifts into an appropriate account in the "Neighborhood Empowerment Trust Fund" (Trust Fund) of the City's Treasury in accordance with Section 5.485 of this Code or into a checking account established pursuant to Section 22.815 of this Code. The Neighborhood Council shall deposit 10% of the value of all unconditional monetary gifts that it receives into a special account for disbursement to Neighborhood Councils in economically disadvantaged areas consistent with Section 5.485(d) of this Code.

(f) Post-Acceptance / Non-Monetary Gifts. Neighborhood Councils are exempt from registration of all non-monetary gifts, such as physical property items, office equipment, inventory or supplies, with the Citywide Inventory System, including the maintenance of any necessary perpetual stock records of furniture or equipment, as required under Sections 7.79 and 7.84 of this Code. However, Neighborhood Councils shall report all monetary gifts to the Department for entry into the City's Financial Management Information System and shall report all non-monetary gifts valued above $5,000 to the Department. For non-monetary gifts valued above $5,000, the Department shall provide the Neighborhood Council with an inventory control number and an inventory tag for the gifts and the Neighborhood Council shall affix the inventory tag to the gift.

(g) Restricted Gifts. Neighborhood Councils shall ensure compliance with any special terms, conditions or restrictions attached to the use of any gift. If any monetary gift contains restricted terms, the
monies shall be segregated from other accounts and earmarked with the required restrictions.

(h) Expenditure of Monies. Neighborhood Councils shall have the power and authority to expend funds for costs related to the functions, operations and duties of being a certified Neighborhood Council, including, but not limited to, leasing space for office use, meetings or storage, the purchase of office equipment, computers, supplies, or expenditures for communications, such as the costs associated with newsletters, postage or printing written materials. Neighborhood Councils may also expend the funds on neighborhood improvement projects as long as the appropriation of monies for neighborhood improvement projects have been approved under the administrative processes established by the Department of Neighborhood Empowerment. All Neighborhood Council requests for expenditures from the Trust Fund shall be processed with the Controller through the General Manager of the Department, or the General Manager’s designee. Expenditures by the Neighborhood Councils from the checking account shall be made by a negotiable written instrument and shall bear the signatures of the Neighborhood Council's Treasurer and the President or Vice-President.

(i) Record-Keeping. In addition to forwarding all donor disclosure forms to the Department within 30 days of the date of the receipt of the gift, the Neighborhood Council shall keep a written record of all accepted gifts. The record shall be submitted to the Department on March 1st and September 1st of each year. The record shall cover the immediately preceding six-month period of time and contain the following information:

1. An accounting of all accepted monetary gifts, which shall state the amount of the gift, the date accepted, and the source or donor of the gift. In addition, the report shall list all deposits and expenditures from the Trust Fund and the checking account, including the payee, the amount paid, the date, and the purpose of the expenditure or a description of the item purchased; and

2. A statement that the Neighborhood Council shall receive and control the gift. A statement that the gift shall be used solely for official business related to the Citywide system of Neighborhood Councils. Whether the gift contains any restrictions, limitations or conditions. The names of persons or the category of persons using the gift, e.g., the board of the Neighborhood Council, the executive committee of the Neighborhood Council, or the stakeholders of the Neighborhood Council. The donor’s name or identifying information, a description of the gift, and the fair-market value or an estimate of the fair-market value of the gift. For those gifts that have a value or accumulated value over $500 during any calendar year, a copy of the donor disclosure form.

(j) Prohibited Gifts. No gift shall be accepted by a Neighborhood Council that:

1. Involves or relates to providing childcare services.

2. Is a gift from a foreign or domestic government entity, excluding grants or grant funding related to the Citywide system of Neighborhood Councils.

3. Involves any ownership or possessory interest in real property, including a fee simple or leasehold interest.

4. Requires ongoing maintenance or costs that will be expended by the City for upkeep in an amount exceeding $1,000 annually, such as a gift of a monument, artwork, or mural that requires ongoing and continuous expenses by the City to maintain the gift.

5. Includes livestock or animals, whether rare or domestic, wild or tame.

6. Is a gift involving a motorized vehicle, automobile, aircraft or boat, or any vehicle that requires registration with the California Department of Motor Vehicles.
The Board of Neighborhood Commissioners may develop further policies with respect to the specific types of gifts that may or may not be accepted.

(k) The acceptance of any gift pursuant to the provisions of this article does not warrant, guarantee, or purport to establish any benefits that may be derived under State or Federal law. However, the Neighborhood Councils are authorized to facilitate the attempt by any donor of a gift to receive an acknowledgment of the gift for tax purposes, including that the Treasurer of the Neighborhood Council may provide a contemporaneous written acknowledgment, a disclosure regarding a quid pro quo contribution, or any mandatory disclosure regarding the gift for tax related purposes.

(l) The provisions of this section shall expire, and be deemed to have been repealed, three years after its effective date, unless earlier amended and extended by the Council by ordinance.

SECTION HISTORY

Article and Section Added by Ord. No. 179,545, Eff. 3-16-08.

Sec. 22.815. Neighborhood Council Checking Accounts.

(a) The Office of Finance is hereby authorized to establish any account for the benefit of Neighborhood Councils (the Account). The Account shall list the City Clerk as a joint account holder and grant the City Clerk authority to unilaterally suspend or close the Account. Alternatively, upon the request of the City Clerk, the Office of Finance may also create a single account, with the City Clerk as the prime account holder. The City Clerk is further authorized to create sub accounts (Sub Accounts) to segregate the appropriate funding level for each Neighborhood Council. The City Clerk shall determine which board members will have access and authority to use the Account or Sub Account. The City Clerk shall have authority to suspend or terminate any board member's access to the Account or Sub Account with or without cause. The City Clerk is authorized to transfer funds between and from the Neighborhood Council's City account to the Account or Sub Account. The City Clerk is authorized to promulgate all procedures, rules and regulations, as well as to issue any directives necessary for the administration of the Neighborhood Council Account or Sub Account.

(b) Neighborhood Councils may not withdraw cash from the Checking Accounts.

(c) Neighborhood Councils are authorized to make the following expenditures from their respective Checking Account by a negotiable written instrument:

   1. Payments for the functions and operations of the Neighborhood Council pursuant to Section 22.810.1(g)(1) of this Code;

   2. Payments for the neighborhood improvement projects that have been approved by the City Clerk pursuant to Section 22.810.1(g)(1) of this Code; and

   3. Payments for neighborhood purposes grants where the applications have been approved by the City Clerk pursuant to Section 22.817 of this Code.

(d) If a Neighborhood Council is unable to operate, lacks sufficient board members to form a quorum for its regular meetings, or has been placed into exhaustive efforts by the Department pursuant to Article VI section 4 of the Plan for a Citywide System of Neighborhood Councils, then the City Clerk is authorized to make any payment from the respective Checking or Sub Account for the Neighborhood Council's functions and operations pursuant to Section 22.810.1(g)(1) of this Code.
(e) In the event any Neighborhood Council is decertified, abandoned, or otherwise ceases to exist, or the Checking or Sub Account is closed or terminated, then any and all funds in the Checking or Sub Account shall be returned to the Neighborhood Council Fund in accordance with Section 5.517 of this Code.

SECTION HISTORY

Article and Section Added by Ord. No. 179,545, Eff. 3-16-08.
Amended by: Title and Section, Ord. No. 182,549, Eff. 7-6-13; In Entirety, Ord. No. 182,792, Eff. 1-1-14; Ord. No. 184,835, Eff. 5-1-17.

Sec. 22.816. Neighborhood Council Elections.

Neighborhood Council board member elections shall be administered pursuant to Section 20.36 of this Code.

SECTION HISTORY

Added by Ord. No. 179,680, Eff. 4-15-08.
Amended by: Subsec. (a)(1), Ord. No. 181,056, Eff. 2-21-10; Subsec. (b), Ord. No. 181,132, Eff. 4-30-10; In Entirety, Ord. No. 182,128, Eff. 6-18-12; Title and Section, Ord. No. 182,723, Eff. 10-28-13.

Sec. 22.817. Neighborhood Purposes Grants.

Neighborhood Councils are authorized to make monetary grants to nonprofit corporations (excluding religious institutions and private schools) organized under 26 United States Code Section 501(c)(3) and to public schools pursuant to the criteria set forth in Article XI of the Plan for a Citywide System of Neighborhood Councils.

SECTION HISTORY

Added by Ord. No. 180,155, Eff. 9-26-08.

Sec. 22.818. Neighborhood Council Grievances.

(a) Regional Grievance Panels. Seven Regional Grievance Panels are hereby established to consider grievances involving any of the City's Neighborhood Councils. The City's seven regional planning areas shall be used to determine the boundaries for the seven Regional Grievance Panels, comprised of South Area, Central Area, Harbor Area, West Area, East Area, North Valley Area and South Valley Area. The Department of Neighborhood Empowerment (Department) shall assign each Neighborhood Council to one geographic area that best corresponds to the Neighborhood Council's boundaries.

(b) Appointments to a Regional Grievance Panel. Each Neighborhood Council may appoint one board member or stakeholder to serve on a pool of panelists eligible to sit on a Regional Grievance Panel. The term of each panelist shall commence when the Neighborhood Council notifies the Department of the appointment and shall be valid until such time as the Neighborhood Council names a replacement. The Department, in its sole discretion, may reject or remove any panelist appointed by the Neighborhood Council and request the Neighborhood Council to appoint a replacement panelist. The Department may develop mandatory training required before a panelist may serve on the Regional Grievance Panel.

(c) Grievances.
(1) **Grievance Defined.** A Grievance consists of any allegation that a Neighborhood Council board, as a body, failed to follow any of the following:

(A) A bylaw or standing rule of the Neighborhood Council;

(B) A section of the Los Angeles Administrative Code;

(C) A section of the Plan for the Citywide System of Neighborhood Councils;

(D) An applicable policy of the Board of Neighborhood Commissioners;

(E) A rule or regulation promulgated by the Department; or

(F) Any other City code, executive directive, rule or regulation applicable to Neighborhood Councils.

(2) **Exclusions.** The Grievance process set forth in this section shall not be applicable to any of the following:

(A) An alleged violation of state or federal law;

(B) An allegation of wrongdoing by an individual member of a Neighborhood Council board or committee;

(C) An allegation involving an action or inaction by a Neighborhood Council committee; or

(D) A policy dispute or disagreement regarding the position of a Neighborhood Council board or committee.

(3) **Grievance by Board Member.** A board member may file a Grievance against his or her own board. Any Grievance filed by a board member against his or her own board will bypass consideration by the impacted Neighborhood Council Board, as set forth in Subsection (d)(2). The Department will forward a Grievance filed by a board member against his or her own board directly to the Regional Grievance Panel for disposition, as specified in Subsection (d)(6).

(4) **Grievance Forms.**

(A) The Department shall develop a Grievance Form. The Department only shall process a Grievance filed on the Grievance Form approved by the Department. At a minimum, the Grievance Form will require the Grievant to specify:

(i) The nature of the Neighborhood Council's alleged violation;

(ii) Any specific bylaw, rule, regulation, code, policy or directive that allegedly has been violated;

(iii) The nature of the remedy sought by the Grievant; and

(iv) An email address or mailing address to which all notices may be sent.

(B) The Department shall develop a Grievance Response Form. Only the Neighborhood Council identified in the Grievance may file a Grievance Response Form. The Department only shall process a response filed on a Grievance Response Form approved by the
Department. At a minimum, the Grievance Response Form shall require the Neighborhood Council to specify:

(i) The nature of the response to the Grievance;

(ii) The bylaw, rule, regulation, code, policy or directive that is relevant to and supports the response to the Grievance;

(iii) The remedy, if any, which the Neighborhood Council suggests; and

(iv) The email or mailing address of the member of the Neighborhood Council Board authorized to represent the Neighborhood Council in connection with the Grievance.

(C) The Department shall develop a Witness Statement Form. The Department only shall process a witness statement filed on a Witness Statement Form. Each Witness Statement Form will be limited to one page. The Department only will process a Witness Statement Form if the information contained therein is within the personal knowledge of the witness and relates to the facts and circumstances surrounding the Grievance. Each Witness Statement Form must be signed by the witness under penalty of perjury. A Grievant may file no more than three Witness Statement Forms in connection with any Grievance.

(5) Time for Filing a Grievance. A Grievance must be filed within 30 days from the date of the event giving rise to the Grievance, except that any Grievance alleging a violation relating to Neighborhood Council funding must be filed within 90 calendar days of the date the expenditure is made.

(6) Serial Grievances Prohibited. The Department shall not process more than three Grievance Forms filed by the same person in any calendar year. The Department shall not process more than five Grievance Forms filed by the same person in any three year period. The Department shall not process any Grievance relating to a previously filed Grievance, except that the Department, in its sole discretion, may coordinate and bundle the disposition of multiple Grievances relating to the same facts and circumstances as a single Grievance.

(d) Grievance Process.

(1) Department Receipt of Grievance. The Department shall review a Grievance within seven calendar days of submission to determine whether the Grievance conforms to Subsections (c)(1) and (c)(2), above. Upon a determination that a Grievance conforms with Subsection (c)(1), above, the Department shall certify the Grievance for disposition and notify the affected Neighborhood Council that the Grievance may proceed through the Grievance process established herein. The certification of a Grievance by the Department shall not be construed as a statement regarding the validity or invalidity of the Grievance.

(2) Review of Grievance by Neighborhood Council. After receiving a certified Grievance from the Department, a Neighborhood Council must, at its next regular or special meeting, but not more than 60 calendar days from the communication from the Department, take one of the following actions:

(A) Consider the Grievance in accordance with the grievance process specified in the Neighborhood Council's bylaws and issue a decision to sustain and cure or reject the Grievance in whole or in part; or
(B) Waive consideration of the Grievance and request the Department to forward the Grievance directly to the Regional Grievance Panel for consideration.

(3) Standing Waiver. In the alternative, a Neighborhood Council may adopt a bylaw or standing rule which waives consideration of all grievances.

(4) Inaction by Neighborhood Council. If a Neighborhood Council fails to timely consider the Grievance or waives consideration of the Grievance, the Department shall forward the Grievance to the Regional Grievance Panel in accordance with Subsection (d)(5), below.

(5) Appeal of Neighborhood Council Action. A Grievant may appeal a decision of the Neighborhood Council issued pursuant to Subsection (d)(2)(A). A Grievant may not appeal a decision by the Neighborhood Council to waive consideration of any or all grievances. No person other than the Grievant may appeal a decision. The appeal must be filed with the Department within seven calendar days from date of the Neighborhood Council's action on the Grievance.

(6) Establishment of a Regional Grievance Panel. The Department shall convene a Regional Grievance Panel under the following circumstances:

(A) The Department receives a timely appeal from a decision of a Neighborhood Council;

(B) A Neighborhood Council fails to timely consider a certified Grievance;

(C) A Neighborhood Council waives consideration of a Grievance; or

(D) A board member files a Grievance against his or her own board.

(7) Composition of the Regional Grievance Panel. The Department shall exercise reasonable efforts to assign a Grievance to a Regional Grievance Panel in the region in which the Neighborhood Council is located. The Department randomly shall select three panelists from the Neighborhood Council's region to serve on the Regional Grievance Panel. If sufficient panelists from a Neighborhood Council's region are unavailable for any reason, the Department, in its sole discretion, may appoint one or more panelists from another region, or may convene a Regional Grievance from another area, to consider the Grievance.

(8) Time Limit for Regional Grievance Panel Hearing. A Regional Grievance Panel shall hear the Grievance within 21 days after the Department convenes the Regional Grievance Panel. If the Regional Grievance Panel does not reach a determination on the Grievance within 21 days, the Department shall disband the Panel and create another Regional Grievance Panel as stated in Subsection (d)(5), above, to hear the matter.

(9) Notice of a Regional Grievance Panel Hearing. The Department shall provide notice of the Regional Grievance Panel hearing to the Grievant at the address provided on the Grievance Form. The Department also shall provide notice of the Regional Grievance Panel hearing to the Neighborhood Council representative listed on the Grievance Response Form.

(10) Conduct of the Regional Grievance Panel Hearing. The only written evidence considered at the Grievance Panel Hearing will be the Grievance Form, the Grievance Response Form and up to three Witness Statements filed by each side. At the hearing on the Grievance, the Grievant shall have the opportunity to present an opening argument not to exceed ten minutes. The Neighborhood Council designee shall have the opportunity to present an opening argument not to exceed ten minutes. The Grievant shall present a rebuttal not to exceed five minutes. The Neighborhood Council representative shall present a rebuttal not to exceed five minutes. The Regional Grievance Panel may, in its sole discretion, extend the time of the opening arguments and rebuttals. No further
witness testimony shall be allowed. After conclusion of the rebuttal by the Neighborhood Council representative, the Regional Grievance Panel may question either of the parties. The Regional Grievance Panel will open the matter for public comment for ten minutes unless, in the sole discretion of the Regional Grievance Panel, additional time for public comment is necessary to adjudication of the Grievance. The Regional Grievance Panel then shall deliberate the Grievance and prepare a written recommendation to the Department.

(11) **Regional Grievance Panel Determination.** Within seven calendar days after the hearing, the Regional Grievance Panel shall issue to the Department a written determination in writing regarding whether the Grievance is sustained or rejected, in whole or in part. If the Grievance is sustained in whole or in part, the Regional Grievance Panel determination also shall include a recommended remedy. The Department shall post a copy of the Grievance Panel's determination on the Department's website and also shall provide a copy of the determination to the Neighborhood Council and the Grievant.

(12) **Appeals from the Regional Grievance Panel.** Only a Grievant or the Neighborhood Council at issue in the Grievance may appeal a determination of the Regional Grievance Panel. The only basis to appeal a Decision of the Regional Grievance Panel is an allegation of impropriety by the Regional Grievance Panel. No other bases shall give rise to an appeal of a Regional Grievance Panel determination, including, but not limited to, failure or inability to introduce new or additional evidence at either the Neighborhood Council or Regional Grievance Panel or failure or inability to attend the scheduled hearing date. Within seven calendar days, the Department shall make a determination on any appeal. If the appeal is rejected by the Department, neither the Grievant nor the Neighborhood Council may appeal the Department's decision. If the Department determines that the Regional Grievance Panel's determination was improper, the Department shall establish another Regional Grievance Panel to reconsider the Grievance.

(e) **Remedies.** The Department, in its discretion, may impose the remedy or combination of remedies recommended by the Regional Grievance Panel or may impose a remedy or remedies of its own discretion. If the Department imposes a remedy or remedies that are more severe than the recommendation of the Regional Grievance Panel, the Department shall inform the Regional Grievance Panel of the basis for its decision. The remedies that may be recommended by a Regional Grievance Panel or imposed by the Department alone or in combination, are as follows:

1. Issuance of an admonishment or warning to the Neighborhood Council board or individual board member or members;

2. Issuance of a directive for the Neighborhood Council board to take corrective affirmative action;

3. Issuance of a directive requiring the Neighborhood Council Board or an individual board member or members to undergo mandated training;

4. Issuance of a directive requiring the Neighborhood Council Board or an individual board member or members to engage in mediation;

5. Suspension of board operations until mandated trainings are taken by the board or board member or members;

6. Temporary suspension of Neighborhood Council funding;

7. Placement of the operations of the Neighborhood Council Board under the control and supervision of the Department;
(8) Suspension of an individual board member or members;

(9) Imposition of an election challenge remedy, as authorized by the Department; or

(10) Initiation of the de-certification process or the process to declare board seats vacant pursuant to Section 22.810.1(e) of this Code.

(f) **Notice of Imposition of Remedy.** The Department shall notify the Grievant and the Neighborhood Council of the remedy or remedies imposed by Department within 14 calendar days from the Regional Grievance Panel's determination.

(g) **Regulations.** The Department is authorized to promulgate any further procedure, rule or regulation necessary for the administration of this Grievance process, including making clarifications or additions to the remedies listed in Subsection (e), above.

SECTiON HISTORY


**Sec. 22.819. Neighborhood Council Input at City Board and Commission Meetings.**

(a) **Formal Position.** The Neighborhood Council may take a formal position on an issue being considered by the City at the Neighborhood Council's publicly agendized meeting. The Neighborhood Council board's formal position shall be reduced to a Community Impact Statement filed with the City Clerk or a written Resolution.

(b) **Board and Commission Meetings.** The agenda for each City Board or Commission meeting shall contain an agenda item for a Neighborhood Council representative to provide the Neighborhood Council's formal position on any matter listed on the agenda for that Board or Commission meeting. The Neighborhood Council representative shall provide the Board or Commission with a copy of the Neighborhood Council's Resolution or Community Impact Statement. The agenda item for the Neighborhood Council's formal position should be listed on the agenda in an order that ensures prompt consideration of the Neighborhood Council position and should be listed separately from general public comment. In the chair's discretion at the City Board or Commission meeting, the Neighborhood Council representative may be asked to have a seat at the table typically reserved for City staff and may provide the Neighborhood Council representative more comment time than allotted to members of the general public.

SECTiON HISTORY

Added by Ord. No. 184,243, Eff. 6-4-16.

**Sec. 22.820. Neighborhood Council Subdivision.**

(a) **Subdivision Petition.** A stakeholder within an existing certified Neighborhood Council who desires forming a separate certified Neighborhood Council within the boundaries of one or more existing certified Neighborhood Councils shall submit a subdivision petition to the Department of Neighborhood Empowerment (Department) on a form approved by the Department. The subdivision petition shall identify five stakeholders who are authorized to receive notice and make decisions regarding the subdivision petition, including any bylaw changes. The Department shall review the subdivision petition to determine if the subdivision petition complies with the components of a Certification Application stated in Article III, Section 2 of the Plan for a Citywide System of Neighborhood Councils (Plan), except that the subdivision petition may propose boundaries that are within one or more existing certified Neighborhood Councils.
(b) Election Approving a Subdivision. The Department shall conduct an election within the boundaries stated in the subdivision petition within 90 days of the Department's approval of the subdivision petition. A stakeholder is eligible to vote in the election if the person is a stakeholder in the proposed area for subdivision or in any of the Neighborhood Councils that are proposed for subdivision. A majority of the voters from the entire Neighborhood Council or Neighborhood Councils being subdivided must approve the subdivision in order to create the new Neighborhood Council.

(c) Bylaws for the Existing Neighborhood Council. If a majority of the stakeholders at the election approve the subdivision, then the existing certified Neighborhood Council or Neighborhood Councils being subdivided shall amend their bylaws within 30 days of the election to reflect changes to the boundaries and, if applicable, the board structure. If the existing certified Neighborhood Council or Neighborhood Councils fail to provide amended bylaws within 30 days of the election, then the Department is authorized to amend the bylaws to reflect any changes to the boundaries or board structure. The Department shall forward the bylaws for any Neighborhood Council that is being subdivided and the subdivision petition to the Board of Neighborhood Commissioners (Commission) for approval of the bylaws.

(d) Approval of Bylaws by the Commission. The Commission is authorized to review the bylaws for any Neighborhood Council being subdivided and the bylaws in the subdivision petition. The Commission is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan. If the Commission approves the bylaws in the subdivision petition, then the Neighborhood Council listed in the subdivision petition shall be deemed a certified Neighborhood Council within the City of Los Angeles. The five stakeholders listed in the subdivision petition shall be authorized to work with the Department and make decisions regarding the initial election or selection of the newly certified Neighborhood Council's governing board. The Neighborhood Council or Neighborhood Councils being subdivided are not required to recertify and continue to remain certified after approval by the Commission of the bylaws.

(e) Regulations. The Department is authorized to promulgate any further procedure, rule or regulation necessary for the administration of the subdivision process contained in this section, including, but not limited to, conducting the election for subdivision, initial election for the subdivided Neighborhood Council's governing board, eligibility for voting at any election, and placing limitations the number of subdivision petitions processed during any calendar year.

SECTION HISTORY

Added by Ord. No. 184,526, Eff. 11-9-16.
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. 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.
The Board of Neighborhood Commissioners has advised that since the first neighborhood councils were certified fourteen years ago they have often struggled to acquire office space and find locations for their board and committee meetings.

The Board also advises that neighborhood councils have been spending nearly $200,000 yearly for office space and meeting locations. This amount includes money paid to other government agencies including Metrolink and LAUSD. One neighborhood council without an office and limited meeting space reportedly holds its committee meetings in its rented storage unit.

The Board further advises that neighborhood councils as members of the City family should be able to use shared City space for offices and meetings; and that the public funds for rental of office/meeting space can be better used for outreach and other matters within neighborhood councils' jurisdiction.

The Board indicates that there are many public buildings throughout the City, but information about surplus space or whether they are used in the evenings when neighborhood councils generally hold their meetings seems difficult to obtain; but that neighborhood councils as Charter created City entities should have priority to use available public space.

To this end, at its December 1, 2015 meeting the Board of Neighborhood Commissioners acted to request that the City Council explore the feasibility of providing neighborhood councils with priority in the use of shared space at City facilities for board and committee meetings and office space where available.

I THEREFORE MOVE that the City Administrative Officer, with the assistance of the Department of General Services and the Chief Legislative Analyst be directed to report on what shared spaces might be available for use by neighborhood councils and the feasibility of providing neighborhood councils with priority in the use of such spaces at City facilities for board and committee meetings and office space where available.

PRESENTED BY
HERB J. WESSON, Jr.
Councilman, 10th District

SECONDED BY

ak
ORDINANCE NO. ____________

An ordinance amending Sections 22.806 of the Los Angeles Administrative Code relating to the Board of Neighborhood Commission's authority to define community interest stakeholders.

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

Section 1. Section 22.806 of Chapter 28, Article 2 of the Los Angeles Administrative Code is amended in its entirety to read as follows:

Sec. 22.806. Powers and Duties of the Board.

(a) 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.

(b) The Board is authorized to define the types and duration of contacts that constitute "substantial and ongoing participation" for a community interest stakeholder under Section 22.811(a)(1). The Board's definition of a community interest stakeholder shall be subject to the concurrence of the City Council and the Mayor. Any change to the definition of a community interest stakeholder shall not be implemented during an election cycle where the Candidate Filing period has already opened and, instead, will be implemented prior to the start of the next election cycle.
Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _________________.

HOLLY L. WOLCOTT, City Clerk

By ____________________________  Deputy

Approved ________________

__________________________  Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By ____________________________  Deputy City Attorney

Date __/__/2015

File No. 15-1022
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:

(2) that neighborhood council membership will be open to everyone who lives, works, owns property in the neighborhood and also to those who declare a stake in the neighborhood and affirm the factual basis for it are community interest stakeholders, defined as persons who affirm a substantial and ongoing participation within the neighborhood council boundaries and who may be in a community organization such as, but not limited to, educational, nonprofit, and religious.