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November 07, 2017

Honorable David E. Ryu, Chair
Health, Education, and Neighborhood Council Committee
Councilmember, Fourth District
Los Angeles City Hall
200 N Spring Street, Room 425
Los Angeles, CA 90012

Honorable Committee Chair Ryu:

The Hermon Neighborhood Council was the first successful subdivision in the City of Los Angeles. On May 25, 2017, the Board of Neighborhood Commissioners approved the Hermon Neighborhood Council bylaws in accordance with the Neighborhood Council Subdivision Ordinance Sec. 22.819, paragraph d. During this process, the Commission observed challenges implementing the process of the Subdivision Ordinance and believed should be addressed.

The Commission has held discussions, regarding amendments to the ordinance, on their agendas since our special meeting on July 12, 2017. Neighborhood Council Board Members as well as community stakeholders have commented on the proposed amendments at our meetings since it was first agendized. The text of the proposed amendments have been made available for public comments since our August 3, 2017 special meeting.

At the regular meeting of the Board of Neighborhood Commissioners held on October 16, 2017, we approved the final version of the proposed amendments. At this meeting, your Field Deputy, Mr. Nicholas Greif, stated the Health, Education and Neighborhood Council Committee expected the Commission to provide recommendations to amend the Subdivision Ordinance.

The Department of Neighborhood Empowerment has informed the Commission, they will open the Subdivision Application process in November. The Commission feels this is the appropriate time to submit this matter to your Committee for review and consideration.

The Board of Neighborhood Commissioners respectfully submit the following amendments to Section 22.819 of Article 3 of Chapter 28 of the Los Angeles Administrative Code (Neighborhood Council Subdivision Ordinance) for consideration: ***(proposed language changes in bold and italic and or ~~strikethrough~~)***

Proposed amendments to Administrative Code Section 22.819 – Neighborhood Council
Subdivision

(a) Subdivision Petition. A stakeholder within an existing certified Neighborhood Council who desires to form 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. ***The Department shall notify all affected certified Neighborhood Councils when a subdivision petition is requested. The Department shall also notify all affected certified Neighborhood Councils when a subdivision petition is filed and when any amendment or amendments to the original petition are filed. The petition and any amendments shall be posted on the Department's web site. Notice shall be given to all current board members of the affected certified Neighborhood Councils on file with the Department, and shall include a link to the original petition and any amendments. All such notices shall be accomplished as soon as practicable.***

(b) Outreach. ***The Department shall be responsible for outreach to both the proposed subdivision and any affected certified Neighborhood Councils. Where possible the Department shall hold informational town hall meetings in both the proposed subdivision area and within the boundaries of any affected certified Neighborhood Councils excluding the proposed subdivision area. Outreach by the Department shall not relieve the proponents of the proposed subdivision of any outreach requirements imposed by the Department.***

(c) Petition, Bylaws and Boundaries. ***After conducting suitable outreach, but in no event longer than 90 days after final approval of the subdivision petition by the Department, the Department shall forward to the Board of Neighborhood Commissioners (Commission) the approved subdivision petition and the bylaws of the proposed subdivision. Within 30 days the Commission shall hold a hearing in the proposed subdivision area for the purpose of reviewing the subdivision petition and the proposed bylaws and boundaries. The Commission, after making any necessary findings shall approve or disapprove of the subdivision petition. If the subdivision petition is approved, then the Commission is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan. The Commission is also authorized to make any amendments to the boundaries that it deems necessary to preserve the integrity of the affected Neighborhood Council or Councils and the subdivision.***

(d) 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 ***Commission's approval of the subdivision petition and the bylaws and boundaries. Where possible the Department shall also locate additional polling locations within the boundaries of the affected Certified Neighborhood Councils outside of the proposed subdivision area.*** 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. ***If, after certification of the election by the Department it is determined that a majority of the stakeholders voting at the election approves of the***

subdivision the Department shall forward the results to the Commission for certification of the subdivision as a Neighborhood Council at its next regular or special meeting.

(e) Bylaws for the Existing Neighborhood Council. ~~If a majority of the stakeholders at the election approve the subdivision,~~ ***If the Commission certifies the new Neighborhood Council,*** then the existing certified Neighborhood Council or Neighborhood Councils being subdivided shall amend their bylaws within ~~30~~ 60 days of the ~~election~~ ***certification*** 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~~ 60 days of the ~~election~~ ***certification*** 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~~ ***for approval of the bylaws. The Commission is authorized to make any amendments to the bylaws to satisfy Article III Section 2 of the Plan.***

Thank you for considering our position and feel free to reach out to our Commission for clarification.

Yours truly,



Joy Atkinson, President
Board of Neighborhood Commissioners

Cc:

Mayor Eric Garcetti
Council President Herb J. Wesson, Jr, Tenth District
Council President Pro Tempore Mitchell Englander, Twelfth District
Council Assistant President Pro Tempore Nury Martinez, Sixth District
Councilmember Gilbert A. Cedillo, First District
Councilmember Paul Krekorian, Second District
Councilmember Bob Blumenfield, Third District
Councilmember Paul Koretz, Fifth District
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Councilmember Marqueece Harris-Dawson, Eighth District
Councilmember Curren D. Price, Jr. Ninth District
Councilmember Mike Bonin, Eleventh District
Councilmember Mitch O'Farrell, Thirteenth District
Councilmember Jose Huizar, Fourteenth District
Councilmember Joe Buscaino, Fifteenth District
City Attorney, Mike Feuer
General Manager Grayce Liu, Department of Neighborhood Empowerment
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