

HEALTH, EDUCATION, AND NEIGHBORHOOD COUNCILS COMMITTEE REPORT
relative to the Board of Neighborhood Commissioners recommendations in relation to the
Neighborhood Council Subdivisions.

Recommendation for Council action:

REQUEST the City Attorney to prepare and present a revised Ordinance to replace Los Angeles Administrative Code Section 22.819 to incorporate the recommendations of the Board of Neighborhood Commissioners (Commission) November 7, 2017 letter regarding Neighborhood Council Subdivisions as amended and substituted below:

- 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 and that no subdivision petition shall be accepted whose boundaries include less than 10,000 residents. 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.
- b. Outreach. 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 the outreach in subsection (b) above, but in no event longer than 90 days after the subdivision petition is validated by the Department, the Department shall forward to the Commission the 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 Neighborhood 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 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.
- e. Bylaws for the Affected Neighborhood Council. If the Commission certifies the new Neighborhood Council, then the existing certified Neighborhood Council or Neighborhood Councils being subdivided shall amend their bylaws within 60 days of the 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 60 days of the 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 to the Commission 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.
- f. 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.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On August 28, 2018, the Health, Education, and Neighborhood Councils Committee considered the Board of Neighborhood Commissioners reports dated January 19, 2018 and November 7, 2017 relative to the Neighborhood Council Subdivision.

After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the recommendation reflected above. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

HEALTH, EDUCATION, AND NEIGHBORHOOD COUNCILS COMMITTEE

MEMBER VOTE

RYU: YES
CEDILLO: YES
WESSON: ABSENT

EV

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-NOT OFFICIAL UNTIL COUNCIL ACTS-