

JUL 03 2013

MOTION EDUCATION & NEIGHBORHOODS

12-1682-51

In October 2012, CD 14 introduced a motion relative to recent Eagle Rock Neighborhood Council elections where votes were cast from those claiming to be "factual basis stakeholders"; however, these voters had little or no relationship with the Eagle Rock community. This attempted take over of a certified Neighborhood Council constituted an abuse of the neighborhood council electoral process. At that time, CD 14 called for a comprehensive review of the definition and process for qualifying a Neighborhood Council stakeholder as defined in the Los Angeles Administrative Code (LAAC) and the Plan for a Citywide System of Neighborhood Councils (Citywide Plan), including a review of the qualifications of a "factual basis stakeholder".

The General Manager, Department of Neighborhood Empowerment, has advised that the Board of Neighborhood Empowerment Commissioners (BONC) established three Regional Plan Review Committees which, in part, were charged with a review and modification to the factual basis stakeholder definition. Those reviews have now been concluded.

At its meeting on June 17, 2013, BONC considered the recommendations from the Regional Plan Review Committees regarding modifications to the factual basis stakeholder definition and recommended that the LAAC and the Citywide Plan be amended, as follows:

Remove the current definition of factual basis stakeholder and substitute with a community interest stakeholder defined as a person who affirms 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/or religious.

The modifications adopted by BONC provide needed clarity to the existing definition and reduces ambiguity and vagueness. DONE and BONC have undertaken a regional review process where diverse opinions were allowed to be voiced in a transparent, open manner. We should proceed to adopt the BONC recommendations.

I THEREFORE MOVE that the City Attorney be requested to prepare and present an ordinance amending the Los Angeles Administrative Code regarding the membership of neighborhood councils, substantially as follows:

- a. 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 as a community interest stakeholder and affirms 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/or religious.
- b. Remove the requirement that Neighborhood Councils provide a governing board position reserved for community interest stakeholders provided there is an at large position for which all stakeholders could vote and run for.
- c. Allow each Neighborhood Council to determine the number of governing board seats that will be allocated to community interest stakeholders.
- d. Require that the affirmation of those community interest stakeholders proposed in the Neighborhood Council by-laws be consistent with and equal to those administered for those who live, work or own property.
- e. Define "own property" as meaning real estate property.

I FURTHER MOVE that City Attorney be requested prepare and present the necessary Resolution to modify the "Plan for a Citywide System of Neighborhood Councils" consistent with the above proposed modifications to Los Angeles Administrative Code.

PRESENTED BY: Jose Huizar
JOSE HUIZAR
Councilmember, 14th District

SECONDED BY: Mark J. Kern

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