



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 20 - 0 1 5 6
MAY 2 6 2020

REPORT RE:

DRAFT ORDINANCE ADDING SECTION 22.801.1 TO THE LOS ANGELES ADMINISTRATIVE CODE ESTABLISHING A REVISED DEFINITION OF COMMUNITY INTEREST STAKEHOLDER FOR NEIGHBORHOOD COUNCILS, AMENDING SECTIONS 20.36(d) AND 22.811(a)(2) TO REFERENCE THE REVISED DEFINITION, AND REPEALING SECTION 22.806(b) TO REMOVE THE CURRENT DEFINITION OF COMMUNITY INTEREST STAKEHOLDER

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 18-0467

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This draft ordinance adds a new Section 22.801.1 to the Los Angeles Administrative Code (LAAC) revising the definition of a neighborhood council Community Interest Stakeholder.

Currently, a Community Interest Stakeholder is defined as a person who affirms a "substantial and ongoing participation" within a 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. The draft ordinance re-defines a Community Interest Stakeholder as a person who is a member of or participates in a community organization within a neighborhood council's boundaries and defines what community organizations qualify under the revised definition. The new Section 22.801.1 will replace a former Section 22.801.1, which was repealed in March 2011.

The draft ordinance establishes a stand-alone section defining a stakeholder, which includes the revised Community Interest Stakeholder definition. The new section restates the City Charter definition of stakeholder, clarifies the definitions of terms such as “community stakeholder” or “stakeholder” used in the Charter and the LAAC, and distinguishes these terms from the newly defined Community Interest Stakeholder. The draft ordinance applies prospectively so as to avoid disruption to the constitution of existing neighborhood council boards. Any neighborhood council board member whose eligibility would be affected by the revised Community Interest Stakeholder definition is expressly permitted to serve out the remainder of his or her term.

The draft ordinance also amends Sections 20.36(d) and 22.811(a)(2) of the LAAC by adding or correcting the statutory references to reflect the new location of the revised Community Interest Stakeholder definition. In addition, the draft ordinance repeals Section 22.806(b) of the LAAC to remove the current “substantial and ongoing participation” standard, currently in effect.

The Clerk and our Office request that any future change to the definition of Community Interest Stakeholder be made well in advance of any neighborhood council election. Affording ample lead time will ensure that the implementation of any definition change will not be disruptive to neighborhood council elections.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Neighborhood Empowerment and the Office of the City Clerk with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Steve Houchin at (213) 978-8130. He or another member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM:SH:ac
Transmittal