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November 19, 2018

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

Re: Commission recommendation on Council File Number 18-0467 Reform B
Substantial and Ongoing Participation of the Community Interest Stakeholder

Honorable Committee Chair Ryu:

BACKGROUND

The Board of Neighborhood Commissioners held 6 meetings, 1 town hall, and received over one hundred comments from stakeholders regarding the Council File Number 18-0467 Reform B regarding “substantial and ongoing” participation.

On November 5, 2018, the Board of Neighborhood Commissioners held a Brown Act Compliant meeting to discuss two recommendations regarding “substantial and ongoing” participation. Both proposals were approved by the Commission to be sent to the Los Angeles City Council for review, discussion and action. These proposals are not mutually exclusive, providing alternatives for clarifying “substantial and ongoing” participation and/or refining the definition of Community Interest Stakeholder.

On November 19, 2018, the Commission requested the Department of Neighborhood Empowerment to send this letter and the two proposals to the members of the Health, Education, and Neighborhood Council Committee, as well as all members of the Los Angeles City Council and the Mayor.

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Recommendations 1: Redefining Community Interest Stakeholder

The Charter of the City of Los Angeles (Sec. 906) (a) (2) outlines that “neighborhood council membership will be open to everyone who lives, works or owns property in the area (stakeholders).” It goes on to say that Neighborhood Council bylaws must provide “assurances that the members of the neighborhood council will reflect the diverse interests within their area.” As such, the Plan for a Citywide System of Neighborhood Councils defined a “community interest stakeholder” 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, education, nonprofit and/or religious organizations.”

What is considered “substantial and ongoing” has plagued Neighborhood Council elections since it was amended into the Plan in 2013. In 2018, the City Council authorized the Board to define the types and duration of contacts that constitute “substantial and ongoing participation” and make recommendations to amend the Administrative Code, with concurrence of the City Council and the Mayor.

The Board of Neighborhood Commissioners recommends to the City Council and Mayor that the City take a different approach to the issue of community interest stakeholder by amending the Administrative Code to define stakeholders as such:

“any individual 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, nonprofit and/or religious organizations, participate in or are a member of a community organization, defined as a named entity which has a physical street address within the boundaries of the Neighborhood Council for not less than one (1) year prior to the Neighborhood Council election or selection which performs verifiable ongoing activities and operations that confers some benefit on the community. This may include but is not limited to: chambers of commerce, houses of worship or other faith-based organizations, educational institutions, a non-profit organization or other such community based organizations. Neighborhood Councils may—and are encouraged to—expand this definition by amending their bylaws to include other defined groups of stakeholders that conform to the above definitions.”

This clarifies the definition by:

1. Recognizing that a community organization must have a physical presence in the Neighborhood Council;
2. Ensuring that it isn’t an entity created for the sole purpose of gaming the Neighborhood Council election system;
3. Clarifying that community organizations should benefit the public, not a private entity or individual;
4. Recognizing that the Charter indicates that members of the Neighborhood Council should reflect the diverse interests within their area and, therefore, if a Neighborhood Council believes that a particular type of activity, business district, cultural landmark, or recreational facility is a defining character of their neighborhood, that Neighborhood Council should be able to expand the definition by amending their bylaws in accordance with the Plan.

Recommendation 2: Clarifying "Substantial and Ongoing" Participation

The types and duration of contacts necessary to constitute "substantial and ongoing participation for a community interest stakeholder shall be defined as follows:

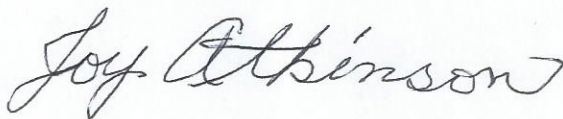
A community interest stakeholder (CIS) is a person who, not less than thirty (30) days prior to the Neighborhood Council election or selection, has been a member of, associated with or participated in an organization that has a physical location within the neighborhood council boundaries.

The organization must have been in existence within the Neighborhood Council boundaries for not less than one (1) year prior to the Neighborhood Council election or selection and must be one that confers some benefit on the community, which may include but is not limited to educational institutions, religious institutions, community organizations or other non-profit organizations, block clubs, school/parent groups, faith based groups and organizations, senior groups and organizations, youth groups and organizations, chambers of commerce, service organizations, park advisory boards, boys and girls clubs, cultural groups, environmental groups, and police advisory board groups.

Membership in, association with, participation in or patronization of organizations such as, but not limited to those that deal in sales to the public or personal service organizations or businesses are not of the type of contacts that would qualify one as a community interest stakeholder.

Thank you for considering this matter and the recommendations made by our Commission.

Sincerely,

A handwritten signature in cursive script that reads "Joy Atkinson".

Joy Atkinson, President
Board of Neighborhood Commissioners