

DISCUSSION DRAFT INTRODUCED IN GOVERNMENTAL EFFICIENCY COMMITTEE

Article I

Goals and Objectives of the Neighborhood Council System

The goals and objectives of the Plan are to:

1. Promote public participation in City governance and decision making processes so that government is more responsive to local needs and requests and so that more opportunities are created to build partnerships with government to address local needs and requests.
2. Promote and facilitate communication, interaction, and opportunities for collaboration among all Neighborhood Councils regarding their common and disparate concerns.
3. Facilitate the delivery of City services and City government responses to Neighborhood Councils' problems and requests for assistance by helping Neighborhood Councils to both identify and prioritize their needs and to effectively communicate those needs.
4. Ensure equal opportunity to form Neighborhood Councils and participate in the governmental decision making and problem solving processes.
5. Create an environment in which all people can organize and propose their own Neighborhood Councils so that they develop from the grassroots of the community.
6. Foster a sense of community for all people to express ideas and opinions about their neighborhoods and their government.

Article II

Desired Characteristics of Neighborhood Councils

1. Inclusive Membership

Neighborhood Councils shall be diverse, inclusive, and open to all Community Stakeholders. A Community Stakeholder is defined as any individual who lives, works or owns property in a Neighborhood Council area. In addition, Community Stakeholder status may be identified by participation in, among other things, educational institutions, religious institutions, community organizations or other non-profit organizations, block clubs, neighborhood associations, homeowners associations, apartment associations, condominium associations, resident associations, school/parent groups, faith based groups and organizations, senior groups and organizations, youth groups and organizations, chambers of commerce, business improvement districts, service organizations, park advisory boards, boys and girls clubs, cultural groups, environmental groups, codewatch, neighborhood watch, police advisory board groups, and/or redevelopment action boards.

2. Statement of Non-Discrimination

A Neighborhood Council must encourage all Community Stakeholders to participate in all of its activities, and may not discriminate in any of its policies, recommendations or actions against any individual or group on the basis of race, religion, color, creed, national origin, ancestry, sex, sexual orientation, age, disability, or marital status, income, or political affiliation.

3. Transparent Operations

Neighborhood Councils shall adopt fair and open procedures for the conduct of their business.

4. Independent Entities

Neighborhood Councils shall be as independent, self-governing, and self-directed as possible. DONE shall assist Neighborhood Councils to pursue options, including, but not limited to, tax-exempt status and/or non-profit incorporation, to strengthen their independence. Tax-exempt status and/or non-profit incorporation will have no effect on a Neighborhood Council's eligibility for assistance, monetary or otherwise, from DONE.

Article III

Certification of Neighborhood Councils

1. **DONE responsibilities.** On October 1, 2001, after the adoption of the Neighborhood Council Plan, DONE shall:
 - (a) Announce and inform the public of the Neighborhood Council certification process citywide.
 - (b) Actively solicit applications from potential Neighborhood Councils, giving emphasis to those areas and Community Stakeholders with traditionally low rates of civic participation.
 - (c) Facilitate and encourage collaboration and discussion among neighboring and overlapping applicant groups and provide technical assistance on how to proceed with a unified certification application, and provide dispute resolution services to applicants where more than one application is submitted for a Neighborhood Council boundary area to gain consensus on a unified certification application.
2. **Components of a Certification Application.** A certification application shall, at a minimum, include the components listed below.

Boundaries

- (a) A detailed description of proposed boundaries shall be provided, including a rationale for drawing the proposed boundaries. Neighborhood Council applicants within a proposed Neighborhood Council boundary shall, to the extent feasible, work together in setting boundaries.
- ✍ In identifying proposed Neighborhood Council boundaries, applicants are encouraged to reference other types of existing boundaries, including, but not limited to, the following:
- (i) Census tracts as a means of complying with the minimum population size of 20,000 Neighborhood Council members.
 - (ii) City service and planning areas, such as police and fire districts or Community Planning Area boundaries.
- ✍ A proposed set of boundaries should, to the maximum extent feasible, follow historic and contemporary community and neighborhood borders, and shall utilize natural boundaries or street lines and be geographically compact and contiguous.
- ✍ The boundaries of two or more Neighborhood Councils may not overlap with one another, unless:

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- (i) The area for proposed inclusion into each Neighborhood Council is designed for a public use, such as a park, school, library, police or fire station, or major thoroughfare; or,
- (ii) Extenuating circumstances warrant the inclusion of an area in more than one Neighborhood Council boundary, including, but not limited to, ensuring that a designated Community Planning Area boundary be kept intact or retaining a landmark or facility with historical significance.

In the case where an applicant proposes overlapping boundaries with another Neighborhood Council, a detailed rationale for incorporating the overlapping area must be provided as part of a certification application.

- ✍ The inaugural boundaries of all Neighborhood Councils shall be the limits of the City of Los Angeles. The boundaries of a Neighborhood Council are encouraged to remain within the limits of the City of Los Angeles because the City can only guarantee delivery of its services to residents of the City of Los Angeles.
- ✍ Neighborhood Council boundaries should be comprised of no less than 20,000 residents. Areas that have fewer than 20,000 residents may be certified provided they meet the following criteria:
 - (i) The proposed area is separated from adjacent communities by significant geographic features; or,
 - (ii) The proposed area is identified by name within any of the 36 adopted Community Plan Areas of the City Planning Department; or,
 - (iii) The proposed area represents a historic, identifiable neighborhood or community that is serviced by City service providers, such as a public library, park, recreation center, fire or police station, or a public school.
- ✍ A Neighborhood Council that comprises fewer than 20,000 residents must satisfy all requirements of the Plan.

Outreach

- (b) The outreach process used to identify Community Stakeholders within the proposed Neighborhood Council boundary must be described in detail.
 - (i) In order to demonstrate a good faith effort towards achieving diversity, an applicant shall identify at least ten unique groups of Community Stakeholders that have an interest within the proposed Neighborhood Council boundaries and shall collect no less than 250 and no more than 500 signatures from those ten groups. No less than 25 and no more than 50 signatures must be collected from each of the ten groups. For example, a homeowners group may write a letter supporting the application that is

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signed by 25 members of that organization. Such a letter would fulfill one-tenth of the signature requirement.

- (ii) If the applicant cannot identify ten unique groups of Community Stakeholders within the proposed Neighborhood Council boundary, then the applicant shall be required to identify as many unique groups as possible and collect at least 250 signatures divided proportionately among Community Stakeholders who have an interest within the proposed Neighborhood Council boundary area.

Outreach

(b) The outreach process used to identify Community Stakeholders within the proposed Neighborhood Council boundary must be described in detail. In order to demonstrate a good faith effort towards achieving a diversity of Community Stakeholder representation, an applicant shall collect no less than 250 and no more than 500 signatures from Community Stakeholders that have an interest with in the proposed Neighborhood Council boundaries. Signatures shall, to the maximum extent feasible, reflect the broadest array of Community Stakeholders who will actively participate in the Neighborhood Council.

Bylaws

(c) Bylaws shall be established, including the following information.

- (i) Neighborhood Council name

- (ii) Membership criteria

- (1) The bylaws shall state that the Neighborhood Council membership is open to all Community Stakeholders.

- (2) The bylaws shall include a list of offices of the governing body and a method for regularly electing or selecting officers who shall serve as the governing body. The governing body must, to the extent possible, reflect the diversity of the Neighborhood Council's Community Stakeholders. No person may serve more than two, **consecutive** four-year terms of office in any office of the governing body. ~~This limitation on the number of terms of office shall not apply to any unexpired term to which a person is elected or selected if the remainder of the term is less than one-half of the full term of office.~~

- (iii) Meeting procedures. Each Neighborhood Council shall:

- (1) Meet at least once per calendar quarter.

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- (2) Obey **any or all sections of** the State of California's open meeting procedures **that apply to a Neighborhood Council** (Ralph M. Brown Act), which includes posting meeting notices in generally accepted public places or through electronic media, such as e-mail or posting notice on DONE's Web page.
- (3) Establish procedures for communicating with all Neighborhood Council Community Stakeholders on a regular basis in a manner ensuring that information is disseminated evenly and in a timely manner.
- (4) A process for running meetings, including:
 - (a) The number of governing body members that constitute a majority and a quorum;
 - (b) The number of votes by a governing body for a Neighborhood Council to take an official action, such as adoption an item or position; and,
 - (c) The way in which a vote by the governing body or action by the Neighborhood Council can be reconsidered, if applicable.
- (iv) A grievance procedure shall be established by which an individual Community Stakeholder or group of Community Stakeholders of a Neighborhood Council shall be able to express concerns to their governing body about its decisions and actions.

Financial Accountability

- (d) A system of financial accountability shall be established that governs a Neighborhood Council's use of its funds. Each Neighborhood Council shall:
 - (i) Prescribe a method for keeping a book of accounts that complies with applicable local, state, and federal laws, **which includes including any or all provisions of** Generally Accepted Accounting Principles **that apply to a Neighborhood Council**, according to the type of entity established by the Neighborhood Council.
 - (ii) Discuss its finances at a regularly scheduled or special Neighborhood Council meeting, prior to submitting an account statement to DONE (as prescribed below), in order to gather input from Neighborhood Council Community Stakeholders.
 - (iii) Ensure that each Neighborhood Council's book of accounts shall be open to all Community Stakeholders of any Neighborhood Council.
 - (iv) Establish a process by which each Neighborhood Council member can review the Neighborhood Council's book of accounts.

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- ✍ Each Neighborhood Council's governing body shall include an officer named the Treasurer, whose duties shall include maintaining the Neighborhood Council's book of accounts and submitting account statements to DONE no less than once but not more than three times during each fiscal year, the date(s) of which shall be prescribed by DONE. Refusal to submit accounting information as required by DONE shall be grounds for consideration of de-certification (as defined in Article V, Section 5 of this Plan).

Ethics

- (e) Each Neighborhood Council shall ~~adopt and~~ be subject to **any or all sections of** the City of Los Angeles Governmental Ethics Ordinance **that apply to a Neighborhood Council** (Los Angeles Municipal Code Section 49.5.1). All applicable laws of federal, state, and local government shall be the minimum ethical standard for a Neighborhood Council, its governing body, and Community Stakeholders.

Contacts

- (f) Every application shall include contact information for no less than three and no more than five people who shall act as official contacts between the applicants and DONE until the Neighborhood Council is certified.

Article IV

Certification Process

1. DONE staff shall evaluate a certification application to determine whether the application meets all of the criteria set out in Article III, Section 2, "Components of a Certification Application."
2. Once a certification application is submitted to DONE, the application shall be held by DONE for a period of 20 business days. During said period, DONE shall begin its evaluation of the application to ensure that it is complete.
 - (a) At the end of said 20 business-day period, if only one application is submitted that describes a specific set of boundaries for a proposed Neighborhood Council and if the application is complete according to DONE's evaluation, DONE shall:
 - (i) Forward the application, any accompanying information, and its recommendation to the Board of Neighborhood Commissioners (Commission) for consideration; and,
 - (ii) Notify the Neighborhood Council applicant, in writing, that the application has been forwarded to the Commission for its consideration.

If DONE fails to evaluate or forward the application (and any accompanying information, including its recommendation) to the Commission within said time period, DONE shall automatically forward the application without a recommendation to the Commission for consideration.

- (b) If DONE receives two or more certification applications, within said 20 business-day period, that identify the same, similar, or overlapping Neighborhood Council boundaries, DONE shall immediately notify, in writing, all contacts for all affected applicant groups in an effort to work with applicants to produce a unified application. Applicants of the Neighborhood Councils shall have 20 business days from the date notification is given by DONE to develop a unified application.
 - (i) If consensus is reached at any time within said 20 business-day period or at any time during an extended time period pursuant to Article IV, Section 2(b)(ii), said period shall be terminated and all applications shall be deemed received by DONE for evaluation. In the event that all affected applicant groups agree in writing to terminate, for any reason, the process of developing a unified application within the 20 business-day period, all applications, as originally submitted, shall be deemed received by DONE for evaluation. If no consensus is reached within or at the end of the 20 business-day period, the applications, as originally submitted, shall be deemed received by DONE for evaluation.

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- (ii) The 20 business-day period described in (i) above may be extended by DONE if all certification applicants make such a request in writing within the time period referenced in (i) above. If no consensus is reached within or at the end of the 20 business-day period, the applications, as originally submitted, shall be deemed received by DONE for evaluation.
 - (iii) Once an application has been deemed received by DONE for evaluation through the processes described in (i) or (ii) above, DONE shall have ten business days to evaluate all applications as submitted. At the end of its ten business-day evaluation period, if DONE determines that all or some of the applications are complete according to DONE's evaluation, DONE shall forward the application, any accompanying information, and its recommendation to the Commission for consideration. If DONE fails to evaluate or forward the application (and any accompanying information, including its recommendation) to the Commission within said time period, DONE shall automatically forward the application without a recommendation to the Commission for consideration.
- (c) If, at any time during the processes described in this section, DONE determines that an application is incomplete, it shall return the application to the applicants along with a detailed list in writing of the missing components required in a certification application and suggestions on how to incorporate missing components. Applicants whose certification application was determined to be incomplete and returned by DONE may at any time re-submit the application after amending it to meet all the necessary criteria.
3. DONE shall have ten business days, from the date that it forwards an application to the Commission for consideration, to prepare, translate (if necessary), and post public notices that a group has applied to be certified as a Neighborhood Council according to the following:
- (a) A copy of the notice shall be posted in at least five public, easily accessible places within the boundaries of the proposed Neighborhood Council. Examples of appropriate posting locations include, but are not limited to, libraries, police or fire stations, or DONE's Web site.
 - (b) Copies of the notice shall be posted for 15 business days.
 - (c) The notice shall be translated into all languages other than English that the City Clerk Election Division uses to produce sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. At the present time, a sample ballot is published in Chinese, English, Japanese, Korean, Spanish, Tagalog, and Vietnamese. This list of languages may change from time to time, and DONE shall be responsible for keeping current with said changes. DONE shall be responsible for translating the notice into any other language upon request.

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4. Within the same ten business-day time period referenced in Article IV, Section 3, DONE shall provide written notice to the applicant group of the date that the Commission will conduct its public hearing during which the applicant's certification application will be considered.
5. Within ten business days after the expiration of the 15 business-day public notice period described in Article IV, Section 3(b), the Commission shall conduct a public hearing to take testimony from members of the public regarding the submitted certification application. The following shall apply:
 - (a) The public hearing shall be conducted as part of the Commission's next regularly scheduled meeting or as part of a special meeting if no regularly scheduled meeting falls within said ten business-day period.
 - (b) The Commission meeting shall be conducted within the boundaries of the proposed Neighborhood Council.
6. During the meeting where the Commission conducts a public hearing for the purpose of considering a certification application, and at the close of the public comment period and after the Commission's deliberations, the Commission shall either approve or reject the certification application. With concurrence from the applicant, the Commission may defer its decision on a certification application until its next regularly scheduled meeting in order to receive additional information on a matter brought to its attention during its public hearing or to allow for more time to consider the application.
7. In a case where two or more certification applications have identified the same, similar, or overlapping Neighborhood Council boundaries, the Commission shall, based on all available information, make a final determination on how the final boundaries of each Neighborhood Council shall be drawn.
8. If the Commission approves the application, the applicants shall be deemed certified and recognized as a Neighborhood Council in the City of Los Angeles.
9. If the Commission rejects the application, the applicants may, within five meeting days of the City Council during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for consideration. The Council may, by ten votes, sustain, reverse, or modify the Commission's decision.

Article V

Assessment, Boundary Adjustment, Complaints Concerning Neighborhood Councils and De-Certification

1. Self Assessment

Each Neighborhood Council shall, with the assistance of DONE as requested, survey its Community Stakeholders at least once biennially, to assess whether their Neighborhood Council has met applicable goals set forth in the Charter and Article I, "Goals and Objectives of the Neighborhood Council System". The form of the review shall be prescribed by DONE, and the results of the review shall be made public and posted on DONE's Web site. A copy of the review shall be sent to the affected Neighborhood Council.

2. Adjustment of Boundaries

- (a) A Neighborhood Council may petition the Commission to adjust its boundaries. All such petitions shall remain in accordance with Article III, Section 2. Reasons for boundary adjustment may include, but are not limited to:
 - (i) Including an uncertified adjacent community;
 - (ii) Incorporating new development projects;
 - (iii) Reconfiguring based on population decrease or increase; or,
 - (iv) Increasing or reducing a Neighborhood Council's size to increase effectiveness and efficiency.
- (b) Petitions shall be reviewed by DONE which shall forward the petition, any accompanying information, and its recommendation, within 15 business days of receipt, to the Commission for consideration at its next regularly scheduled meeting. If the Commission approves the petition, the Neighborhood Council boundary shall be deemed changed. If the Commission rejects the petition, the governing body of the petitioning Neighborhood Council may take an action to, within five meeting days of the City Council during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for Council consideration. The Council may, by ten votes, sustain, reverse, or modify the Commission's decision.
- (c) The Commission shall have the authority to expand a Neighborhood Council's boundary in order to incorporate an area of the City that has not formed a Neighborhood Council into the boundary of another, adjoining Neighborhood Council, provided that:

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- (i) The proposed area to be incorporated into a Neighborhood Council's boundary lies between two or more Neighborhood Councils;
 - (ii) The area to be incorporated does not qualify for certification under the provisions of this Plan; and,
 - (iii) Community Stakeholders of the area to be incorporated and of the affected Neighborhood Council(s) agree to the proposed incorporation.
- (d) If incorporation of an area into an existing Neighborhood Council's boundary is initiated by an entity other than the Commission, Community Stakeholders of the area to be incorporated and of the affected Neighborhood Council(s) must agree to the proposed incorporation prior consideration by the Commission. The following process shall apply.
- (i) An Incorporation Petition, as prescribed by DONE, shall be completed in order to document the proposed incorporation. A petition shall be filed with DONE for evaluation.
 - (a) DONE shall have 20 business days from receipt of the application to evaluate the incorporation request. If a petition is complete according to DONE's evaluation, DONE shall forward the petition, any accompanying information, and its recommendation to the Commission for consideration. If DONE fails to evaluate or forward the petition (and any accompanying information, including its recommendation) to the Commission within said time period, the petition shall be automatically forwarded to the Commission for consideration.
 - (b) If, at any time during the processes described in this section, DONE determines that any petition is incomplete, it shall return the petition to the applicants along with a detailed list in writing of objections to the petition and suggestions on how to effectively revise the petition. An application returned by DONE may at any time be re-submitted after it is amended to objections raised by DONE.
 - (ii) DONE shall have ten business days, from the date that it forwards an application to the Commission for consideration, to prepare, translate (if necessary), and post public notices that an Incorporation Petition has been received, according to the following:
 - (a) A copy of the notice shall be posted in at least five public, easily accessible places within the boundaries of the proposed incorporated area and all affected Neighborhood Councils. Examples of appropriate posting locations include, but are not limited to, libraries, police stations, fire stations, or DONE's Web site.
 - (b) Copies of the notice shall be posted for 15 business days.

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- (c) The notice shall be translated into all languages other than English that the City Clerk Election Division uses to produce sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. At the present time, a sample ballot is published in Chinese, English, Japanese, Korean, Spanish, Tagalog, and Vietnamese. This list of languages may change from time to time, and DONE shall be responsible for keeping current with said changes. DONE shall be responsible for translating the notice into any other language upon request.
- (iii) Within the same ten business-day time period referenced in Article V, Section 2(d)(ii), DONE shall provide written notice to the applicant group of the date that the Commission will conduct its public hearing during which the applicant's certification application will be considered.
- (iv) Within ten business days after the expiration of the 15 business day public notice period described in Article V, Section 2(d)(ii)(b), the Commission shall conduct a public hearing to take testimony from members of the public regarding the proposed incorporation. The following shall apply:
 - (a) The public hearing shall be conducted as part of the Commission's next regularly scheduled meeting or as part of a special meeting if no regularly scheduled meeting falls within said ten business-day period.
 - (b) The Commission meeting shall be conducted within the boundaries of the proposed incorporated area or any of the affected Neighborhood Councils.
- (v) During the meeting where the Commission conducts a public hearing for the purpose of considering a petition, and at the close of the public comment period and after the Commission's deliberations, the Commission shall either approve or reject the petition. With concurrence from the applicant, the Commission may defer its decision on an Incorporation Petition until its next regularly scheduled meeting in order to receive additional information on a matter brought to its attention during its public hearing or to allow for more time to consider the petition.
- (vi) If the Commission approves the petition, the proposed area shall be incorporated into the specified Neighborhood Council named in the Incorporation Petition.
- (vii) If the Commission rejects the petition, the applicants may, within five meeting days of the City Council during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for Council consideration. The Council may, by ten votes, sustain, reverse, or modify the Commission's decision.

3. Amendment of Bylaws

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A Neighborhood Council that wishes to change or amend its bylaws shall complete an Application to Change or Amend Bylaws, as prescribed by DONE, and submit the application to DONE for evaluation. DONE shall have ten business days from receipt of the application to complete its evaluation.

- (a) If DONE determines that the application is incomplete, it shall return the application to the Neighborhood Council governing body along with a detailed list in writing of missing or incomplete items in the application and suggestions on how to complete the application successfully. An application returned by DONE may at any time be re-submitted after it is amended to meet all the necessary criteria cited by DONE.
- (b) If the application is complete and consistent with the principles governing a Neighborhood Council's purpose or operations according to DONE's evaluation, DONE shall file the application and the change in a Neighborhood Council's bylaws shall be deemed approved. Upon filing the change, DONE shall provide written notice to the Neighborhood Council that the change in its bylaws was duly recorded with DONE.
- (c) If DONE determines that the changed bylaws are inconsistent with the principles governing a Neighborhood Council's purpose or operations, DONE shall forward an evaluation to the Commission for its review. The Commission, at its next regularly scheduled meeting, shall approve or reject the change in bylaws application. If the Commission approves the change of bylaws, the Neighborhood Council's proposed bylaws shall be deemed approved and become effective immediately. If the Commission rejects the change of bylaws application, the Neighborhood Council's bylaws shall remain as adopted prior to the filing of the application.

4. Complaints Concerning Neighborhood Councils

Complaints against a Neighborhood Council of any nature shall be filed with DONE, on a form prescribed by DONE. A copy of the complaint shall be delivered by DONE to the Neighborhood Council against which the complaint is made within five business days of receipt of the complaint. Exhaustive efforts to remedy the complaint shall be taken by DONE, but if no remedy can be reached to the satisfaction of all involved parties, the process prescribed in Article V, Section 5 shall be followed.

5. Involuntary De-Certification of a Neighborhood Council

Before initiating de-certification of a certified Neighborhood Council, DONE shall take all steps available to remedy a violation of the Plan. If DONE finds that efforts to comply with a proposed remedy have failed, the General Manager of DONE shall initiate a process of de-certification.

- (a) DONE shall complete an Application to De-Certify a Neighborhood Council, as prescribed by DONE, and immediately transmit a copy of the application to both

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the Commission, for consideration at its next regularly scheduled meeting, and to the affected Neighborhood Council.

- (b) DONE shall, immediately after transmitting copies of the application to the Commission and affected Neighborhood Council, post public notices that a de-certification application has been filed with the Commission according to the following:
 - (i) A copy of the notice shall be posted in at least five public, easily accessible places within the boundaries of the affected Neighborhood Council, and shall post the notice on DONE's Web site. Examples of appropriate posting locations include, but are not limited to, libraries, police stations, or fire stations.
 - (ii) Copies of the notice shall be posted for 15 business days.
 - (iii) The notice shall be translated into all languages other than English that the City Clerk Election Division uses to produce sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. At the present time, a sample ballot is published in Chinese, English, Japanese, Korean, Spanish, Tagalog, and Vietnamese. This list of languages may change from time to time, and DONE shall be responsible for keeping current with said changes. DONE shall be responsible for translating the notice into any other language upon request.
- (c) Within ten business days after the expiration of the 15 business day public notice period described in Article V, Section 5(b)(ii), the Commission shall conduct a public hearing to take testimony from members of the public regarding the proposed de-certification application. The following shall apply:
 - (i) The public hearing shall be conducted as part of the Commission's next regularly scheduled meeting or as part of a special meeting if no regularly scheduled meeting falls within said 10 business-day period.
 - (ii) The Commission meeting shall be conducted within the boundaries of the Neighborhood Council proposed for de-certification.
- (d) During the meeting where the Commission conducts a public hearing for the purpose of considering a de-certification application, and at the close of the public comment period and after the Commission's deliberations, the Commission shall either approve or reject the de-certification application. With concurrence from the affected Neighborhood Council, the Commission may defer its decision on the application until its next regularly scheduled meeting in order to receive additional information on a matter brought to its attention during its public hearing or to allow for more time to consider the application.

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- (e) If the Commission approves the application, the Neighborhood Council shall be deemed de-certified and will be no longer officially recognized as a Neighborhood Council in the City of Los Angeles.
- (f) If the Commission rejects the application, the applicants may, within five meeting days of the City Council during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for Council consideration. The Council may, by ten votes, sustain, reverse, or modify the Commission's decision.
- (g) A Neighborhood Council shall return all City-owned resources, including **unexpended** City-appropriated funds, to the City immediately upon its de-certification.

6. Voluntary De-Certification of a Neighborhood Council

A Neighborhood Council may petition the Commission to be de-certified as an officially recognized Neighborhood Council in the City of Los Angeles.

- (a) An Application to De-Certify a Neighborhood Council, as prescribed by DONE, shall be completed and signed by at least $\frac{3}{4}$ of the governing body of the Neighborhood Council seeking de-certification. The application shall be filed with DONE.
- (b) DONE shall have ten business days, from the date of receipt of an application, to prepare, translate (if necessary), and post public notices that a group has applied to be certified as a Neighborhood Council according to the following:
 - (i) A copy of the notice shall be posted in at least five public, easily accessible places within the boundaries of the affected Neighborhood Council, and shall post the notice on DONE's Web site. Examples of appropriate posting locations include, but are not limited to, libraries, police stations, or fire stations.
 - (ii) Copies of the notice shall be posted for 15 business days.
 - (iii) The notice shall be translated into all languages other than English that the City Clerk Election Division uses to produce sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. At the present time, a sample ballot is published in Chinese, English, Japanese, Korean, Spanish, Tagalog, and Vietnamese. This list of languages may change from time to time, and DONE shall be responsible for keeping current with said changes. DONE shall be responsible for translating the notice into any other language upon request.
- (c) Within ten business days after the expiration of the 15 business day public notice period described in Article V, Section 6(b)(ii), the Commission shall conduct a

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public hearing to take testimony from members of the public regarding the proposed de-certification application. The following shall apply:

- (i) The public hearing shall be conducted as part of the Commission's next regularly scheduled meeting or as part of a special meeting if no regularly scheduled meeting falls within said ten business-day period.
 - (ii) The Commission meeting shall be conducted within the boundaries of the Neighborhood Council proposed for de-certification.
- (d) During the meeting where the Commission conducts a public hearing for the purpose of considering a de-certification application, and at the close of the public comment period and after the Commission's deliberations, the Commission shall either approve or reject the de-certification application. The Commission may defer its decision on the application until its next regularly scheduled meeting in order to receive additional information on a matter brought to its attention during its public hearing or to allow for more time to consider the application.
- (e) If the Commission approves the application, the Neighborhood Council shall be deemed de-certified and will be no longer officially recognized as a Neighborhood Council in the City of Los Angeles.
- (f) If the Commission rejects the application, members who regularly attend the meetings of a Neighborhood Council that has filed for de-certification and who disagree with the Commission's decision may appeal. The applicants may, within five meeting days of the City Council during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for Council consideration. The Council may, by ten votes, sustain, reverse, or modify the Commission's decision.
- (g) A Neighborhood Council shall return all City-owned resources, including **unexpended** City-appropriated funds, to the City immediately upon its de-certification.

Article VI

Responsibilities of the Department of Neighborhood Empowerment

At a minimum, the Department of Neighborhood Empowerment shall:

1. Implement and oversee compliance with City ordinances and regulations relating to a citywide system of Neighborhood Councils.
2. Assist neighborhoods and Neighborhood Councils with public and civic education, outreach, and training with an emphasis given to traditionally low rates of participation in government.
3. Assist applicants and neighborhoods prepare all petitions and forms referenced in this Plan, identify suitable Neighborhood Council boundaries, and organize Neighborhood Councils in accordance with the Plan.
4. Help coordinate meetings and facilitate communication among Neighborhood Councils that request assistance.
5. Help coordinate, arrange, and convene the biannual Congress of Neighborhood Councils meeting.
6. Promote and facilitate open communication among City agencies and Neighborhood Councils, and provide education, guidance, and assistance in developing strategies for providing comments and feedback to the City Council and its committees and City boards and commissions.
7. Assist Neighborhood Councils with the election or selection of their governing body.
8. Provide operational support and facilitate the sharing of resources among Neighborhood Councils, including, but not limited to, meeting and office space, office equipment, and mail and communications in order to communicate among constituents, Neighborhood Councils, and government officials.
9. Create and maintain a database of information about Neighborhood Councils, including, among other information, names and contact information that will be available for public use.
10. Act as an information clearinghouse and resource to Neighborhood Councils.
11. Create and maintain an Early Notification System as prescribed in this Plan.
12. Assure equal opportunity to form and develop Neighborhood Councils. DONE shall assist groups and Community Stakeholders seeking Neighborhood Council certification by:

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- (a) Helping understand the processes and procedures for establishing a Neighborhood Council.
 - (b) Assisting with completion of certification documentation.
 - (c) Providing assistance to areas with traditionally low rates of participation in government.
 - (d) Mitigating barriers to participation, such as the need for translation services and childcare services.
13. Review and evaluate the Neighborhood Council system. As part of its annual report, DONE shall provide information on the size, geographic scope, and economic and demographic conditions of areas in which Neighborhood Councils have and have not been certified.
14. Arrange training for Neighborhood Councils' officers and staff.

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Article VII

Early Notification System Procedures

DONE shall create and maintain an Early Notification System (ENS) in accordance with City Charter Section 907. The ENS is designed to supplement current state and local laws regarding public notification. The ENS will operate according to the following:

1. Subject to all other provisions of the Plan, all certified Neighborhood Councils shall be provided access to a computer and to the Internet. DONE shall provide technical training on the use of a computer.
2. An ENS Web site shall be created and maintained where information regarding City Council and its committees and City boards and commissions will be available.
3. In addition to accessing information through the ENS Web site, certified Neighborhood Councils will be able to subscribe to services whereby they will receive electronic mail notifications regarding updates to the information on the ENS Web site.
4. Information on the ENS Web site shall be provided as soon as is practical so that certified Neighborhood Councils are afforded an opportunity to prepare and provide comments before decisions are made.
5. The City shall provide each certified Neighborhood Council with an electronic mail (e-mail) address. The use of this e-mail address shall be limited strictly to official Neighborhood Council business, such as communicating with Neighborhood Council members about meeting times and places and communicating with the City on matters of importance to the Neighborhood Council. A Neighborhood Council may, using its own resources, create a separate e-mail account, but each Neighborhood Council shall be required to use the City's officially designated e-mail address to correspond with City departments and agencies if the Neighborhood Council expects their correspondence to be entered into the public record.
6. Certified Neighborhood Councils shall be allowed to provide comment and feedback electronically to the City Council, its committees, and City boards and commissions via the ENS. Comments from a certified Neighborhood Council's officially designated e-mail address (as described in Article VII, Section 5) shall be printed and placed into the public record.
7. DONE may coordinate additional information for distribution through the ENS from public or private as they directly relate to Neighborhood Councils and issues affecting Neighborhood Councils, provided that they are subject to all regulations and requirements of this Plan.

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Article VIII

FUNDING

1. At the beginning of each fiscal year, the Mayor and Council shall appropriate an amount of money ~~to~~**for** each **certified** Neighborhood Council. Funds unspent at the end of each fiscal year shall automatically revert to the City.

(a) Money appropriated to a Neighborhood Council by the Mayor and Council may be spent for the following purposes, provided they relate directly to a Neighborhood Council's activities.

~~☞~~ Meeting and office space

~~☞~~ Office equipment, computers, and supplies

~~☞~~ Neighborhood communications, such as costs associated with newsletters, postage, or printing written materials

~~☞~~ Refreshments consumed during neighborhood council meetings

~~☞~~ Transportation

~~☞~~ Translation services

~~☞~~ Child care for children of neighborhood council members during the time they are attending meetings or functions associated with the activities of the neighborhood council to which they belong

~~☞~~ Public education, training, outreach, or organizing

~~☞~~ Consultant fees

~~☞~~ All other activities not listed above that directly relate to activities associated with a neighborhood council's operations, functions, or duties.

(b) Money appropriated **for each certified** ~~to a~~ Neighborhood Council by the Mayor and Council may not be spent for any purpose or activity that is not directly related to a Neighborhood Council's operations, functions, or duties.

2. Neighborhood Council Matching Fund

(a) A Neighborhood Council Matching Fund (Fund) shall be established. At the beginning of each fiscal year, the Mayor and Council shall appropriate an amount of money to the Fund.

(b) Monies from the Fund shall be appropriated, **based on funding availability**, as matching grants to Neighborhood Councils to complete projects or address

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problems that Neighborhood Councils identified within their boundaries. An appropriation to a Neighborhood Council shall not exceed \$100,000.

- (c) To be eligible for an appropriation from the Fund, a Neighborhood Council must provide details about how an appropriation will be spent, using a Matching Fund Grant Application, as prescribed by DONE. An application shall also specify the source of the funds that the City is requested to match, which can include but is not limited to a cash or in-kind donations. A Neighborhood Council may submit a Matching Fund Grant Application at any time during the year. DONE will consider applications and will establish a timetable for applicants to follow.
 - (d) DONE shall submit to the Commission an evaluation, rank order, and recommendations of all Matching Fund Grant Applications received. Within 15 business days of receipt of DONE's evaluation, rank order, and recommendations, the Commission shall, as part of its next regularly scheduled meeting, conduct a public hearing and make a final determination about Fund appropriations. Once a final determination has been made, money shall be allocated as soon as is practical to Neighborhood Councils that win awards for the purpose explicitly stated in their Matching Fund Grant Applications.
 - (e) Any grant money appropriated by the City to a Neighborhood Council cannot be used as the source of funds to apply for an appropriation from the Fund.
3. Each Neighborhood Council shall present a budget for its expenditures to DONE, as prescribed by DONE, for its approval before any City funds are disbursed. DONE shall, within 20 business days of receipt, adopt or modify as needed the Neighborhood Council's proposed budget. If DONE modifies a Neighborhood Council's budget, DONE shall immediately notify, in writing, the Neighborhood Council of the change to its proposed budget. DONE shall modify the budget only for the purpose of ensuring that the budget complies with the approved uses of money as described above.