

Article I

Goals and Objectives of the Neighborhood Council System

The goals and objectives of the Plan are to:

1. Promote ~~more~~ public participation in **City governance and decision making processes so that** government **is more responsive to local needs and requests and more opportunities are created** to build partnerships with government to address those needs and requests;

~~2. Promote community input into the City's decision-making process in order to make government more responsive to local needs;~~

~~3. Facilitate the delivery of City services to neighborhoods by helping to identify community needs and involving relevant City staff in achieving integrated problem-solving techniques with the Neighborhood Councils;~~

~~4. Ensure equal opportunity for all stakeholders in all communities to form and/or join Neighborhood Councils;~~

~~5. Promote inclusiveness by representing the many diverse interests in communities and encouraging said diverse interests to work together in addressing community concerns; and~~

6.2. Promote and facilitate communication, interaction, and opportunities for collaboration among all Neighborhood Councils regarding their common and disparate concerns;~~Promote and facilitate dialogue and collaboration among Neighborhood Councils in Los Angeles through collaboration on those issues of common concern to Neighborhood Councils and sharing resources and experiences.~~

3. Facilitate the delivery of City services and City government responses to neighborhoods' problems and requests for assistance by helping neighborhoods 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; and,

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 the expression of ideas and opinions about their neighborhoods and their government.

Article II

Desired Characteristics of Neighborhood Councils

1. ~~Organic Beginnings~~

~~Community stakeholders shall organize and propose their own Neighborhood Councils so that they develop from the grassroots of the community.~~

21. Inclusive Membership

Neighborhood Councils shall be diverse, inclusive, and open to all **Community stakeholders** ~~Stakeholders of the community~~. **A Community Stakeholder is defined as any individual who lives, works or owns property in a Neighborhood Council area. In addition, 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

~~DONE shall encourage~~ Neighborhood Councils ~~to~~ **shall** be as independent, self-governing, and self-directed as possible. ~~DONE shall assist Neighborhood Councils in~~ **to pursue** ~~exploring~~ options including, but not limited to, tax-exempt status and/or non-profit incorporation to strengthen their independence. ~~If a Neighborhood Council wishes to pursue these options, DONE shall provide ongoing technical assistance as requested by a Neighborhood Council.~~ **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.** **Upon adoption of** ~~After~~ the Neighborhood Council Plan ~~is adopted~~, DONE shall:

(a) Announce and inform the public of the Neighborhood Council certification process citywide;

(b) **Actively solicit applications from potential Neighborhood Councils** ~~Seek potential Neighborhood Council applicants actively throughout the City~~, giving emphasis to those areas and **Community stakeholders** ~~Stakeholders~~ with traditionally low rates of civic participation;

~~(c) Provide certification application materials in a timely manner to all stakeholders who request them;~~

~~(d)~~ Facilitate and encourage collaboration **and discussion** among ~~competing neighboring and overlapping~~ applicant groups **and provide technical assistance** ~~and discussion~~ on how to **proceed with** ~~move forward on~~ a unified certification application, **and provide dispute resolution services to applicants where** ~~if~~ more than one application is submitted for a Neighborhood Council ~~area~~ **boundary area to gain consensus on a unified certification application.**;

~~(e) Actively assist organizing activities in Neighborhood Council areas where leadership has not emerged; and~~

~~(f) Provide technical assistance and dispute resolution services to applicants, as needed, to gain consensus on a unified certification application.~~

2. **Requirements** ~~Components of a for Certification Applications~~. A certification application shall include the following **components.**;

(a) **A detailed description of boundaries shall be provided** ~~Identification of Neighborhood Council boundaries~~ in accordance with Article ~~III~~ **XXX**, Section ~~3~~ **XXX**, **including the** ~~and~~ **rationale for drawing the boundaries.** **Neighborhood Council applicants within a proposed Neighborhood Council boundary shall, to the extent feasible, work together in setting boundaries.** In identifying a set of Neighborhood Council boundaries, applicants are encouraged to reference **other types of** existing boundaries, including but not limited to the following:

(a) Census tracts as a means of complying with the minimum population size of 20,000 Neighborhood Council members;

(b) City service and planning areas, such as police and fire districts or community planning areas.

~~✍~~ **A proposed set of boundaries should, to the maximum extent feasible:**

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(a) Follow historic and contemporary community and neighborhood borders, and shall utilize natural boundaries or street lines and be geographically compact and contiguous.

(b) Not overlap with any other Neighborhood Council's boundary unless each affected Neighborhood Council:

(i) Agrees in writing; and,

(ii) Provides a rationale for incorporating the said geographic area within each of their Neighborhood Council boundaries, examples of which include, but are not limited to, historical significance of a landmark or geographic continuity.

✍ The inaugural Neighborhood Council area boundary shall be the limits of the City of Los Angeles. The boundary of a Neighborhood Council are encouraged not to extend beyond 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:

(a) The proposed area is separated from adjacent communities by significant geographic features; or,

(b) The proposed area is identified by name within any of the 36 adopted Community Plan Areas of the City Planning Department; or,

(c) The proposed area represents a historic, identifiable neighborhood or community that is serviced by local City service providers, such as a public library, park or 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.

(b) The outreach process used to identify Community Stakeholders within the proposed Neighborhood Council boundary must be described in detail. In order to demonstrate that a good faith effort towards achieving diversity is made on the part of a group applying for certification, the group must collect no less than 250 and no more than 500 signatures from at least ten unique groups of Community Stakeholders identified by the applicants that are considered to be Community Stakeholders that have an interest in the proposed boundaries of the Neighborhood Council. ~~Community Stakeholders who comprise membership within the proposed Neighborhood Council boundary.~~ No less than 25 and no more than 50 signatures must be collected ~~come~~ from each of the ten groups identified by the applicant. For example, a homeowners group may write a letter of support that is signed by 25 members of that organization. Such a letter would fulfill one-tenth of the signature requirement. ~~named in the definition of a Community Stakeholder, namely, people who (1) live, (2) work, (3) own property,~~

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~~(4) have an interest in, or (5) do business within the proposed boundary of a Neighborhood Council.~~ **If the Neighborhood Council applicants cannot identify ten unique groups of Community Stakeholders within the boundaries of their proposed Neighborhood Council, then the applicants shall be required to identify as many unique groups of Community Stakeholders within the proposed Neighborhood Council boundary as possible and collect at least 250 signatures divided evenly among all of those groups.**

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

(i) Neighborhood Council name

(ii) Membership criteria

(a) The bylaws shall state that the Neighborhood Council membership is open to all Community Stakeholders (as defined in Article II, Section 1).

(b) 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.

(iii) Meeting procedures. Each Neighborhood Council is required to:

(a) Meet at least once per calendar quarter.

(b) Obey the State of California's open meeting procedures (Ralph M. Brown Act), which includes posting meeting notices in generally accepted public places or using electronic media, such as e-mail or posting notice on DONE's Web page.

(c) 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.

(d) A process for running meetings, including:

(i) The number of governing body members that constitute a majority and a quorum.

(ii) The number of votes by a governing body for a Neighborhood Council to take an official action, such as adoption an item or position.

(iii) 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**

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Neighborhood Council shall be able to express concerns to their governing body about its decisions and actions.

~~A proposed mission statement, by laws, system of financial accountability and code of ethics that meet the *Criteria for Responsible and Inclusive Community Representation* in accordance with Article III, Section 4.~~

(d) A system of financial accountability shall be established that governs a Neighborhood Council's use of City funds. Each Neighborhood Council shall:

(i) Prescribe a method for keeping a book of accounts that complies with applicable local, state, and federal laws, including Generally Accepted Accounting Principles, 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 a statement to OARS (as prescribed in Article III, Section (d)(ii)) 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.

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 in a timely manner shall be grounds for consideration of de-certification (as defined in Article V, Section 4 of this Plan).**

(e) Each Neighborhood Council shall adopt and be subject to the City of Los Angeles Governmental Ethics Ordinance (Los Angeles Municipal Code Section 49.5.1). All applicable laws of federal, state and local government define the minimum ethical standard for Neighborhood Councils, their leaders and Community Stakeholders.

(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.**

~~3. **Establishment of Neighborhood Council Area Boundaries**(a) Any stakeholder group that wishes to apply for certification shall identify boundaries for their Neighborhood Council area. This process is designed to capture the~~

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spirit of community where it is strong, support community where needed, and leave open avenues for change in the future.

~~(b) In accordance with the principles described below in subsection (c), Neighborhood Council applicants are encouraged to use:~~

~~(i) Census tracts to count resident population and as a reference in order to benefit from demographic information and the wide acceptance of census tracts as a basic geographic building block; and~~

~~(ii) The following non-exhaustive list of tangible symbols of a community or neighborhood:~~

~~? Geographic features (natural geography such as rivers and hills)~~

~~? Historical identity~~

~~? City service and planning areas~~

~~? Institutions such as schools, churches, or other commonly recognized community symbols~~

~~? Physical features, especially landmarks (as well as streets and freeways)~~

~~(c) **Principles for Identifying Neighborhood Council Boundaries:** The inaugural Neighborhood Council area boundary shall be the limits of the City of Los Angeles. An application for certification of a Neighborhood Council shall include a proposal for the establishment of new boundaries in accordance with the following principles:~~

~~(i) Neighborhood Council areas will be comprised of a minimum of 20,000 residents and a diverse range of non-residential stakeholders. Areas that have less than 20,000 residents may be considered for certification providing they meet the following criteria:~~

~~(A) The proposed area is separated from adjacent communities by significant geographic or other features; or~~

~~(B) The proposed area is identified by name within any of the 36 adopted Community Plan Areas of the City Planning Department; or~~

~~(C) The proposed area represents a historic, identifiable neighborhood or community and includes local City service providers such as a public library, park or recreation center, fire or police station and a public school; and~~

~~(D) The certification application must satisfy all other requirements of the Plan, including but not limited to, reflecting a diversity of interests, which include non-residential stakeholders; and~~

~~(E) Notwithstanding the above, certification of a Neighborhood Council's proposed area that is comprised of less than 20,000~~

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~~residents shall not be approved unless a finding is made that DONE will be able to provide the assistance, training, and resources as required in the Plan.~~

~~(ii) Community stakeholders within an area shall collaborate in setting boundaries. DONE shall:~~

~~(A) Facilitate collaboration among stakeholders, and~~

~~(B) Assist applicants in making boundary determinations.~~

~~(iii) Boundaries shall maintain historic and contemporary community and neighborhood boundaries to the maximum extent feasible.~~

~~(iv) Neighborhood Council areas may be permitted to have overlapping boundaries where two or more Neighborhood Councils share use of neighboring commercial or public resources. No overlapping boundaries shall be permitted without the approval of all affected Neighborhood Councils and the Commission.~~

~~(d) **Process for Identifying Neighborhood Council Boundaries**~~

~~As part of their certification as a Neighborhood Council, applicants shall:~~

~~(i) Describe the proposed boundaries and provide a rationale for the choice of boundaries;~~

~~(ii) Identify stakeholders in the proposed area;~~

~~(iii) Describe the processes used for outreach to stakeholders and involvement of stakeholders in determining proposed boundaries.~~

4. Criteria for Responsible and Inclusive Community Representation

~~An application for certification as a Neighborhood Council shall fulfill the *Criteria for Responsible and Inclusive Community Representation*. These criteria include the following elements:~~

~~(a) **Mission Statement:** The Mission Statement shall be a clear, concise statement with the name of the organization, what it does, for whom and where, and be consistent with the goals and objectives stated in the Los Angeles City Charter for Neighborhood Councils.~~

~~(b) **By-laws:** Neighborhood Councils shall draft by-laws with the assistance of DONE (upon request). The following information shall be included:~~

~~(i) Name of organization~~

~~(ii) Membership criteria~~

~~(A) The by-laws shall state that the Neighborhood Council membership is open to all stakeholders.~~

~~(B) The by-laws shall include a method for selecting the governing body that will reflect the diversity of stakeholders to the greatest extent feasible.~~

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- ~~(iii) A list of offices of the governing body~~
- ~~(iv) Meeting procedures — These procedures shall include, at minimum:
 - ~~(A) A requirement that Neighborhood Councils shall meet at least once per calendar quarter.~~
 - ~~(B) Open Meeting Procedures — In addition to the requirements under State open meeting law, Neighborhood Councils shall at minimum: post notices in generally accepted public places.~~
~~DONE shall assist Neighborhood Councils in identifying acceptable public places. In addition, a copy of notices for all meetings shall be provided to DONE, which shall provide notices to the City Clerk's Office.~~
 - ~~(C) A method of addressing grievances and resolving disputes within the Neighborhood Council.~~
 - ~~(D) The establishment of a system through which the Neighborhood Council shall communicate with stakeholders on a regular basis and in a manner that assures that information is disseminated to Neighborhood Council stakeholders fairly.~~~~

~~(c) **System of Financial Accountability:** An application for Neighborhood Council certification shall include a description of a system of financial accountability, which shall include the following principles:~~

- ~~(i) Neighborhood Councils shall keep a book of accounts according to Generally Accepted Accounting Principles for the type of entity established;~~
- ~~(ii) Neighborhood Councils shall, if the City grants direct funding, submit their books to the appropriate City agencies for review. Refusal to submit their accounting books in a timely manner shall subject a Neighborhood Council to de-certification by the Board of Neighborhood Commission as defined in Article V, Section 4 of this Plan;~~
- ~~(iii) At minimum, each Neighborhood Council shall discuss its finances at one regular business meeting each year; and~~
- ~~(iv) Neighborhood Council books of accounts shall be open to all stakeholders of any Neighborhood Council.~~

~~(d) **Code of Ethics:** Neighborhood Council applicants, with the assistance of DONE, shall develop a code of ethics for the proposed Neighborhood Council, which include both a pledge and methodology for:~~

- ~~(i) **Obeying the Law:** All applicable laws of federal, state and local government define the minimum ethical standard for Neighborhood Councils, their leaders and stakeholders.~~

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~~(ii) **Achieving High Standards:** These standards will include fair and open procedures for conducting business and a system for financial accountability of funds.~~

Article IV

Certification Process

1. DONE ~~staff~~ shall ~~review and make an evaluation~~ **evaluate** of the ~~a~~ certification application to determine **whether an application meets all of the criteria set out in Article III, Section 2, "Components of a Certification Application."**~~if it:~~

~~(a) Identifies Neighborhood Council boundaries based on goals stated in Article III, Section 3;~~

~~(b) Demonstrates that it will be capable of creating a Neighborhood Council for its community that will follow the *Criteria for Responsible and Inclusive Community Representation* as provided in Article III, Section 4;~~

~~(c) Demonstrates collaboration with other stakeholder groups in the community, particularly those that have contacted DONE for certification materials, and a good faith effort to work with other stakeholder groups seeking certification within the same area;~~

~~(d) Works cooperatively with adjacent Neighborhood Councils to finalize boundaries, if applicable.~~

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 the proposed Neighborhood Council and if the application is complete according to DONE's evaluation, DONE shall forward the application, any accompanying information, and its recommendation to the Board of Neighborhood Commissioners (Commission) for its consideration. If DONE fails to act on an application within said time period, the application shall be automatically referred to the Commission for its consideration.

(b) If DONE receives two or more ~~more than one~~ certification applications, within said 20 business-day period, ~~for certification that identify the same or similar Neighborhood Council boundaries in the same area,~~ DONE shall immediately notify all **contacts for all affected applicant groups in writing ~~applicants~~ in an effort to **work with applicants to** consolidate their applications into a unified application. Applicants **of the Neighborhood Councils** shall have ~~30~~ **20 business** days from the date ~~of~~ notification **is given** by DONE to develop a unified application.**

(i) If consensus is reached at any time within said 20 business-day period, 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 shall be deemed received by DONE for evaluation.

(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 consensus is reached at any time within said 20 business-day period, 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 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 10 business days to evaluate all applications as submitted. At the end of its 10 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 its consideration. If DONE fails to accept or reject an application within said time period, the application shall be deemed accepted automatically.

~~This time may be extended by DONE at the request of all certification applicants for said area. If no consensus is reached within the 30 days, DONE shall proceed to evaluate all remaining/pending applications.~~

(c) If, at any time during the processes described in this section, DONE determines that any 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 10 business days, from the date that it forwards an application to the Commission for its 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

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Council. 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.

(c) The notice shall be translated into all standard languages other than English used by the City Clerk Election Division in its preparation of sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. 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.

4. Within 10 business days after the expiration of the 15 business day public notice period described above, 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 10 business-day period.

(b) The Commission meeting shall be conducted within the proposed Neighborhood Council boundaries.

5. 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.

6. In a case where two or more certification applications have identified the same or similar Neighborhood Council boundaries, the Commission shall, based on all available information, make a final determination on how the final boundaries of a Neighborhood Council shall be drawn.

7. If the Commission approves the application, the applicants shall be deemed certified as a Neighborhood Council in the City of Los Angeles.

8. 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 10 votes, sustain, reverse, or modify the Commission's decision.

~~3. DONE shall evaluate a certification application based on the above criteria and make a recommendation to the Commission within 60 days of receipt of the application. After receiving the recommendation of DONE, the Commission will hold a public hearing and~~

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~~take action on the certification application within 30 days. The time period may be extended upon mutual consent of the applicant and the Commission.~~

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**~~stakeholders at least once biennially, on a periodic basis~~ to assess **whether the success of their Neighborhood Council organization in has** meeting applicable goals set forth in the Charter, **and** the Goals and Objectives section of this plan, ~~and the Neighborhood Council's own goals and objectives.~~ **The form of the review** ~~Specific criteria for self-review shall be prescribed~~ **created** by DONE, ~~in conjunction with each Neighborhood Council.~~ **and The** the results of the self-review shall be made public and posted on DONE's ~~website~~ **Web site**.

2. Adjustment of Boundaries

A Neighborhood Council may petition **the Commission** to adjust its boundaries. All such petitions shall remain in accordance with Article III, Section 3. Reasons for boundary adjustment may include, but are not limited to:

- (a) Including an uncertified adjacent community;
- (b) Incorporating new development projects;
- (c) Reconfiguring based on population decrease or increase;
- (d) **Increasing or Reducing** ~~reducing~~ size to increase effectiveness and efficiency.

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 its consideration at its next regularly scheduled meeting.** ~~with a recommendation to the Commission within 30 days of receipt.~~ **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, 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 10 votes, sustain, reverse, or modify the Commission's decision.**

~~Upon receipt of DONE's recommendation, the Commission shall approve or deny the petition within 30 days.~~

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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- (a) The proposed area to be incorporated into a Neighborhood Council's boundary lies between two or more Neighborhood Councils; and,
- (b) The area to be incorporated does not qualify for certification under the provisions of this Plan; and,
- (c) Community Stakeholders of the area to be incorporated and of the affected Neighborhood Council(s) agree to the proposed incorporation.

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) 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 its consideration. If DONE fails to act on a petition within said time period, the petition shall be automatically referred to the Commission for its 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 10 business days from the date of receipt of a petition 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.

(c) The notice shall be translated into all standard languages other than English used by the City Clerk's Election Division in its preparation of sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. A sample ballot is published in Chinese, English, Japanese, Korean, Spanish, Tagalog, and Vietnamese. This

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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 10 business days after the expiration of the 15 business day public notice period described above, 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 10 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.

(iv) 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.

(v) If the Commission approves the petition, the petition shall be deemed certified as a Neighborhood Council in the City of Los Angeles.

(vi) 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 10 votes, sustain, reverse, or modify the Commission's decision.

3. Amendment of By-Laws

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.

(i) If the application is complete according to DONE's evaluation, DONE shall forward the application, any accompanying information, and its recommendation, within 5 business days of receipt of the application, to the Commission for its consideration at its next regularly scheduled meeting.

(ii) 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

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application returned by DONE may at any time be re-submitted after it is amended to meet all the necessary criteria cited by DONE.

(iii) If the Commission does not reject the application or fails to act, the application shall be deemed approved. If the Commission rejects the application, the Neighborhood Council's bylaws shall remain as those that were in place prior to its filing of the application.

~~Any Neighborhood Council that has amended its by-laws shall, within one week of adoption of the amendment, submit to DONE said amendment in writing, together with notices that were provided to Neighborhood Council stakeholders concerning the by-law amendment, and the minutes of any meetings at which the amendment was adopted. If DONE determines that the by-law amendment affects the ability of the Neighborhood Council to comply with the Criteria for Responsible and Inclusive Community Representation, it shall follow the procedures set forth in Section 5 of this Article.~~

4. Complaints Concerning Neighborhood Councils

Complaints against a Neighborhood Council of any nature shall be filed with DONE. A copy of a complaint shall be delivered by DONE to the Neighborhood Council against which the complaint is made within 5 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 detailed in Article V, Section 5 shall be followed.~~Should DONE receive complaints of a violation of the *Criteria For Responsible and Inclusive Community Representation* by a Neighborhood Council, including but not limited to, a violation of open meeting procedures, a failure to comply with the diversity goals of this Plan and/or violations of the Code of Ethics, DONE shall notify the Neighborhood Council of these complaints and take steps to resolve the complaint with the Neighborhood Council. Efforts to achieve compliance with the *Criteria For Responsible and Inclusive Community Representation* shall be made by DONE prior to initiating an action to de-certify a Neighborhood Council due to a violation.~~

5. De-Certification of a Neighborhood Council—~~Involuntary~~ **by the Board of Neighborhood Commissioners**

~~Before initiating de-certification of a certified Neighborhood Council for failure to comply with the *Criteria For Responsible and Inclusive Community Representation*, DONE shall~~ **take all steps available to remedy a violation of the Plan.** ~~first make efforts to seek voluntary compliance with the *Criteria* from a Neighborhood Council in accordance with Article III, Section 4.~~

~~If DONE finds that efforts to encourage the Neighborhood Council to comply with a~~ **proposed remedy** ~~the *Criteria For Responsible and Inclusive Community Representation* have failed,~~ **the General Manager of DONE shall initiate a process of de-certification.** ~~may recommend to the Commission that the Neighborhood Council be de-certified.~~

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(a) DONE shall complete an Application to De-Certify a Neighborhood Council, as prescribed by DONE, and immediately file the application with the Commission for consideration at its next regularly scheduled meeting.

(b) DONE shall immediately 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 standard languages other than English used by the City Clerk Election Division in its preparation of sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. 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 10 business days after the expiration of the 15 business day public notice period described above, 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:

(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 10 business-day period.

(b) 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.

(e) If the Commission approves the application, the Neighborhood Council shall be deemed de-certified and is 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

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consideration. The Council may, by 10 votes, sustain, reverse, or modify the Commission's decision.

~~The Commission shall make a decision on the recommendation within 45 days of the submission of the recommendation to the Commission. DONE shall recommend de-certification of a Neighborhood Council if it finds that the Neighborhood Council has failed to demonstrate, to the satisfaction of DONE, the willingness or ability to comply with the *Criteria For Responsible and Inclusive Community Representation*.~~

6. De-Certification of a Neighborhood Council—~~v~~ Voluntary—Self Initiated

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

(a) A de-certification application shall be 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 10 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 standard languages other than English used by the City Clerk Election Division in its preparation of sample ballot information if the proposed Neighborhood Council boundaries include communities where such languages are spoken. 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 10 business days after the expiration of the 15 business day public notice period described above, 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

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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.

(e) If the Commission approves the application, the Neighborhood Council shall be deemed de-certified and is 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 have 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 10 votes, sustain, reverse, or modify the Commission's decision.

~~A de-certification application shall include the following:~~

~~(a) Evidence of the processes used for outreach to stakeholders and the involvement of stakeholders in the decision to de-certify;~~

~~(b) Evidence that stakeholders in the Neighborhood Council area have been surveyed on de-certification;~~

~~(c) Evidence that the Neighborhood Council governing body has widely publicized its application for de-certification in its Neighborhood Council area;~~

~~(d) Evidence that the Neighborhood Council governing body has given a 21-day public notice and agendaized the de-certification application at a duly noticed regular meeting of the Neighborhood Council governing body; and~~

~~(e) Evidence that $\frac{3}{4}$ of the governing body consents to the de-certification of a Neighborhood Council.~~

Article VI

Responsibilities of the Department of Neighborhood Empowerment

At a minimum, the Department of Neighborhood Empowerment shall: ~~As defined by the Los Angeles Administrative Code, DONE 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 education, outreach and training **with an emphasis given to traditionally low rates of participation in government.**
3. Assist **applicants and** neighborhoods ~~in preparing~~ **prepare all petitions and forms referenced in this Plan** ~~petitions for recognition or certification,~~ identifying **suitable Neighborhood Council** boundaries, ~~that minimize the division of communities and organizing themselves~~ **Neighborhood Councils** in accordance with the Plan.
4. Help **to coordinate meetings and facilitate communication among Neighborhood Councils that request assistance.** ~~Neighborhood Councils meet together on a citywide basis and facilitate these meetings if and when requested to do so by recognized Neighborhood Councils.~~
5. **Help to 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.**
57. Assist Neighborhood Councils with the election or selection of their governing body.
68. **Provide operational support and facilitate** ~~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.** ~~and other forms of support, and assist in communication with stakeholders and Neighborhood Councils.~~
7. ~~Arrange training for Neighborhood Councils, such as training in leadership, cultural awareness, dispute mediation, civics, communications, equipment utilization and any other training necessary to achieve the goals set forth in Section 22.801 of the administrative code.~~
89. Create and maintain a **database of** ~~n internal and external~~ information **about Neighborhood Councils, including, among other information, names and contact information, and communication network,** ~~including a citywide database of neighborhood organizations and similar information,~~ that will be available for public use.
10. **Act as an information clearinghouse and resource to Neighborhood Councils.**

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~~9. Help coordinate the relationships between existing and newly created advisory committees and Neighborhood Councils.~~

1011. Create and maintain an ~~Ensure operation of the~~ Early Notification System **as prescribed in this Plan.**

~~11. Facilitate meetings of the Congress of Neighborhood Councils upon request from a majority of certified Neighborhood Councils. To facilitate this, DONE shall poll all certified Neighborhood Councils bi-annually to determine if a majority of certified Neighborhood Councils request the convening of a Congress of Neighborhood Councils, consistent with Charter Section 901(c).~~

~~12. Provide operational support subject to available funding for, but not limited to, the following:~~

~~? Meeting and office space~~

~~? Office equipment~~

~~? Mail and communication~~

~~13. Fund Projects/Special Needs. If sufficient funding is allocated to DONE for community projects or special needs, DONE may fund projects or special needs identified by certified Neighborhood Councils based on specific criteria and processes to be determined by DONE and approved by the Commission.~~

1412. Assure **E**qual **O**pportunity to **F**orm and **D**evelop Neighborhood Councils. DONE shall **aid assist** groups and **Community Stakeholders**~~stakeholders~~ seeking Neighborhood Council certification by:

(a) Helping understand the processes and procedures for establishing a Neighborhood Council;

(b) Assisting with completion of certification documentation; and,

(ac) Providing ~~targeted~~ assistance to ~~stakeholders and areas of the City~~ with traditionally lower rates of participation **in government.**

(d) Mitigating barriers to participation, such as the need for translation services and childcare services., ~~subject to resource availability, as follows:~~

~~(i) Assistance with mitigating barriers to participation, such as the need for:~~

~~? translation services~~

~~? childcare services~~

~~(ii) Capacity-building training in the form of~~

~~? community organizing~~

~~? leadership development.~~

~~(b) Helping communities understand the process and procedures for establishing a Neighborhood Council;~~

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~~(c) Providing guidance and training to aid in the development of the certification proposal; and~~

~~(d) Identifying opportunities for collaboration between groups and stakeholders interested in certification.~~

1513. Review and ~~Evaluation~~ **evaluate of the** Neighborhood Council ~~System~~ **system.**

~~(a) **Needs Assessment:** As part of its annual report, Within one year of the final approval of the Neighborhood Council Plan and at least every 3 years subsequent to initial approval, DONE shall present a report to the Commission, **provide information on** regarding the size, and geographic scope, **and** of the Neighborhood Council Areas, the economic and demographic conditions of areas **in which Neighborhood Councils have and have not been certified.** without Neighborhood Councils, and anticipated needs for targeted technical assistance to areas that face obstacles in organizing Neighborhood Councils. Based on this report, the Commission may recommend changes to the Neighborhood Council Plan Ordinance to the Mayor and City Council, and reassess the adequacy of resources available for Neighborhood Council organization.~~

~~(b) **Boundaries Assessment:** DONE shall assess boundaries on a periodic basis to ensure that adjacent Neighborhood Councils are not excluding small areas between them.~~

14. Arrange training for Neighborhood Councils' officers and staff.

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** ~~will~~ supplement, ~~not replace,~~ current state and local laws regarding public notification. ~~Any Neighborhood Council may still request notification by mail.~~ The ENS will operate according to the following procedures:

1. **Subject to all other provisions of the Plan, All-all** certified Neighborhood Councils shall be provided access to a computer and to the Internet. DONE shall **provide** ~~ensure that certified Neighborhood Councils receive any necessary~~ technical training **on the use of a computer**.
2. ~~An The City's Information Technology Agency (ITA) shall develop an~~ ENS website ~~that shall be~~ **created and maintained where** ~~the repository for the information regarding City Council and its committees and City boards and commissions will be being made available to Neighborhood Councils by City Council, City Council committees, and City boards and commissions.~~
3. **In addition to accessing information through the ENS Web site, Certified certified** Neighborhood Councils **will be able to** ~~shall be able to access the website or~~ subscribe to **service whereby receive they will receive** electronic mail notifications regarding updates to the information on the ENS website.
4. Information **on the ENS Web site** ~~from City Council, City Council committees and City boards and Commissions~~ shall be provided ~~to certified Neighborhood Councils~~ as soon as **is** practical so that certified Neighborhood Councils **are afforded** ~~may have an~~ reasonable opportunity to **prepare and** provide comments before decisions are made. ~~Notification of matters to be considered by the City Council and City Council Committees shall be made available to certified Neighborhood Councils by the City Clerk through the City Council's Referral Memoranda or other similar system. Notification of matters to be considered by City boards and commissions shall be made available to certified Neighborhood Councils by such boards and commissions.~~
5. **The City shall provide each certified Neighborhood Council with an electronic 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 meet 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 must use the City's officially designated e-mail address to correspond with City departments and agencies.**
56. Certified Neighborhood Councils shall be ~~allowed able~~ to provide comment and feedback electronically to **the** City Council, ~~its City Council~~ committees, and City boards and commissions via the ENS. ~~All~~ **Comments from a certified Neighborhood Council's officially designated e-mail address (as described in Article VII, Section 5)** ~~certified Neighborhood Councils by electronic mail~~ shall be printed and placed into the

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public record. ~~Certified Neighborhood Councils may also provide comment and feedback by mail, facsimile and/or testimony in person.~~

~~6. City Council, City Council committees, boards and commissions will designate a representative or representatives to coordinate and facilitate implementation of the ENS and communications with certified Neighborhood Councils.~~

~~7. DONE shall provide education, guidance and assistance to certified Neighborhood Councils in developing additional strategies for providing comment and feedback to City Council, City Council committees, and City boards and commissions.~~

~~87. DONE, at its discretion,~~ may coordinate additional information for distribution through the ENS from ~~entities~~ public or private **as they directly relate to Neighborhood Councils and issues affecting Neighborhood Councils**, ~~other than those specified in the Charter~~ provided that they are subject to **all** ~~the same~~ regulations and requirements **as provided in the Plan**.~~as stated above.~~

~~9. The time frame for the implementation of the ENS Procedures shall be as follows:~~

~~(a) Upon City Council approval of a Plan for a Citywide System of Neighborhood Councils and City Council authorization of the 2001/2002 budget for DONE, ITA will initiate development of the ENS website. The time frame for website development and implementation is dependent upon authorized budget allocations and will be determined upon adoption of the DONE 2001/2002 budget.~~

~~(b) A certified Neighborhood Council shall receive access to a computer and to the Internet within 45 days of its certification as a Neighborhood Council.~~

Article VIII

FUNDING

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

(i) 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.

(ii) Money appropriated 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.

b. Neighborhood Council Matching Fund

(i) 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.

(ii) Monies from the Fund shall be appropriated as matching grants to Neighborhood Councils to complete projects or address problems that Neighborhood Councils identified within their boundaries. An appropriation to a Neighborhood Council shall not exceed \$100,000.

(iii) 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 time table for applicants to follow.

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(iv) 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.

(v) 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.

c. Each Neighborhood Council shall present a budget for City-appropriated funds 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.