

ORDINANCE NO. 179680

An ordinance amending various provisions of the Los Angeles Administrative Code relating to Neighborhood Council elections.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection (f) of Section 22.801 of the Los Angeles Administrative Code is amended to read:

(f) Assist neighborhood councils with the selection of their governing body and conduct the City's portion of the outreach effort necessary to mobilize stakeholders to vote in neighborhood council elections.

Sec. 2. Subdivision (4) of Subsection (a) of Section 22.810.1 of the Los Angeles Administrative Code is amended to read:

(4) Assist Neighborhood Councils with the selection of their governing body and conduct the City's portion of the outreach effort necessary to mobilize stakeholders to vote in Neighborhood Council elections.

Sec 3. Subsubparagraph (2) of Subparagraph (iii) of Paragraph (C) of Subdivision (2) of Subsection (b) of Section 22.810.1 of the Los Angeles Administrative Code is amended to read:

(2) Terms of members of the governing body shall be for two or four years, to be decided upon by individual Neighborhood Councils.

Sec. 4. Subdivision (1) of Subsection (e) of Section 22.810.1 of the Los Angeles Administrative Code is amended to read:

(1) **Complaints Concerning Neighborhood Councils.** If the Department receives a complaint of a violation of any provision of the Plan, including, but not limited to, a violation of open meeting procedures, a failure to comply with the diversity goals of the Plan, violations of the code of ethics, and/or violations of any election rules or procedures promulgated by the Office of the City Clerk, the Department 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 Plan and any other applicable state and federal law and local ordinances, including but not limited to complaints involving violation of open meeting procedures, a failure to comply with the diversity goals of the Plan, and/ or violations of the code of ethics must first be made by the Department prior to initiating an action to decertify a Neighborhood Council. For violations of any election rules or procedures promulgated by the Office of the City Clerk the Department may, on its own, file a report with the Commission asking it to consider decertification without a complaint with the Department having first been filed, provided

that the Department has already taken steps with the Neighborhood Council in an effort to achieve compliance with any election rules or procedures.

Sec. 5. Subdivision (2) of Subsection (a) of Section 22.811 of the Los Angeles Administrative Code is amended to read:

(2) That neighborhood council membership will be open to everyone who lives, works, owns property in the neighborhood and also to those who declare a stake in the neighborhood and affirm the factual basis for it.

Sec. 6. Section 22.816 is added to Division 22, Chapter 28 of the Los Angeles Administrative Code to read:

Sec. 22.816. Elections.

(a) **Administration.** Neighborhood Council board member elections shall be administered by the Office of the City Clerk, which pursuant to Section 20.36 of this Code, is authorized to do the following:

(1) To conduct Neighborhood Council board member elections during the months of April, May and June of each even-numbered year pursuant to a schedule to be developed by the City Clerk in consultation with the Neighborhood Councils.

(2) To promulgate election procedures, rules and regulations and issue any directives, moratoria or rules necessary to administer the Neighborhood Council board member elections.

(3) To conduct Neighborhood Council board member elections for those Neighborhood Councils scheduled to hold elections between April, 2008, and June, 2008, and to issue directives and moratoria related to Neighborhood Council board member terms for elections scheduled to occur during the calendar years 2008 and 2009, including the following:

(A) The City Clerk is authorized to direct that the terms of Neighborhood Council board members elected during the period of July 1, 2007 through December 31, 2007, be extended through June 30, 2010, under the following conditions:

A Neighborhood Council scheduled to conduct board member elections between July through December, 2008, shall have the following options:

(i) To allow and request the City Clerk to conduct its election in June, 2008;

(ii) To extend the terms of current board members to calendar year 2010, and conduct elections in that year; or

(iii) Conduct board member elections as prescribed by their bylaws under the direction of the Department, and in compliance with the Neighborhood Council Election Procedures adopted by the City Council on January 25, 2005.

Any affected Neighborhood Council must notify the City Clerk which of the above options it has chosen and make any bylaw amendments consistent with that choice. Should a Neighborhood Council choose option (iii) above, the Neighborhood Council must submit draft election procedures, approved by the interim or elected board in a publicly noticed meeting, to the Department for review and written approval no later than 140 days prior to its projected election day. Failure to comply with this provision will result in the City Clerk directing that the Neighborhood Council's board member terms be extended to calendar year 2010.

(B) The City Clerk is authorized to direct that the terms of Neighborhood Council board members, which are scheduled for election during January, 2009 through December, 2009, be extended to calendar year 2010.

(b) **Election Challenges.** Election challenges shall be resolved by a regional grievance process to be established and set forth in the Plan for a Citywide System of Neighborhood Councils.

(1) Decisions made throughout the election cycle by the City Clerk may be appealed to a panel drawn from a pool of stakeholders, which method of selection to the panel and its final composition will be developed by the Department and the City Clerk in consultation with the Neighborhood Councils.

(2) Election challenges that are not resolved by the stakeholder panel will be resolved through the regional grievance process once that process is established.

Until the establishment of the regional grievance process, the City Clerk will be responsible for resolving all Neighborhood Council election challenges and may issue any related rules and procedures, and impose any remedies to resolve an election challenge.

Sec. 7. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of FEB 20 2008.

FRANK T. MARTINEZ, City Clerk

By Man Alvarez
Deputy

Approved FEB 28 2008

[Signature]
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By [Signature]
GWENDOLYN R. POINDEXTER
Assistant City Attorney

Date Varway 29, 2008

File No. C.F. 05-0894-S5

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 179680 - Amending various provisions of the Los Angeles Administrative Code relating to Neighborhood Council Elections - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on February 20, 2008, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on March 6, 2008 I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on March 6, 2008 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 6th day of March 2008 at Los Angeles, California.



Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: April 15, 2008 Council File No. 05-0894-S5