



## Department of Neighborhood Empowerment

### Neighborhood Council Board Seating Policy

#### Department Policy

**Purpose:** The purpose of this policy is to describe the specific methods the Department of Neighborhood Empowerment (EmpowerLA/Department) will employ to implement relevant sections of the Los Angeles Administrative Code and policies of the Board of Neighborhood Commissioners. The policy provides a consistent approach to managing various internal and external elements of Neighborhood Council elections including, but not limited to a) a consistent period for establishing Board terms; b) clarity about the date when Board Members assume their duties and responsibilities; c) clarity related to when Boards shall hold their ‘organization’ meeting (election of officers and committee chairs), if applicable; and d) recognition of the need to enhance our ability to increase opportunities for the success of all Board Members with a lens on equity and inclusiveness. The policy describes ways in which the Boards can request assistance from EmpowerLA to plan for anticipated or address unanticipated transition issues.

**Summary:** The Election of Board Members for the City of Los Angeles’ Neighborhood Council System (System) is a vibrant and ongoing process. Board elections are one of the most important duties that the System administers. The election process involves specific roles and responsibilities of Neighborhood Councils, pursuant to their bylaws and also EmpowerLA and the Offices of the Los Angeles City Clerk (City Clerk) and City Attorney. EmpowerLA and City Clerk derive their authority over the administration of Neighborhood Council elections from [Admin Code Section 20.36 \(b\)](#).

*(b) The Department and City Clerk shall each be authorized to promulgate any election procedure, rule, regulation, or issue any directive or moratorium necessary for that portion of the elections they administer, including the promulgation of any procedures, rules, regulations, directives, or moratoria for the resolution of any election challenge.*

Additionally, on January 21, 2020, the Board of Neighborhood Commissioners approved a [Neighborhood Council Orientation Policy 2020-1](#). The NC Orientation policy aims to expand Board Member leadership skills to improve the proper function of Neighborhood Council Board meetings. The policy also requires EmpowerLA to develop specific tools, guides, handbooks, and a Leadership Academy following the 2021 elections for “executive board members (president/chair, Vice president/Vice-Chair, Treasurer, Secretary), and any other duly selected or elected “executive” board members” or equivalent.

Neighborhood Council elections are held every two years. Twelve (12) roving election schedules are established by the City Clerk. These schedules are held, generally, between the months of November - June of the election year. As a result, the date of the election for a Neighborhood Council is subject to change. For example, the election of a Neighborhood Council Board could be in the month of March in one election cycle and in the month of June in a subsequent election cycle (typically two to four years following). The roving election schedule creates a wide variety of circumstances associated with Board terms and the opportunity for Board Members to prepare for Board service. This is particularly challenging for EmpowerLA given its limited staffing capacity and resources.

The revisions to the [2019 Board Seating Policy](#) as described below further allows EmpowerLA to plan for and make a concerted effort to establish and evaluate equity goals for the onboarding of Neighborhood Council Board Members and consider approaches for the meaningful and responsive distribution of related resources.

Members of the City of Los Angeles Neighborhood Council System shall be elected in the manner prescribed for the election of members of the individual Neighborhood Council Board. EmpowerLA's Board Seating policy shall be amended as follows.

- A. Board Members shall assume the duties and responsibilities:
1. after all official election challenges for the Neighborhood Council have been resolved;
  2. after the City Clerk has issued certified election results for the Neighborhood Council, and;
  3. after, if applicable, the City Clerk has certified the list of candidates and determined that the seats are uncontested such that no election shall be held. If a Neighborhood Council fails to register enough candidates to have a competitive race, the election will be cancelled, and the candidates seated by affirmation. The Neighborhood Council shall contact EmpowerLA to receive guidance in the seating of the certified candidates. EmpowerLA shall contact the certified candidates to provide guidance on when they begin to assume their duties and responsibilities pursuant to this policy and the corresponding Neighborhood Council's bylaws.
- B. The terms of office for elected or selected Board Members shall commence on July 1 of the Board seat's election year. The terms of office shall end on the last day in June of the Board seat's election term (e.g., end of two-year term). Commencing newly elected or re-elected Board Members on July 1st allows the terms to be consistent with the City of Los Angeles fiscal year which commences on July 1st and ends on June 30th. No additional meeting or oath of office shall be required to begin assuming duties and responsibilities. On July

1st, all powers shall immediately be transferred over to the newly elected or selected Board.

- C. Members of the Board whose terms have expired or were not re-elected shall continue to discharge the duties of the office until their successor has assumed the associated duties and responsibilities on July 1st.
- D. The new Board Members shall assume their duties and responsibilities as a single unit on July 1st. No partial and/or interim seating is allowed. Where a single challenge to a single seat has not been resolved, the rest of the Board cannot be seated. It is assumed the incumbent Board will set the agenda for the July meetings, pursuant to the Neighborhood Councils' bylaws.
- E. The Board shall have an organization meeting in the month of July (if applicable). The organization meeting is for the purpose of electing Board Officers, as one example of possible action Neighborhood Councils may take at organization meetings.
- F. Should a Board seat become vacant after the election; the Board shall fill the vacancy pursuant to the Neighborhood Council's bylaw.
- G. The administration of the oath is conducted in a manner determined by the Board. This process is ceremonial and has no effect on when the term of office officially begins, unless indicated in the bylaws.
- H. Where a regularly scheduled meeting is not scheduled to commence the newly elected Board in July, EmpowerLA may choose to call a regular or special meeting, pursuant to the aforementioned criteria for the certification of the election and in accordance with applicable meeting laws, policies, procedures, and rules. In these circumstances, EmpowerLA may choose to preside over the meeting where the first order of business may be to hold an organization meeting, if applicable. EmpowerLA has the discretion to identify an independent third party to administer and preside over the meeting. Any leftover business from the outgoing Board will be acted upon by the newly elected Board Members.
- K. Newly elected or re-elected Board Members shall be aware that once elected, their participation in the Board matters shall be subject to the State's open meetings laws (Brown Act) commencing from the time the election is certified by the Office of the City Clerk even if it precedes the date they assume their duties and responsibilities (please refer back to section A for detailed information).

EmpowerLA staff can work with the outgoing Board to craft the agenda for the regular or special meeting to ensure a smooth transition between the outgoing and incoming Board Members. Any leftover business from the outgoing Board will be acted upon by the newly-elected Board Members. The outgoing Board is encouraged to consult with EmpowerLA to prepare the agenda for the regular or special meeting to ensure a smooth transition between the outgoing and incoming Board Members. Boards

anticipating quorum issues for any reason may request EmpowerLA manage the Board meetings using available tools in order to allow the Board to conduct business.

Additionally, as a best practice for the transition of Board Members, incumbent Board Members are encouraged to establish a mentoring relationship with newly elected Board Members and consult with them on items to be discussed before the Board. As a reminder, the Brown Act applies once the certification of elections is completed as described. Although the oath of office is not required, EmpowerLA encourages Neighborhood Councils to welcome the newly elected or re-elected leaders in a celebratory manner.

**Effective date: 4/1/21.** This policy will be effective April 1, 2021, and will be applicable thereafter. In order to provide Neighborhood Councils the opportunity to implement a transition, Neighborhood Councils shall, only in 2021, be given the option to seat Board Members pursuant to the provisions of this 2021 policy or the provisions of the [2019 Board Seating Policy](#). Boards choosing to move forward in 2021 using the new policy will need to take board action to confirm the Board's preference on this subject. Unless board action is taken, prior to the final certification of election results to move forward using the 2021 policy or to support uniform seating of Neighborhood Council board members effective July 1 and ending June 30, the 2019 policy shall apply.

**Revisions: rev. 4/19/2019, 4/1/21**

**Relevant Sources:** [Admin Code Section 20.36 \(b\)](#); [authorities of Board of Neighborhood Commissioners, \(LA City Charter, Section 902\)](#); [Brown Act FAQs](#), [April 2019 Neighborhood Council Board Seating Policy](#), [Board of Neighborhood Commissioners Leadership Policy 2020-01-30](#).