

NEIGHBORHOOD COUNCIL BOARD MEMBER
CANDIDATE FOR ELECTION
BOARD SERVICE ACKNOWLEDGEMENT AND AFFIRMATION

Introduction

Thank you for your interest in serving as a Neighborhood Council board member. You are choosing to join some of the most dedicated community servants in the City of Los Angeles. You will have an opportunity to work with other amazing people who are also dedicated to helping their communities. We appreciate your decision to serve.

There are many aspects to being a Neighborhood Council board member. The Board of Neighborhood Commissioners (Commission) establishes policies and promulgates rules and regulations relating to the Neighborhood Council System. Commission adopted a *Leadership Orientation Policy* [<https://empowerla.org/wp-content/uploads/2020/04/NC-Leadership-Orientation-Policy-2020-01-30.pdf>] in early 2020. The policy requires the Department of Neighborhood Empowerment (Empower LA/Department) to ensure that candidates for neighborhood council board service are aware of the roles and responsibilities of board members. EmpowerLA and the Office of the City Clerk are required to certify that candidates have been advised of and understand these responsibilities. The Commission recognizes that Neighborhood Council board members might need to expand their leadership skills. You can learn more about mandatory trainings on the Department's website [<https://empowerla.org/nctrainings/>].

If elected, you will be provided with access and, in some cases required, to participate in advanced trainings in several areas. Some of the trainings offered include training in communication, coalition building, and conflict resolution. Additional trainings include how to develop positive interpersonal relationships that bring about an atmosphere of equity and inclusiveness. Developing these skills and understanding helps board members manage some of the challenges associated with managing a properly functioning neighborhood council board.

Separately, candidates for board service must affirm that they will educate themselves on and follow all laws, rules, policies, and procedures applicable to the Neighborhood Council System (System). These include policies of the Board of Neighborhood Commissioners, the Department of Neighborhood Empowerment, and the Office of the City Clerk. Each of these offices has a separate role in the System. The information and descriptions below implement the Commission's *Leadership Orientation Policy* and expectations.

Statement of values. The Neighborhood Council system tailors LA's municipal government to the City's communities, ensuring that recognition and accommodation of these communities' diversity is built into City governance.

Role of Neighborhood Councils. To promote more citizen participation in government and make government more responsive to local needs, a citywide system of Neighborhood Councils. Neighborhood Councils shall include representatives of the many diverse interests in communities and have an advisory role on issues of concern to the neighborhood.

How Neighborhood Council Tools. There many ways in which Neighborhood Councils influence City Council policy and advance the interest(s) of their communities. For example, they can advise their City Council representatives and submit community impact statements on behalf of their Council. They can serve on Neighborhood Council committees, or serve on the Board of Neighborhood Commissioners. They can also participate in groups that support dialogue in the System such as the Neighborhood Council alliances.

What it means to be an NC board member. As a Neighborhood Council board member, there are [several compliance](#) requirements to consider. Board members are required to complete mandatory training sessions, follow their neighborhood council's bylaws and standing rules, and engage the public in their work in a meaningful, transparent, and inclusive manner. Mandatory training topics include, but are not limited to, the following:

- A. Code of Conduct
- B. Ethics
- C. Funding training
- D. Planning 101 (required for planning committees)
- E. Diversity, equity, inclusion, and anti-bias training (in progress)

The Code of Conduct, Ethics, AND Funding training are required to vote on any financial matters before the board.

Responsibilities of NC Board members. Neighborhood Council board members volunteer their time, network and expertise, committing on average 10 – 20 hours a month, on behalf of the Neighborhood Council System and are subject to pertinent laws that govern city departments and government entities. Neighborhood Councils make recommendations to City decision-makers. Neighborhood Councils are neither decision-making nor legislative bodies and are subject to pertinent laws that govern City departments and government entities.

Role of the Department of Neighborhood Empowerment. EmpowerLA has a diverse role in supporting the Neighborhood Council system. EmpowerLA's core responsibility is to provide *direct neighborhood council support*. In addition to providing meeting and training support for Neighborhood Councils, EmpowerLA is also expected

to ensure that Neighborhood Councils boards follow all laws, policies, and procedures that apply to the Neighborhood Council System. EmpowerLA's Office of Community Engagement also conducts trainings to City departments, elected offices, and stakeholders about the System. The Department is as a liaison between Neighborhood Councils and these City decision-makers.

Role of Office of the City Attorney. The Office of the City Attorney Neighborhood Council Advice Division performs the function of general counsel for the City's Neighborhood Council System and advises on the laws that impact the operations of the Neighborhood Councils including laws that pertain to conflict of interest.

Role of Office of the City Clerk. Office of the City Clerk sets regulations, policies, and guidelines regarding the funding of the Neighborhood Council System and administers neighborhood council elections.

A. Neighborhood Council Election Handbook [hyperlink]: The Neighborhood Council Election Division handbook and website provide voters, candidates, and other neighborhood council participants with important policies and information about the neighborhood council election process.

B. Neighborhood Council Funding Program Policies and Guidelines: The Neighborhood Council Funding Program [https://clerk.lacity.org/neighborhood-council-funding/funding-trainings-and-workshops] issues policies and guidelines related to the funding provided to neighborhood councils.

Regulatory Framework

As you begin your journey with the Neighborhood Council System, it is essential to know about the regulatory framework within which the System operates. These laws may range from the Brown Act, the Public Records Act, the Americans with Disabilities Act, City Administrative Codes, Commission Policies to the Neighborhood Council bylaws, and standing rules.

Federal Laws Governing the Neighborhood Council System

A. U.S. Constitution. Provisions of the U.S. Constitution, including the First Amendment's Free Speech, Establishment, and Free Exercise clauses, may be applicable to Neighborhood Council operations, such as meetings and events.

- B. Americans with Disabilities Act.** The Americans with Disabilities Act is a federal law designed to protect the rights of individuals with disabilities. Title II of the Americans with Disabilities Act (ADA) applies to the operations of state and local governments and may be applicable to the operations of neighborhood councils
- C. The Political Reform Act of 1974.** The Political Reform Act is a state law meant to ensure that certain public officials are free from bias caused by their own financial interest and act in an impartial manner. Neighborhood Councils abide by applicable provisions.

State Laws Governing the Neighborhood Council System

- A. The California Public Records Act.** The California Public Records Act is a state law providing the public access to public records. Neighborhood councils must respond to Public Records Act (PRA) requests for its records.
- B. California Constitution.** The state constitution protects individual rights and may be applicable to Neighborhood Council operations, such as meetings and events. Other relevant provisions include Article XVI, section 6 (the prohibition against a gift of public funds), and Article I, section 3 (incorporation of the California Public Records Act).
- C. The Ralph M. Brown Act.** The Ralph M. Brown Act is a state law requiring open and public meetings and has been applied to neighborhood councils through the Act's definition of legislative bodies.
- D. Government Code § 1090.** Government Code section 1090 is a state law that prohibits public officials and employees from having a personal financial interest in public contracts. Because Neighborhood Councils are given some limited authority to recommend or advise on City contracts and to make purchases using City funds, Government Code section 1090 is applicable.
- E. Federal Employment Practice Laws.** In addition, Neighborhood Councils abide by laws and policies preventing workplace violence, sexual harassment, and discrimination.

City Laws Rules Governing the Neighborhood Council System

- A. The Los Angeles City Charter.** The City Charter created the Department of Neighborhood Empowerment, the Board of Neighborhood Commissioners,

and a citywide system of Neighborhood Councils. Article IX, sections 900 to 914 relate to the Neighborhood Council system.

- B. The Los Angeles Administrative Code.** The Administrative Code consists of administrative and procedural City ordinances. Chapter 28. relates to the Neighborhood Council System. Other relevant sections include section 5.517 (administration of the Neighborhood Empowerment Fund), spaces), section 10.2.1(b) (funding for neighborhood purposes grants), section 20.36 (neighborhood council elections), and section 22.535 (neighborhood council office and meeting spaces).
- C. The Los Angeles Municipal Code.** The Municipal Code contains criminal and regulatory ordinances. The City Council has passed ordinances within the Municipal Code, which relate to, among other things, notice to the Neighborhood Council system regarding certain land use matters. General City contracting rules can be found in the City Charter (starting at section 370) and within the Administrative Code (starting at section 10.1).
- D. City of Los Angeles Personnel Policies:** The City recognizes that a workforce of individuals with diverse personal backgrounds, ideas, talents, and experiences facilitates an opportunity for each individual to make a unique contribution to the workplace and to provide superior and equitable service to all of the communities of Los Angeles. Harassment or discrimination based on a protected category as defined by the Fair Employment and Housing Act or (FEHA) activity that interferes with the City's goals of maintaining a diverse, equitable, inclusive, and productive workplace is not tolerated. The Office of the City Attorney Labor Relations Division may be asked to investigate questions in this area pertaining to Neighborhood Council boards or board members. When this occurs, board members are expected to comply with the investigation. Failure to do so may give cause for removal of the reluctant board members board service by the Department.
- E. Fundraising Rules.** The city's campaign finance ordinance restrictions do not apply to Neighborhood Council elections. However, any donations candidates receive are considered gifts which may require them to recuse themselves if the candidate is elected. Recusal will be requires on any matter which directly involves the donor or has the requisite impact on the donor if the donor has given gifts in the amount of \$500 or more in total during 12 months prior to the decision. If the Board candidate is a public official with disclosure obligations, such as a city employee, applicable gift limits of City and state law would apply to contributions received by the Board candidate.

Board of Neighborhood Commissioners

The Board of Neighborhood Commissioners establishes policies and promulgates rules and regulations relating to the Neighborhood Council System. Pursuant to section 902 of the City Charter, the Board is responsible for policy setting and policy oversight, including the approval of contracts and leases and the promulgation of rules and regulations for the Neighborhood Council System.

Neighborhood Council Policies

- A. Neighborhood Council Bylaws:** The bylaws of a Neighborhood Council are established to provide a written framework and an organizational structure for the Neighborhood Council. Bylaws establish, among other things, an organization's management structure, procedures, and dispute resolution processes.
- B. Neighborhood Council Standing Rules:** The Standing Rules detail the administrative rules of a neighborhood council. As a best practice, a copy of the Standing Rules should be added to the Neighborhood Council website making it accessible public.
- C. Parliamentary procedure - Robert's Rules of Order or Rosenberg's Rules of Order:** Parliamentary procedure is a tool to help neighborhood council boards to be more effective and productive during their meetings. A neighborhood council's bylaws state which rules of order apply.

Pursuant to the *Board of Neighborhood Commissioners Leadership Orientation Policy*, candidates are required to affirm that they have received the aforementioned information and affirm their agreement to abide by the requirements and responsibilities of Neighborhood Council board members.

- The Department may require newly elected board members to participate in a mandatory orientation prior to board service. All mandatory trainings must be completed before board service can begin.
- To learn more about candidates for Neighborhood Council board service, we may ask you to provide demographic information. The information is used by the Department to improve the direct neighborhood council services it provides Neighborhood Councils.

I hereby affirm that I have read, understand and agree to follow rules, laws and procedures detailed above in the "Board Service Acknowledgement Candidate Affirmation Document."

Signature

Date