

**NEIGHBORHOOD COUNCIL BOARD MEMBER
CANDIDATE FOR ELECTION/APPOINTMENT
BOARD SERVICE ACKNOWLEDGEMENT AND AFFIRMATION**

Introduction

Thank you for your interest in serving or continuing to serve as a volunteer Neighborhood Council board member for the City of Los Angeles. 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.

The Board of Neighborhood Commissioners (Commission) establishes policies and promulgates rules and regulations relating to the Neighborhood Council System. One such policy is the [Leadership Orientation Policy](#) requiring 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 must certify that candidates have been advised of and understand these responsibilities and must agree to them if elected or chosen to fill a vacancy.

If elected, you will be provided access to, and in many cases required to participate in, essential training in several areas. Mandatory training must be completed within the time allotted. Failure to complete mandatory training may result in censure, suspension, and potential removal from your board.

In addition to training, 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. These include policies of the Board of Neighborhood Commissioners, the Department of Neighborhood Empowerment, the Office of the City Clerk, and the Office of the City Attorney. Each of these offices has a separate role as outlined below.

The information and descriptions below implement the Commission's *Leadership Orientation Policy* and expectations. Candidates must also affirm that they will comply with all applicable Federal, State, and City laws, including but not limited to the California Public Records Act and the Ralph M. Brown Act. Failure to comply with these laws is grounds for censure, suspension, and potential removal from your board.

Components of the Neighborhood Councils

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

Neighborhood Councils Are Part of the City. Neighborhood Councils are Charter created volunteer bodies that advise City decision makers. Per Charter Section 901,

Neighborhood Councils are formed to promote community participation in local government and make government more responsive to local needs. Neighborhood Councils shall include representatives of the many diverse interests in communities and have an advisory role on City issues of concern to the neighborhood.

As advisory bodies to the City, Neighborhood Councils are a part of the City. , As such, they may influence City decision makers and advance the interest(s) of their communities through the use of Community Impact Statements (CISs) and letters in support or opposition to City decisions.

What it Means to be a Neighborhood Council Board or Stakeholder Committee Member. A Neighborhood Council board member must consider several compliance requirements. Board members are entrusted with public funds, and must complete essential 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. Required training topics include, but are not limited to, the following:

- A. [Code of Conduct](#) (No Expiration)
- B. Ethics (Required every two years by [California Gov. Code Section 53235](#))
- C. Funding (Required every two years)
- D. Planning 101 (required for Planning and Land Use Committee Members)
- E. Diversity, equity, inclusion, and anti-bias training (No Expiration)
- F. Workplace Equity (No Expiration)
- G. Gender expression and gender identity (Required by Los Angeles Administrative Code Section 22.821(b). No Expiration)

A board member must complete all of the required training to be eligible to vote on any financial matters before the board pursuant to the City Clerk's [NC Funding Guidelines](#) Policy 1.0, Section 2(a)(v). Board members should consult the bylaws of your Neighborhood Council for any additional training requirements that the Neighborhood Council may require as a condition of voting on items before the board. Stakeholder committee members may be required to complete trainings depending on their assigned committees.

Responsibilities of Neighborhood Council Board and Stakeholder Committee Members. Board members volunteer their time, engage with the community, provide expertise on various issues, and make advisory recommendations to City decision-makers. Neighborhood Council Board Members may commit an average of 10 – 25 hours a month on behalf of the Neighborhood Council System. Neighborhood Councils are subject to federal, state, and local laws that govern City departments and government entities, These laws include, but are not limited to, the Brown Act, the California Public Records Act, the Americans with Disabilities Act, the Los Angeles City Charter, the Los Angeles City Administrative Codes, and Board of Neighborhood Commission Policies, and Neighborhood Council bylaws and standing rules . Failure to comply may result in corrective actions and/or possible suspension and removal of the Board/Committee Member.

City Departments Supporting the Neighborhood Councils

Department of Neighborhood Empowerment (EmpowerLA). 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 and resources for Neighborhood Councils, EmpowerLA is also expected to ensure that Neighborhood Council boards follow all laws, policies, and procedures that apply to the Neighborhood Council System. EmpowerLA also conducts training for City departments, elected offices, and stakeholders about the System. The Department is a liaison between Neighborhood Councils and these City decision-makers. Additionally, EmpowerLA administers and oversees awareness, engagement, and election outreach for the NC System.

Office of the City Attorney. The Office of the City Attorney Neighborhood Council Advice Division (NCAD) 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. NCAD provides legal advice to Neighborhood Councils Boards and Committee members, the Board of Neighborhood Commissioners, the Department of Neighborhood Empowerment, the City Clerk and all City Officials and agencies on issues related to the Neighborhood Council system. NCAD attorneys provide advice on the Brown Act, Public Records Act requests, conflicts of interest, contracts (including leases, Neighborhood Purpose Grants, and service agreements), and any other laws impacting the Neighborhood Council system.

Office of the City Clerk. The 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 Division Handbook:** 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 issues policies and guidelines related to the funding provided to neighborhood councils.

City Commission With Oversight over Neighborhood Councils

Board of Neighborhood Commissioners (Commission)

The Board of Neighborhood Commissioners (BONC) 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 oversight, including the approval of contracts and leases and the promulgation of rules and regulations for the Neighborhood Council System.

Laws Applicable to the Requirements as a Neighborhood Council System Board Member

As you begin your journey with the Neighborhood Council System, you will be in the unique position to learn many state and local laws under which you will operate. As a board member, it is essential to know the various rules that guide you and the compliance required from board members. These laws include, but are not limited to those listed below and may range from the Brown Act, the California Public Records Act, the Americans with Disabilities Act, the Los Angeles City Charter, the Los Angeles City Administrative Codes, and Board of Neighborhood Commission Policies and the Neighborhood Council bylaws and standing rules. Below is a brief description of the laws you will be expected to know and abide by as a Neighborhood Council Board Member:

Federal Laws Governing the Neighborhood Council System, Board and Committee Members

- A. U.S. Constitution.** Provisions of the U.S. Constitution, including but not limited to 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.

State Laws Governing the Neighborhood Council System Board and Committee Members

- A. [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).
- B. [The California Public Records Act \(CPRA\)](#).** 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. Board members must take on the responsibility to respond to CPRA requests and may seek assistance from DONE and the Office of the City Attorney Neighborhood Council Advice Division. Compliance with the CPRA is mandatory, and failure to do so is grounds for censure, suspension, and potential removal from your board.
- 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. Neighborhood Council board and committee members must comply with the Brown Act and work with DONE and the Office of the City Attorney Neighborhood Council Advice

Division when Brown Act violations are alleged. Failure to comply is grounds for censure, suspension, and potential removal from your board.

- D. [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 Council board and committee members must abide by applicable provisions and have a duty to seek conflict of interest advice from the Office of the City Attorney Neighborhood Council Advice Division.
- E. [California 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. Neighborhood Council board and committee members must abide by applicable provisions and have a duty to seek conflict of interest advice from the Office of the City Attorney Neighborhood Council Advice Division.
- F. **Federal Employment Practice Laws**. In addition, Neighborhood Councils must abide by laws and policies preventing workplace violence, sexual harassment, and discrimination. Neighborhood Council board and committee members must inform DONE of any issues regarding 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 both 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. Volunteer Neighborhood Council board and stakeholder committee members are subject to the City's Workplace Equity Policy and Workplace Equity Complaint Procedure. 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 by the Department pursuant to the Board of Neighborhood Commissioners removal policy.

- E. **Campaign 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 is required 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 and stakeholder committee members have a duty to contact the Office of the City Attorney Neighborhood Council Advice Division for advice on these matters before any discussion or vote on a related matter.

Neighborhood Council Operational Policies, and Rules.

Empower LA assists the Neighborhood Councils with operational matters. Neighborhood Councils procedurally operate under the following:

- A. **Neighborhood Council Bylaws**: The bylaws of a Neighborhood Council are established to provide a written framework and an organizational structure for that particular 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 of a Neighborhood Council detail the administrative rules of that neighborhood council. As a best practice, a copy of the Standing Rules should be added to the Neighborhood Council website making it accessible to the public.

- C. **Parliamentary Procedure (e.g. 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 should state which rules of order apply.

Pursuant to the [Board of Neighborhood Commissioners Leadership Orientation Policy \(2020-1\)](#), elected as well as selected Board Members and 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 maintains a public list of all board members and candidates who have affirmed or who have failed to affirm this acknowledgment.

- The Department may require newly elected board members to participate in a mandatory orientation prior to board service. All mandatory training 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 affirm that I have read, understand and agree to follow all rules, laws and procedures detailed above. I understand that if I refuse to follow the rules, laws and procedures described above, I may be subject to censure, suspension, and/or removal from the Neighborhood Council committee and/or board.

Signature

Date