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## CALIFORNIA

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TELEPHONE: (213) 485-1360



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### DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

334-B EAST SECOND STREET  
LOS ANGELES, CA 90012

TELEPHONE: (213) 485-1360  
TOLL-FREE: 3-1-1  
FAX: (213) 485-4608  
E-MAIL: [dona@lacity.org](mailto:dona@lacity.org)

**BONGHWAN (BH) KIM, MPA**  
GENERAL MANAGER

[www.EmpowerLA.org](http://www.EmpowerLA.org)

## REPORT RE:

## NEIGHBORHOOD COUNCIL ELECTIONS

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 11-1912

Honorable Members:

As requested by your Honorable Body, this department submits this report to the City Council to address the cost and administration of the Neighborhood Council elections if this department were to conduct the 2012 Neighborhood Council election cycle.

### Background

On January 3, 2012, the City Council took action to request the City Attorney to prepare and present an Ordinance to transfer authority for conducting the Neighborhood Council elections from the Office of the City Clerk to the Department of Neighborhood Empowerment (Department) on a temporary basis for the 2012 Neighborhood Council election cycle. In addition, the City Council requested the Department to submit a report on how the Department would administer such elections as well as the associated costs.

The Department currently has \$120,000 set aside in its current budget for election outreach. In its fiscal year 2012-2013 budget package, the Department also submitted a request in the amount of \$639,964 for the necessary staffing and resources to conduct Neighborhood Council elections. Based on current records, at least eight-five (85) Neighborhood Councils have either full or partial Board seats up for elections in 2012. Four (4) Neighborhood Councils are not up for elections until 2014, and six (6) Neighborhood Councils in the Harbor Area are considering utilizing a selection process instead of an election. A selection process does not have a secret ballot and is usually conducted in a town hall style setting where Board members are selected by

a showing of voter hands. To opt for a selection process, the Neighborhood Council must change its bylaws and have a selection process approved by the Department.

On February 10, 2012, the City Clerk released the results of their survey for Neighborhood Council Election Alternatives. In it, sixty-two (62) of the ninety-five (95) Neighborhood Councils responded with the following feedback:

- 53% of the Neighborhood Councils are not willing to postpone the 2012 elections to 2014, and 47% were willing to postpone to 2014
- Two-thirds of the Neighborhood Councils that opposed postponing the elections would not use a town hall style selection process
- 76% of those Neighborhood Councils that want to hold non-City Clerk elections prior to 2014 would contribute a limited amount of funds toward the cost of the election and 21% would cover the full cost
- 34% prefer an Independent Election Administrator as their first choice to conduct the elections and 25.8% identified the City Clerk as the next first choice to conduct elections with 16.1% preferring the town hall selection process
- Nearly 90% of Neighborhood Councils prefer some type of at polls election over all other election methods and nearly 63% prefer a standalone at polls election method with 27% preferring a combination of at polls with vote by mail and/or internet voting component
- 6% of Neighborhood Councils prefer internet voting combined with at polls election
- 85.4% of Neighborhood Councils prefer town hall elections (secret ballot) over town hall selections (non-secret ballot) as an alternative to conventional election methods

#### Collaboration Process for Feedback

The Department collaborated with the Los Angeles Neighborhood Councils Coalition's Election Task Force to receive recommendations from Board members and stakeholders on the elections. On January 28, 2012, the Election Task Force met with Neighborhood Council leaders from twenty-seven (27) Neighborhood Councils around the City of Los Angeles and passed the following motions regarding Neighborhood Council elections:

1. The Election Task Force recommends that Neighborhood Councils will run their own elections or selections at such time, place and manner of their choice with assistance of Department as it is capable.
2. The Election Task Force encourages Neighborhood Councils to run elections cooperatively and if desired, to conduct regional elections with the assistance of the Department.
3. Regions are to be established by Neighborhood Councils and their regional alliances.
4. Neighborhood Council elections or selections should be monitored or overseen by a trained, independent third party.
5. The Election Task Force requests the City Council to allocate in the fiscal year 2012-2013 budget, the amount of \$650,000 to the Department for additional staffing and resources for the Neighborhood Council election process.

6. The Election Task Force requests the City Council to expedite the process for contracting Independent Election Administrators and staffing associated with Neighborhood Council elections not to exceed sixty (60) days.
7. The Election Task Force recommends to Neighborhood Councils the inclusion of independent poll watchers as part of their elections.
8. Election challenges are to be heard and decided by arbiters hired and paid for by the Department.

These motions have also been adopted by the Los Angeles Neighborhood Councils Coalition.

The Valley Alliance of Neighborhood Councils adopted the following language regarding the Neighborhood Council elections:

1. Motion approved by the Valley Alliance of Neighborhood Councils for Neighborhood Councils to have the OPTION either to have an election or selection process in 2012, or to “opt-out” (no election) and have an election in 2014.
2. Resolution regarding City Clerk Conduct of Neighborhood Council Elections:

**Be it resolved** that the Valley Alliance of Neighborhood Councils (VANC), in order to preserve the right of Neighborhood Councils to conduct elections in 2012 and years following, requests the City Council to adopt a resolution or ordinance as follows:

The City Clerk is directed to allow Neighborhood Councils to conduct elections in 2012 and years following with or without the assistance of the City Clerk. The procedures should set forth in broad terms that neighborhood council elections will be conducted in a fair and transparent manner and in accordance with the approved bylaws and election procedures of each Neighborhood Council, the Plan and the Administrative Code. The procedures should encourage Neighborhood Councils to join together on a regional basis in order to lend assistance to one another in outreach and the conduct of elections.

As an Alternative, rescind the city ordinance authorizing the City Clerk to administer neighborhood council elections and authorize the Department of Neighborhood Empowerment, in partnership with Neighborhood Councils, to oversee elections going forward.

### Proposal

In developing the proposal for the Department to conduct the Neighborhood Council elections, the following factors were taken into consideration:

1. Successful execution of at least eighty-five (85) Neighborhood Council elections;
2. Maintaining the integrity of all elections;
3. Existing staffing resources and City budget issues;
4. Input from the Neighborhood Councils, including the motions passed by the Election Task Force, the Valley Alliance of Neighborhood Councils and the Office of the City Clerk survey;
5. Short time period in which to prepare for the elections; and

6. Framework for Neighborhood Council elections developed by the Office of the City Clerk, which required a restructuring of the Neighborhood Council bylaws and Board terms.

By conducting the 2008 and 2010 Neighborhood Council elections, the Office of the City Clerk has developed an excellent foundation and structure for the Neighborhood Council elections. The Department's proposal for administering the Neighborhood Council elections would utilize this existing framework because of the short timeline to prepare for elections to offer the following election structure:

**Elections Only in 2012**— Under the Office of the City Clerk, elections were set up to occur in even numbered years. The Board terms were also changed to two (2) or four (4) year terms to sync with the elections. Holding elections in 2013 would result in mandated changes to Board terms or having yearly elections to maintain the current Board terms. To avoid such difficulties, the Department proposes to hold elections from August to November of 2012.

**Regional Elections** – The Department would operate elections on a regional model, using twelve (12) regions as opposed to the nine (9) regions set up by the City Clerk. The additional regions were created to provide more election support and to encourage Neighborhood Councils to pool their resources for election outreach. A draft of the new regions is attached along with proposed election weeks from which the Neighborhood Councils from each region would select one (1) day to hold their elections. The time of the elections on that day could vary for each Neighborhood Council depending on what worked for their community.

**Conducted By Independent Election Administrators** – The Department intends to hire and train twelve (12) Independent Election Administrators (IEA) to assist the Neighborhood Councils in conducting the elections in their regions. The final number of IEA's depends on how many Neighborhood Councils decide to hold selection instead of elections. While the Department would also accept volunteer IEA's, the Department would need paid IEA's as a back-up. The IEA for each region would be responsible for working in collaboration with the Neighborhood Councils to ensure that the Neighborhood Councils' bylaws and election procedures were correct; the candidates are qualified; the necessary ballots were created and translated; the Neighborhood Councils were meeting all election deadlines and outreach plans; the election locations were acceptable; and any other issues regarding elections were swiftly handled.

**Streamline Election Procedures Process** – Because Neighborhood Councils have already approved election procedures when the Office of the City Clerk conducted their elections, the Department will endeavor to use approved election procedures whenever possible and have the Board only approve necessary updates, such as Board seats up for election and location, date and time for the elections. Defaults will have to be established for those Neighborhood Councils who do not supply the necessary information to hold their elections in time to the Department. The election timeline will be shortened to sixty (60) days where Neighborhood Councils will have thirty (30) days to find candidates and thirty (30) days to outreach to voters. To save resources, those Neighborhood Councils who have uncontested seats will default to a selection process whereby the candidates will be affirmed.

**Vote by Mail and Write-in Candidates** – Vote by mail services will be offered by the Department for an extra fee starting at \$500 for the set up and execution. Unlike in the past, the

Department will handle all vote by mail requests, voter documentation and ballot receipt/counting with temporary staffing. Because there will be defaults that will be set up for uncontested seats, write-in candidates will not be allowed in this election cycle.

**Back Office Support** – Additional staffing would be needed to help support the administrative functions of running the elections, such as translation, finalizing and printing of ballots, processing vote by mail requests, etc. Existing Department staff will not have the capacity to take on these duties so the Department will bring on temporary staffing to assist the IEA's in providing the support to the Neighborhood Councils. This staffing will also be utilized as paid poll managers and workers for the election day along with other trained staff and Neighborhood Council volunteers. The existing Department staff of seventeen (17) has no capacity to administer elections because they are carrying on day to day Neighborhood Council matters, such as funding, assistance to low functioning Neighborhood Councils, grievances/complaints, trainings and Board of Neighborhood Commissioners support services. This work continues during elections. Also, by taking on the administrative burden of elections, we hope free up the Neighborhood Council volunteer time on the more important task of outreach.

**Outreach Support** – The Department will be conducting a citywide outreach campaign for Neighborhood Council awareness and elections. The Department website is being revamped to provide easy access to information and to push information out to stakeholders via social media. To assist the Neighborhood Councils with their outreach, the Department will create outreach templates and provide outreach trainings in every region. The Department will also assist with the posting of candidate information on its website. Neighborhood Councils are expected to also pay for outreach to their stakeholders and have the ability to encumber their current 2011-2012 funds for election outreach next fiscal year.

**Arbitrators for Challenges** – As initially suggested by the Office of the City Clerk, any election challenges will be handled by paid arbitrators hired and trained by the Department. The Department will set up a challenge system for the elections and the structure for how arbitrators will review and remedy election issues.

**Collaboration with Neighborhood Councils** – Collaboration with the Neighborhood Councils is key in the success of the elections, and the Department is weighing the various suggestions coming in from Neighborhood Council leaders around the City. Whenever possible, any policies or procedures regarding the elections will be vetted with the Neighborhood Councils. While the Department will do its best to accommodate suggestions that assist in increasing the number of stakeholders who participate in the Neighborhood Council system and elections, the Department will balance implementation with our ability to administer the elections in a fair, transparent and open manner.

The Department is currently preparing an election manual to cover the proposed election structure for the 2012 election.

#### Implementation Costs

#### **2011-2012 Fiscal Year Funds (\$120,000)**

Although the City Council has not yet changed the election ordinance, the Department has begun to utilize the \$120,000 from the current fiscal year to prepare the election structure in order to

meet the August through November 2012 election timeline. Neighborhood Councils must begin election preparations now in order to carry out the elections if the City Council takes action to have the Department administer the elections, and the Department requires resources to support such preparation.

### **2012-2013 Fiscal Year Request (\$639,964)**

The Department lost four (4) Project Coordinators, one (1) Senior Project Coordinator, and \$350k in line item expenses to the Office of the City Clerk when they took over elections in 2010. The election budget for 2010 was \$1.2 million. At the request of the Mayor, the Department prepared a budget proposal for new staff and operating costs for Neighborhood Council elections, which will be submitted to the City Council on April 20, 2012. The Department is requesting \$639,964 to conduct the 2012 elections. We have tried to cut down the costs of the elections while providing for additional options, such as vote by mail.

### Conclusion

In order for the Department to successfully create a framework for and implement the 2012 Neighborhood Council election cycle, the Ordinance must be changed along with the budget approval process for FY 2012/13 to allow the Department the authority to conduct the elections within the proposed timeline. Failure to change the ordinance would also result in the City being out of compliance with the current ordinance that requires the City Clerk to complete the elections for all Neighborhood Councils by June 2012. Lastly, sufficient funding as detailed above is crucial to provide for the proper support for Neighborhood Council elections to be held successfully.

If you have any questions regarding this matter, please contact me at (213) 978-1551. I will be available when you consider this matter in order to answer any questions you may have.

Very truly yours,

BONGHWAN "BH" KIM, General Manager