



Neighborhood Council Voting Facts

With the various ways that Neighborhood Councils can take action, there is often confusion in cases where the count is close on whether an item has passed or not. To ensure consistency, the Department of Neighborhood Empowerment is providing information on how Neighborhood Council voting is interpreted by the Department and the Office of the City Attorney. Here is a breakdown of what to look for to make sure every vote is counted correctly. Most of the information below should be in a Neighborhood Council's bylaws or standing rules.

Know the Basic Numbers

You'll need to look at the bylaws to determine some basic information first:

1. Total number of board seats
2. Quorum to take action
3. Any board members or seats ineligible to vote on certain items because of training requirements, recusals or age. Board members who are ineligible to vote because of training requirements or recusals won't be listed in the bylaws, but typically are announced at the meeting.

Know How the Board Takes Action

Boards typically take action in the following ways, which will result in different outcomes:

1. Simple majority of board members present
2. Simple majority of board members present and voting
3. Simple majority of the total board

Instead of simple majority, the number can also be two-thirds. This higher number is typically for board member removal or changes to the bylaws.

Example

A Neighborhood Council has 15 board seats and has a quorum of 9 board members to take action. Eleven board members are present, but only 9 are qualified to vote for an item before them because of training requirements. Based on the 3 ways a board can take action, here are the important numbers for the scenario:

1. Simple majority of board members present – Requires 6 votes to pass
2. Simple majority of board members present and voting – Requires 5 votes to pass
3. Simple majority of the total board – Requires 8 votes to pass

If the final vote is 6 for, 3 against and 2 ineligible, then the motion only passes under the first 2 scenarios.

Remember, the required number of votes necessary can change between each agenda item. For instance, if in this scenario, the next item requires 2 board member recusals as well as the 2 ineligible board members, then some of the important numbers have shifted because only 9 board members are present now with 7 qualified to vote:

1. Simple majority of board members present – Requires 5 votes to pass
2. Simple majority of board members present and voting – Requires 4 votes to pass
3. Simple majority of the total board – Requires 8 votes to pass

If the final vote is 4 for, 3 against and 2 ineligible, then the motion still passes under the 2nd scenario, but not the 1st and 3rd.

Even though a board member is ineligible to vote, s/he still counts towards quorum and the number of board members present. S/he does not, however, count towards the number of board members voting. A recused board member does not count towards quorum or the number of board members present or the number of board members voting.

To get the simple majority number, divide the number of board members necessary by 2 and round up if you get a half number, e.g. $6.5 = 7$.

Know How Abstentions Are Treated

Instead of voting for or against an item, a Neighborhood Council board member may abstain instead. In the Neighborhood Council bylaws, abstentions do still count in the total vote, but the voting outcome will be different based on how the Neighborhood Council treats abstentions. The Neighborhood Council bylaws template sets out how the Department of Neighborhood Empowerment and the Office of the City Attorney interprets abstentions. If the Neighborhood Council bylaws state that they “include abstentions” in the total vote, the abstentions will act as a yes vote in essence similar to the City Council. If the Neighborhood Council bylaws states that they “do not include abstentions” in the total vote, the abstentions act as a no vote instead.

Example

A Neighborhood Council has 15 board seats and has a quorum of 9 board members to take action. Eleven board members are present, but only 9 are qualified to vote for an item because of training requirements. Based on the 3 ways a board can take action, including how they treat abstentions, here are the important numbers for the scenario:

1. Simple majority of board members present, including abstentions – Requires 6 votes to pass
2. Simple majority of board members present, not including abstentions – Requires 6 votes to pass
3. Simple majority of board members present and voting, including abstentions – Requires 5 votes to pass
4. Simple majority of board members present and voting, not including abstentions – Requires 5 votes to pass
5. Simple majority of the total board, including abstentions – Requires 8 votes to pass, abstentions do not matter
6. Simple majority of the total board, not including abstentions – Requires 8 votes to pass, abstentions do not matter

If the final vote is 3 for, 3 against, 3 abstentions and 2 ineligible, then the motion still passes under scenarios 1 and 3 only because abstentions are included and considered a yes vote. This would essentially count as 6 votes for the motion.

Under scenarios 2 and 4, abstentions would not be included and are considered a no vote. This would leave only 3 votes for the motion, which is not enough to pass.

When abstentions are included, the board can essentially pass an item if only 1 person votes for the motion and the rest of the board members abstain.

If you have any questions about Neighborhood Council voting, please contact our Neighborhood Council Support Helpline at (213) 978-1551 or by emailing empowerla@lacity.org.

