



an insider look at city hall

CITYWATCH

citywide edition

Volume 3 Issue 13 September 27, 2005

CityWatch Special: Citywide or Neighborhood MOUs?

At least two Neighborhood Council MOU (Memorandum of Understanding) projects are currently underway in Los Angeles. One is under the auspices of the USC Collaborative Learning Project which intends to gather the LA Department of Transportation and four NCs together to see if there is a need and/or desire for some kind of MOU or agreement. This is being called a "neighborhood-level" MOU.

Another effort involves a group of Neighborhood Councils hoping to craft an MOU, similar to the NC/DWP MOU, with the City's Planning Department. This is referred to as a "citywide" MOU.

There are differences of opinion about NC MOUs with city departments. About their value. About the process for their creation. This is the first of a two-part series on this subject.

USC Perspective

The Value of an MOU – Citywide vs Area and Neighborhood Level

By Thomas Bryer

Since the creation of neighborhood councils, there have been numerous examples of councils working with or trying to work with city agencies to accomplish some objective for the neighborhood or city. Three such efforts of which we are aware have resulted in a Memorandum of Understanding (MOU) between a city department and neighborhood councils.

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Two MOUs have been agreed to on an area level, by a subset of neighborhood councils. The first is between the Department of Public Works and four South Valley councils; the second, on the verge of being finalized, is between the Department of Cultural Affairs and San Pedro area councils. The third MOU was agreed to on a citywide level with the Department of Water and Power.

Both types of agreements and processes leading to the agreements are valuable in their own unique way. On the one hand, area and neighborhood specific MOUs address the specialized needs of a particular area, which may or may not relate to citywide needs. That said, area-wide MOUs have the potential to provide lessons both for the participating councils as well as for the city agency on how to fashion such agreements with other individual neighborhoods or areas, or, if there is demand and desire, to create a citywide MOU.

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Another Look

The Problem is: No Proof that Neighborhood MOUs Work

By Jeff Jacobberger

I have no criticism of the NCs that have been invited to participate in USC's closed process, nor do I doubt their ability or desire. I think the process, though, is totally unacceptable.

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The problem with an USC-led project to involve only four Neighborhood Councils in an effort to "create a model" for a City Department to live up to its obligations under the City Charter is that we have proof that this process does not work.

I think it was approximately two years ago that the Department of Public Works entered into an MOU with four Neighborhood Councils in the Valley. To my knowledge, neither USC, the DPW or the participating NCs has reported to other NCs, DONE or the E&N Committee about how that "model" is working.

Over the past two years, that "model" has not been expanded to include any of the other 80-some NCs. If that model isn't working, no one has made any effort to fix it. In short, where involvement in the process is limited to a few NCs, the product benefits only the participating NCs, and is not expanded to include other NCs.

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NCs to have Input on: Street Furniture, Review Commission-Pg 2

CITYWATCH: BRIEFLY**Rosendahl Asks for NC Input on Street Furniture & Review Commission**

Positive sign for NCs: On Wednesday, E&N Chair Bill Rosendahl asked for a 60-day extension to the City's contract with Viacom so that Neighborhood Councils would be able to weigh in on the Coordinated Street Furniture Program. NCs will still work through their City Council offices, but it's a step in the right direction.

He also asked for NC input on the various issues associated with the formation of the NC Review Commission and their work. He's giving Councils 45 days to talk about it and make their views known. That time could be extended. Definite sense, however, that NCs will/can have a part in this Charter-mandated evaluation of the NC system.

CityWatch will provide a complete report in the October 4 issue. (Check the CLA report now: www.LACityNeighborhoods.com.)



City Budget: It's a New Day—The Mayor is meeting one-on-one with a number of NC reps at this Saturday's Budget Day. This Mayor offering some new twists to the process: No stakeholder surveys required, all NC board members can provide input, looking for your views on services to be provided measured against the cost of those services.

Note: The names of four attendees, other than NC reps, will be drawn from a hat to also meet with the Mayor.

Last Note: A good NC turnout Saturday will help to continue to establish Councils on the Mayor's radar.



In Case You Missed It—Acting CLA and Ron Deaton understudy, Gerry Miller, got the job this week as LA's new Legislative Analyst. CLA can be one of the most powerful behind the curtain jobs in the City.



NC Congress Progress—Four Neighborhood Councils have signed on to the LA NC Congress Proposal. Coastal San Pedro, Granada Hills North, Tarzana and Bel Air Beverly Crest. If not already, every NC will receive the Proposal and details on an NC Congress over the next few weeks.



LA on God and the Pledge—Dennis Zine has asked the City Attorney to prepare an amicus brief, to be submitted to the Ninth Circuit Court, supporting the idea that "under God" in the Pledge of Allegiance is constitutional.

Ken Draper
9-29-05

Next in CityWatch◆ **NC Evaluation Commission:**

How do NCs get into the Mix?

◆ **November Special Election:**

It's all about issues. CW will try to sort them out

◆ **Controlling McMansions:**

City and Neighborhood Councils are teaming up

◆ **Neighborhood Council MOUs:**

The discussion continues

Coming Soon to a Computer Near You!

CITYWATCH

The E-Newsletter for LA's NC's

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On the other hand, citywide MOUs can capitalize on a hot-button issue that requires citywide buy-in and department compliance in order to rectify a problem in either service delivery or notification.

The two area level MOUs are a result of a research program instituted by researchers with the Collaborative Learning Project at the University of Southern California. With funding from the Hewlett Foundation, researchers hired a professional facilitator to convene representatives from neighborhood councils and a department of their choosing. We explicitly decided to restrict the process to one or a handful of neighborhood councils, and not to make it a citywide process, for three reasons: (1) the resources we had available to us to adequately facilitate the process did not allow for large group deliberation, (2) our purpose was to better understand the dynamics that exist between city departments and neighborhood councils so that we could inform future interactions and collaboration, and (3) we wished to remain consistent with the spirit of the neighborhood council system and recognize the diversity of interests and needs across neighborhoods.

Some MOUs Not Suitable

On this last point, we recognized that some MOUs may not be suitable for citywide enactment. For instance, the MOU and collaborative process with the Department of Public Works allowed for the exploration of infrastructure needs specific to the South Valley area. Since this MOU was signed, the Bureau of Street Services used lessons learned to implement a citywide process of distributing Infrastructure Assessment Reports to every council. This may not have been able to happen so quickly and effectively without the experience in the area-specific process. The second example is with the Department of Cultural Affairs, where the department is seeking to create an MOU that meets the unique arts and cultural needs of the San Pedro area while providing a framework for similar agreements with other council areas.

Excellent Example of Citywide MOU

In contrast to these processes, the agreement with the Department of Water and Power is an excellent example of a citywide MOU. Though the outcomes of the process are still being realized, the nature of the issue of central concern to participants in the process – notification of rate changes – lent itself to citywide agreement. The issue was not neighborhood or area-specific. There are likely other such issues that are suitable for such a citywide process. In some cases, however, allowing a few councils to collaborate and reach agreement can enable the department and each council to learn what will work and what might not work, as well as to explore issues of greatest concern to local areas. This seems to have been the case with the Department of Public Works.

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Although I was the primary drafter of the DWP MOU, I do not claim that that is the only "model" for an agreement with a City department. However, the Charter requires City Departments to provide notice to NCs and to consider our input, and to send representatives to NC meetings as requested. When a City Department explains to Neighborhood Councils the functions of that Department, the decisions made by that Department, and how NCs can provide input ... the commitments by the City Department should be made in writing.

Putting Things in Writing

Regardless of the form it takes, any "model" must address the issues about which the Department will provide notice to NCs, how NCs can provide input, how the Department will consider them, and how the Department will educate NCs about how to become involved in the decisions made by that Department. That must be in writing. That's what people do who are serious about what they do. They put things in writing.

Having said that, the level of formality that is in the DWP MOU may not be required for other departments. However, that formality is largely a function of the fact that NCs were more interested in "big picture" issues such as long-range plans, rates, etc., than in the day-to-day work of the DWP.

DOT May be Different

Conversely, for the Transportation Department, NCs probably are far more interested in the specific projects that relate to their neighborhoods, and probably are more equipped to provide valuable input about those projects. (I have no clue about whether I need a transformer replaced in my neighborhood, but certainly have some ideas about what intersections can use a stop sign.) For that reason, and many others, the format of any agreement with Transportation might, and probably should, look very different from the DWP MOU.

One of the important aspects of opening the DWP MOU process to all NCs was that it brought additional issues to the table. For example, because the Bel Air Beverly Crest NC sends a rep, there was some attention paid to DWP's stewardship of its in-city land, some of which serves as recreational space in our park-starved city. That is an issue that might not have occurred to any of the other people at the table, and there were a lot of people around that table.

How Can Four NCs Make Decisions?

The Transportation Department has a lot of different functions. How can a four NCs make decisions on behalf of all NCs about the level of input NCs want or need with respect to bike paths (for both recreational users and commuters), DASH bus service, synchronization of traffic lights, improving curb lane pavement on the MTA Rapid Bus lines, parking lots, parking meter charges, residential parking permit

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For the Collaborative Learning Project, we are about to institute a third iteration of the project, with funding from the Irvine Foundation. This time, we have reached out to neighborhood councils from each of the seven planning areas. After identifying councils based on the demographics of the neighborhood and our observation of how well equipped the council might be to participate in a collaborative project, we have narrowed the list to a small set of councils with shared interests regarding a particular issue or city department.

Councils from Different Areas

We will convene four or five councils from different areas of the city with a department of their choosing. The result may be an MOU or similar agreement, if participants feel this is the optimal outcome of the process. Any lessons we learn from the process, we will share through published reports and articles, examples of which are currently being written based on our experiences thus far. In the end, we are all learning together what works, how, and under what conditions in order to achieve better neighborhoods for all residents and a better city for all neighborhoods.

(Thomas Bryer is with the Participation Project at the University of California, email bryer@usc.edu or call 213-740-0202 or visit www.usc.edu/sppd/npp/) ■

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programs, involvement of NCs in designing traffic studies re new developments, or any other issues I might add?

It is true that too many cooks can spoil the soup. The process of drafting the MOU with DWP, or the proposed charter for the NC Congress, would have gone much more quickly if there weren't as many people sitting around the table. However, in my humble opinion, the ultimate result was stronger as result of including all voices, concerns and issues.

Process Doomed

A closed process is doomed to failure. And someone should remind the Transportation Department that any NC that isn't a part of the process won't in any way feel bound by the result. If the "model" that results is something my NC doesn't like, we'll just demand something different.

(Jeff Jacobberger is an attorney. He was the principal drafter of the Neighborhood Council MOU with the DWP. He is also the Secretary and Zone One Representative on the Mid City WEST Community Council.) ■

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Message from the Mayor

Dear Neighborhood Council Leaders:

Developing the city's budget may be the most important and complex responsibility that the mayor has to perform. It means making difficult choices between what we would like to do and what we can afford to do.

I need and value the insight, viewpoints, and recommendations of the neighborhood councils. Your involvement helps ensure that there is a greater public understanding and ownership of Los Angeles government.

That is why I look forward to meeting all neighborhood council leaders this Saturday, October 1 in City Hall for Community Budget Day.

As I begin preparing my first city budget for fiscal year 2006-07, the city once again finds itself facing serious fiscal problems. My staff and I will explain the upcoming challenges, share thoughts about how we can ensure a brighter future for our city, and ask you to discuss these issues in your meetings and report the results to me.

There are three important changes in this new process that you helped design.

1. The process will be straight forward and will not require neighborhood councils to conduct stakeholder surveys.

2. The input that I seek will not be limited to prioritizing issue areas but will instead provide input on tough decisions that will involve weighing the benefits of continuing or enhancing services against their costs.

3. I will be seeking input not just from each neighborhood council as a whole, but, for the first time, will request survey results from each neighborhood council board member as well. These surveys will be available on Saturday.

I look forward to meeting each of you. With your help, I know that we will be successful.

Antonio R. Villaraigosa
Mayor
City of Los Angeles