

Thursday, March 19, 1998

Neighborhood Power Is Key to Charter Debate

By ZW ROHRLLC,laL Times Staff Writer

An effort to neutralize fledgling secessionist movements that are threatening to pull Los Angeles apart, civic leaders are trying to figure out how to increase neighborhood influence in city government. But they are struggling to come up with a mechanism that will give neighborhoods more sway without allowing them to impose crippling parochialism on the city as a whole.

So far, the civic leaders have achieved wide agreement only on a name for the mechanism--neighborhood councils. How the councils should be empowered remains the subject of impassioned debate.

Erwin Chemerinsky, the USC constitutional law professor who chairs the city's elected charter 0 commission, calls resolving this **debate "the single most important and the hardest" task in the efforts to change Los Angeles' governing scheme.**

The fundamental problem is that if the balance of power in Los Angeles politics is not changed by giving neighborhoods the power to decide questions that affect them, secessionists will not be mollified.

But, in Chemerinsky's words, if neighborhoods get decision-making powers, "how do you make those making the decisions feel the consequences?"

Neighborhoods will be tempted to practice not-in-my-backyard philosophies that could undermine citywide development and economic growth.

The current proposal to add a new runway at LAX, for example, is unpopular in adjacent Westchester. Does that mean Westchester residents should decide whether it gets built?

Problem-solvers are searching for a politically palatable way to say "no"--a middle ground on which neighborhoods could gain a sense of greater empowerment but still have only limited say.

Some suggest that limits should kick in only when decisions about a neighborhood affect the entire region.

Others want neighborhood councils to have only an advisory role, even on matters that affect only their neighborhoods.

Some business *people* are hoping to get everyone to forget about neighborhood councils. They are trying to refocus the debate on how to reduce the distance between Angelenos and their city government by dramatically increasing the number of City Council members.

"We are going in the direction of an expanded City Council rather than a neighborhood council," said Carol Schatz, head of a powerful downtown business lobby called the Central City Assn. Each of Los Angeles' current 15 City Council members represents about 250,000 people--far more than in any other American city.

But these business interests may find it difficult to block an idea that has been kicked around for years in Los Angeles and may have finally achieved critical mass.

Despite business opposition, design work on neighborhood council prototypes is moving ahead simultaneously at three venues--the elected charter **commission, the charter revision commission appointed** by the City Council and at the council itself.

All of the percolating plans would give neighborhood councils some ability to impact local decisions on zoning, budgets and prioritizing city services. For example, does the neighborhood want the library to stay open later or would it prefer to have more trees trimmed? .

Radical Proposals

The most radical proposals, vesting neighborhood councils with decision-making authority for zoning, may emanate from the elected charter reform commission, a panel that must answer to no one before it sends its proposals for structural changes in city government directly to voters next year.

Some elected charter commission members say that **an informal consensus** has emerged on their panel that neighborhood councils should be empowered to decide requests for changes in local zoning that are now the province of two centrally appointed bodies, the Planning Commission and the Board of Zoning Appeals.

Elected charter Commissioner Rob Glushon, a land use attorney from Encino, said some secessionists have told him that they would be satisfied with that kind of an arrangement.

"The one conclusion that I've reached, and I think is shared by the overwhelming majority of people on our commission, is that advisory councils would be looked at here as a sham," Glushon said.

But decision-making neighborhood councils of the kind that Glushon is proposing would be unique in American municipal government.

Scores of American cities have neighborhood councils, most of them tracing their roots to federal War on Poverty programs of the 1960s and 1970s that encouraged "maximum feasible participation" by the poor. But with the limited exception of Washington, where such councils control liquor licenses, they function in advisory, not decision-making roles, according to research by the staff of the appointed charter commission.

Commissioners appointed by the City Council to propose changes in the charter have not yet made any decisions, but in comments at meetings and in interviews appear lerier than **their elected counterparts of giving neighborhood councils decision-making powers.**

"We cannot let a perceived threat of secession push us into doing something foolish," said appointed commission Chairman George David Kieffer, a Brentwood attorney. "We've got to keep our heads,"

Members of the appointed commission may have more reason for caution than members of the elected panel. They work with the knowledge that they must win the approval of the body that appointed them--the City Council--before they can submit proposed charter changes to voters.

And the City Council has been historically unwilling to share decision-making powers. Nearly 30 years ago, in the last serious charter reform effort, it torpedoed a proposal that called for advisory neighborhood councils.

A decade ago, amid a homeowner-group-inspired movement to slow growth in Los Angeles, it co-opted a grass-roots effort for decision-making neighborhood councils by promising to appoint more citizen advisors.

Perhaps partly as a result of this history, the staff and some members of the appointed commission seem interested in lowering public expectations about how much power will devolve to neighborhoods in a new charter. As one of them said: "There seems to be a disconnect" between **expectations among activists and** what is politically possible.

Rather than grant decision-making powers to neighborhood councils, some appointed commissioners suggest that Los Angeles emulate other cities where central governments reportedly treat neighborhood advisory councils with respect.

Appointed Commissioner Doris rsolini Nelson, a former president of the Los Angeles chapter of the League of Women Voters and chairwoman of her panel's study group on

participation, said she is thinking in terms of giving neighborhood councils "procedural" rather than decision-making authority on zoning matters. She would require applicants for zoning changes to first appear before an advisory neighborhood council, with the idea that **institutionalizing such appearances would prompt developers to resolve conflicts early on and lead to greater neighborhood influence.**

New York City has a similar procedural requirement for its 59 neighborhood councils--appointed panels known as community boards. An academic study found that elected officials take the boards' zoning advice eight out of 10 times.

In Portland, Ore., and Birmingham, Ala., which have some of the most active neighborhood councils in the country, central officials usually honor neighborhood advice on strictly local land use matters, another study found. On the other hand, city officials overruled neighborhood sentiment against a big shopping mall in Portland and a theme park and racetrack in Birmingham because regional well-being was deemed to be at stake.

Activists' Testimony

Many activists in Los Angeles reject advisory neighborhood councils. They fear that trusting elected officials to voluntarily heed neighborhood advice would be fruitless because neighborhoods would never be able to match the influence of better, organized business and labor union interests.

In testimony to both charter commissions, activists have cited bitter personal **experience** to buttress this conviction, complaining that they have gone downtown to speak before the City Council only to have rude members talk with lobbyists, mill about or even eat lunch at their desks--anything, it seems, rather than listen.

Elected Commissioner Bennett Kayser, a former president of the Federation of Hillside and Canyon Homeowners Assn. and chairman of his panel's participation committee, said he tells the activists, "We can't legislate manners.... But we can have neighborhood councils."

One of the main reasons Kayser ran for election to the charter commission was to promote the idea of decision-making neighborhood councils. He had been a key player in drafting the proposals co-opted by the City Council a decade ago and figured, "If there was going to be a chance in my lifetime for neighborhood councils to come in under the model we fought for ... this was it."

Beyond the world of activists, how much public demand there is for the councils remains to be seen.

In a display of cooperation, the two charter commissions have pooled money to hire a marketing firm that will conduct focus groups aimed at gauging the depth of public hunger for such forums.

Evidence from the first focus group and from across the country suggests that they will find a limited appetite.

Participatory democracy "remains an unattractive way to spend an evening for the vast majority of people," concluded three Tufts University researchers, Jeffrey M. Berry, Kent E. Portnoy and Ken Thomson, in a recent book on neighborhood councils that they called "The Rebirth of Urban Democracy."

They concluded that the cities with the most effective neighborhood participation systems--neighborhood councils that had been "institutionalized and incorporated into a city's

policy-making process"--only about 10% of the population participated regularly. Even so, half to three quarters of residents said they were aware of the neighborhood councils and their existence changed the "balance of power in the city."

Ingredients *for Success*

Comparing cities with the most effective neighborhood councils, which they identified as Portland, St. Paul, Minneapolis, Dayton, Ohio, Birmingham and San Antonio, to cities with other less successful models, the authors cited several key ingredients for success. They include:

- Small neighborhoods. Typically from 2,000 to 16,000 people, ideally defined with natural boundaries that helped promote face to face interactions and a sense of common interests.
- Significant resources. **Typically** neighborhood offices with paid staff, hired either by the city or by the neighborhoods, to engage in community organizing, or serve as ombudsmen or administrators.
- * Flexibility, A recognition that one size does not fit all, as in St Paul where half the councils chose to elect members at large while the other half chose to elect from districts within neighborhoods, and some set aside positions for representatives of other neighborhood and business groups while others did not

* Power to allocate some goods and services. Typically, control over small discretionary funds for neighborhood improvements, an ability to prioritize city expenditures within the neighborhood and, in some cases, influence through citywide structures on citywide budget and capital improvement priorities.

Most important, the authors found, was an intangible. The cities with the greatest long-term success were those in which a grass-roots demand for empowerment had intersected with a willingness by citywide officials to share power. The willingness was spurred by outside forces, the authors found--typically, a desire to heed the federal mandates of the 1960s and 1970s to involve more people in deciding how federal dollars were spent. Those cities that were successful developed citywide models before pressure to adhere, to the federal mandates lapsed.

With pressure in Los Angeles mounting from would-be secessionists in the San Fernando Valley, San Pedro and elsewhere, the City Council is trying its hand at designing neighborhood councils. Its government efficiency committee has begun to hold lively hearings on the subject, giving rise to some hope among neighborhood activists that Los Angeles' elected leaders may be ready to share some of their powers.

The committee's chairman, City Councilman Joel Wachs, has long been an advocate of neighborhood councils. He made them the centerpiece of his failed 1992 mayoral bid and has introduced legislation that would empower each of the city's 103 officially named neighborhoods to form its own council, decide how to elect its own leaders from among those who live, work or own property there, and send representatives to a quarterly Congress of Neighborhoods, where they would be able to trade concerns and help set citywide budget priorities.

Under Wachs' plan, the councils would be advisory but the city would be required to give them early warning about a wide variety of upcoming decisions ranging from zoning variances to the location of bus benches to the setting of water and power rates. The neighborhood councils could then weigh in with their views at an early stage of decision-making, Wachs believes that the additional apparatus would improve spirits and save time. "Right now we get **bogged down because too often** the neighborhoods aren't brought into the

process until the end," he said. "The result is angry residents forced into an assortment of last-minute *efforts* to have their voices heard, "City Councilman Mark Ridley-Thomas is pushing a rival plan, in which the city would encourage advisory neighborhood councils to form in each City Council district.

City Councilwoman Jackie Goldberg wants decision-making councils elected from each council district. Councilwoman Laura Chick has spoken admiringly of an experiment in Baltimore. That city, like Los Angeles, had many departments with conflicting boundaries, making it difficult for city administrators to work cooperatively to solve problems. According to an analysis by the **staff** of the appointed charter commission, a strong mayor in Baltimore overcame **bureaucratic turf battles to reconfigure** boundary lines to conform with police precincts. Now neighborhood advisory groups in each precinct advise the city on how to deliver all kinds of services most effectively in their areas. Still other proposals under consideration by both charter commissions involve breaking the city up into semiautonomous boroughs like New York. There is certainly no shortage of ideas. Tomorrow: A look at one neighborhood council that *is* already flourishing in Los Angeles: The 8th Council Districts Empowerment Congress.

Ratio of Representation

Each Los Angeles City Council member represents far more residents than counterparts in other big cities.

Residents per council member **Los Angeles**

New York San Diego

Phoenix Houston Detroit

Philadelphia Chicago

Source: City of Los Angeles appointed charter commission and 1990 census.