

Glitches Found in Compromise Charter Draft

■ **Government:** Elected panelists and top Riordan aide see omissions and mistakes. Parks is still fighting an LAPD discipline provision. The two reform commissions hope to approve the document Monday.

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With just 48 hours left before Los Angeles' appointed and elected charter reform commissions hope to approve the final draft of a complex compromise package, city officials and others are scouring the document and discovering a number of potential problems.

Some of them appear to be mere oversights: A section on city hiring, for instance, bars discrimination on the basis of age and race but neglects to mention gender and sexual orientation. Others, such as the decision to have the charter take effect in two years rather than immediately, were agreed on by the commissions' chairmen, but have not been reviewed by the other commissioners or discussed by the public.

Still others, such as a section on Los Angeles Police Department discipline, were adopted late in the process, and opponents continue to press their case.

Specifically, Police Chief Bernard C. Parks is continuing to fight against a provision that would dilute LAPD management's role in hearing police discipline cases. On Friday, Mayor Richard Riordan's chief of staff, Kelly Martin, said Riordan agreed with Parks in part because the proposed change would overturn the system recommended by the Christopher Commission, whose policing ideas reshaped the LAPD after Rodney G. King's beating in 1991.

Finally and most significant, some members of the elected commission are complaining that their recommendations in areas such as the office of controller, neighborhood councils and the mayor's emergency

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powers were mishandled in the drafting, which was principally done by aides to the appointed commission.

Though they asked not to be identified by name, two members of the elected panel said Friday that they were irritated by what they saw as omissions and mistakes. In addition, they complained that the appointed commission had failed to give them enough time to catch problems in the draft.

"That puts us in the position of having to agree to mistakes or risk the entire unified charter," one elected commissioner said. "That's just not fair."

Representatives of the elected commission plan to meet today to draft a memo outlining their concerns and urging the appointed panel to join them in making changes to accommodate those worries.

The result of the various reviews and complaints is a hasty attempt to complete the drafting and catch any potential mistakes in time for Monday's commission meetings, special sessions that have been called to grant final approval to the charter and submit it to the City Council.

The stakes are high: If adopted by voters in June, the new charter could guide Los Angeles government for decades. Any miscues now would force future mayors and councils to retool the document or risk creating bad policy.

Along with other interested observers, top aides to Riordan have been poring over the document and have raised a number of concerns they hope to have addressed at those sessions.

"We're making a careful review," said Martin, who emphasized that the administration was not trying to reopen general debate on the charter.

She said the draft omits or misconstrues actions by the commissions in a number of areas. Language requiring that some City Council resolutions receive mayoral approval is not included, she said, and provisions regarding the city attorney's office and its relationship to city clients misstates the positions that were approved. Martin added that the mayor's authority to appoint commissioners to certain city panels is presented incorrectly.

In a letter sent Friday to the chairmen of the two commissions, Riordan congratulated them on their efforts but urged them to keep fine-tuning the final document. He appended a list of problems and noted that his staff continues to work through the document, suggesting that more recommendations are likely.

"This draft represents a good beginning towards a unified charter. However there are several areas that need revision and refinement," Riordan wrote. "I believe it is very important that time is taken to allow for careful drafting of the new charter."

'We've Really Run Out of Time'

Time, however, is running out. The appointed commission has promised the City Council a complete charter by February. As a result, any significant disagreements at this point could be particularly hard to resolve.

In the event that the appointed commission approves a slate of last-minute changes Monday afternoon but the elected panel reaches different conclusions that night, the much-trumpeted consensus would be at best strained and at worst in tatters.

Recognizing the potential for confusion and mistakes, some elected commissioners have urged their appointed counterparts to push back the deadline and work on the draft a few more days. So far, the appointed panel has resisted that.

"There won't be a delay," Julie Benson, a public affairs official with the appointed commission, said flatly.

George Kieffer, chairman of the appointed commission, initially promised the council a draft charter in December, but pushed back that deadline to try to work out a compromise with the elected panel. In recent weeks, Kieffer has stressed the need to complete work soon, so that the council has enough time to review the charter package before deciding whether to put it on the June ballot.

On Friday, he complained that some of the issues being raised now seem more like attempts to renegotiate topics than to clarify drafting. Still, Kieffer pledged to try to address any questions.

"We will try to deal patiently with any language problems or other problems with the draft," he said. "But we've really run out of time."

The council must decide by March 5 whether it wants to put the unified charter on the ballot. Most council members have indicated that they will support that effort, but even if the council should say no, the elected commission can put its work before voters without council approval.