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REPORT NO. R99-0172
JUNE 16, 1999

REPORT RE:

**DISCUSSION DRAFT OF ORDINANCE ESTABLISHING A
DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT**

The Governmental Efficiency Committee
Of The City Of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Attention: Barbara Greaves

(Council File No. 96-1157 S3 - not transmitted)

Honorable Members:

Pursuant to your May 24 and April 7, 1999 instructions, I have prepared another discussion draft of an ordinance establishing a new Department of Neighborhood Empowerment. As you directed at your last meeting, the Planning Department provided me with a list of seven areas to be used for geographic diversity of Board members. As you will recall, the recently adopted Charter calls for appointment of commissioners for the Department of Neighborhood Empowerment to be from "diverse geographic areas, as further specified by ordinance." Section 902 (a). To that end, I have inserted the areas provided by the Planning Department and their reference into the ordinance. Please review this draft and provide me with further direction. I will then complete a draft and send it to your Committee for its final review or directly to Council, whichever you so direct.

Our Office has been contacted by the Mayor's Office with respect to whether language which is in the Charter, needs to be repeated in this ordinance. At the time this ordinance was originally drafted, the election had not yet occurred and so it was necessary for preservation of those goals and requirements to be included. Now that the Charter has been adopted, it is not legally required to repeat Charter required provisions in the ordinance.

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Of The City Of Los Angeles
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A member of this office will be available when you consider this matter to answer any questions you may have.

Very truly yours,

JAMES K. HAHN, City Attorney

Claudia Culling
CLAUDIA CULLING
Deputy City Attorney

CC:rp
Transmittal

(44536)

ORDINANCE NO. _____

An ordinance amending Division 22 of the Los Angeles Administrative Code, creating a Department of Neighborhood Empowerment.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Division 22 of the Los Angeles Administrative Code is hereby amended by adding a new Chapter 28 to read:

**CHAPTER 28
THE DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT**

**ARTICLE 1
DUTIES OF THE DEPARTMENT**

Sec. 22.800. Purposes. There shall be a department in the City government known as the Department of Neighborhood Empowerment which shall be referred to in this Chapter as the "Department." This Department shall be charged with the goal of promoting increased citizen participation in government and working to make government more responsive to local needs. The Department shall ensure that every part of the City is within the boundaries of a neighborhood council. The Department shall provide equal opportunity for all by enabling neighborhood groups to form neighborhood councils. The Department shall facilitate the delivery of City services to the neighborhoods by helping to identify and coordinate the needs of the communities with the responsibilities of the City departments.

Sec. 22.801. Duties of the Department. The Department shall:

(a) implement and oversee compliance with City ordinances and regulations relating to a system of neighborhood councils;

(b) prepare a Neighborhood Council Plan (Plan) for the creation of a system of neighborhood councils to ensure that every part of the City is within the boundary of a neighborhood council and that each neighborhood has an opportunity to form a neighborhood council, in accordance with Section 22.809;

(c) determine methods for certification of neighborhood councils;

(d) assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that minimize the division of communities and organizing themselves in accordance with the Plan;

(e) help neighborhood councils to meet together on a citywide basis and facilitate these meetings if and when requested to do so by recognized neighborhood councils;

(f) assist neighborhood councils with the election or selection of their officers;

(g) assist neighborhood councils to share resources, including offices, equipment and other forms of support and to communicate with constituents, other neighborhood councils and with government officials;

(h) arrange training for department staff and neighborhood councils officers and staff, such as training in leadership, cultural awareness, dispute mediation, civics, communications, equipment utilization and any other training necessary to achieve the goals set forth in Section 22.809;

(i) arrange community empowerment education for top level City officials, including elected officials and commissioners;

(j) with the assistance of the Information Technology Agency, create and maintain an internal and external information and communication network, including a Citywide database of neighborhood organizations and similar information, that would be available for public use;

(k) facilitate the delivery of City services to the neighborhoods as requested by neighborhood councils, including, but not limited to, acting as an advocate for meeting the neighborhood needs for City services, and coordinating and involving the relevant City staff in integrated problem-solving with the neighborhood councils;

(l) help coordinate the relationships between existing and newly created advisory committees and neighborhood councils;

(m) perform other duties as provided by ordinance;

(n) ensure that notification required in Section 22.809 (f) is provided to the neighborhood councils along with sufficient committee or staff reports on the matters of interest to facilitate meaningful participation; and

(o) facilitate citywide meetings to be held, on at least a semi-annual basis, of representatives of all neighborhood councils.

ARTICLE 2 CONTROL AND MANAGEMENT

Sec. 22.802. General Manager. The Department shall be under the control of a General Manager.

Sec. 22.803. Appointment and Removal of the General Manager. The General Manager shall be appointed by the Mayor, subject to confirmation by the Council, and may be removed by the Mayor, as provided in Charter Section 508.

Sec. 22.804. Powers and Duties of the General Manager. The powers and duties of the General Manager shall be those specified in Charter Section 510.

Sec. 22.805. Board of Neighborhood Commissioners.

(a) The Board of Neighborhood Commissioners shall consist of seven board members and be referred to in this Chapter as the "Board" or the "Commission."

(b) The Board shall be comprised of seven members, all of whom shall represent the City in its entirety, chosen one each from the following geographic areas, the maps and boundaries for which shall be prepared by the Director of Planning:

- (i) North Valley;
- (ii) South Valley;
- (iii) West Los Angeles;
- (iv) Metro;
- (v) Mid-City;

(vi) South Los Angeles; and

(vii) Harbor.

(c) The Board members shall be appointed and may be removed and vacancies filled in accordance with the provisions of the City Charter.

Sec. 22.806. Powers and Duties of the Board. The Board shall be responsible for setting and overseeing policy, approving contracts and leases and promulgating rules and regulations. It shall not be responsible for the day-to-day management of the Department.

Sec. 22.807. Conflict of Interest. Members of the Board and Board nominees shall be subject to all ethics and conflict of interest laws and regulations applicable to governing boards and commissions in the City of Los Angeles.

Sec. 22.808. Organization and Meetings of the Board.

(a) The Board shall adopt rules of order and appoint from among its members a president and vice-president who each shall hold office for one year or until their successors are elected, unless their respective membership on the Board ceases sooner. The Board shall hold regular public meetings at least once each month and may hold meetings more often if necessary to conduct business. All meetings shall be noticed and held in accordance with law. Members of the Board shall be paid \$50 per meeting for each meeting of the Board attended, not to exceed \$250 in any one calendar month.

(b) At least four members shall constitute a quorum, but a smaller number may adjourn from time to time until a quorum is present. The Board may establish a committee or committees composed of three of its members to consider matters for, to conduct hearings on behalf of, and make recommendations to the board on matters relating to neighborhood empowerment.

(c) The powers conferred on the Board shall be exercised by order or resolution adopted by a majority of its members and recorded in the Board's minutes.

Sec. 22.809. Development of the Neighborhood Council Plan. The Department of Neighborhood Empowerment shall seek public input in its development of a Plan for a Citywide system of neighborhood councils. The Plan shall contain a statement of goals, policies and objectives of the Neighborhood Council system, and shall contain specific regulations, in draft

ordinance format. These regulations, when adopted by ordinance, shall be sufficient to implement the Plan and shall conform with the following:

(a) The regulations shall establish the method by which boundaries of neighborhood councils will be determined based on standards adopted by the Commission and approved by City Council. The system for determining boundaries shall maintain neighborhood boundaries to the maximum extent feasible and may consider community planning district boundaries where appropriate.

(b) The regulations must ensure that all areas of the City are given an equal opportunity to form neighborhood councils.

(c) The regulations shall establish the procedure and criteria for recognition or certification of neighborhood councils.

(d) The regulations shall not restrict the method by which the members of a neighborhood council are chosen, if the process otherwise satisfies the requirements of this Article.

(e) The regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business. However, neighborhood council meetings are not all required to be held within the boundaries of the area represented by the neighborhood council.

(f) Early Notification Procedures. The regulations shall establish procedures for receiving input from neighborhood councils prior to decisions by the City Council, City Council committees and boards and commissions. The procedures shall include, but need not be limited to, notice to neighborhood councils as soon as practical and a reasonable opportunity to provide input before decisions are made. That notice shall be required for matters that will be considered by the City Council, City Council committees, City boards or commissions and any other City official who is required to hold a noticed public hearing. However, failure of a neighborhood council to receive notice shall not invalidate any action of the City Council, City Council Committees, City boards or commissions or any other City official.

Sec. 22.810. Implementation of the Plan. The Department of Neighborhood Empowerment shall complete development of the Plan and present it and all necessary regulations for a system of neighborhood councils to the Council and Mayor within one year of the establishment of the department and commission. The Council shall consider the regulations and, within six months after presentation of the Plan to Council, may adopt ordinances to implement the regulations as proposed or as modified by the Council consistent

with the requirements of the plan set forth above in Section 22.809.

Sec. 22.811. Certification of Neighborhood Councils.

(a) By Laws. Each neighborhood council seeking official certification from the City shall submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing, at a minimum:

- (1) the method by which their officers are chosen;
- (2) that neighborhood council membership will be open to everyone who lives, works, owns property or otherwise identifies themselves as a stakeholder in the area, based on their participation in among other things, educational institutions, religious institutions, community organizations or other non-profit organizations;
- (3) assurances that the members of the neighborhood council will reflect the diverse interests within their area;
- (4) a system through which the neighborhood council will communicate with stakeholders on a regular basis;
- (5) a system for financial accountability of its funds; and
- (6) guarantees that all meetings will be open and public, and permit, to the extent feasible, stakeholders to participate in the conduct of business, deliberation and decision-making.

(b) Petitioning for Certification and Approval. Neighborhood councils may petition for certification in accordance with rules and procedures set forth in the Plan.

Sec. 22.812. Annual City Budget Priorities. Each neighborhood council may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified neighborhood councils of the deadline for submission so that the input may be considered in a timely fashion.

Sec. 22.813. Monitoring of City Services. Neighborhood councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their reasonable availability.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

J. MICHAEL CAREY, City Clerk

By _____

Deputy

Approved _____

Mayor

Approved as to Form and Legality

James K. Hahn, City Attorney

By _____

CLAUDIA CULLING
Deputy City Attorney

File No. C.F. 96-1157 S3