



COUNCILMAN JOEL WACHS

SECOND DISTRICT, CITY OF LOS ANGELES
COUNCIL PRESIDENT PRO TEMPORE

November 25, 1998

City of Los Angeles Charter Reform Commission
111 North Hope Street
Los Angeles, CA 90012

Dear Commissioners :

Before the Joint Conference Committee meets again, I would like to recommend several amendments to your draft Charter that I feel are critical to the creation of a true and meaningful system of neighborhood councils. These features have already been given tentative approval by the Elected Los Angeles Charter Reform Commission.

As drafted, your proposal would "leave to ordinance" too many fundamentally important features which could easily make the difference between enactment of a system that truly empowers neighborhoods, and one that is a creature of a reluctant City Council that may not want such empowerment. It would, therefore, provide voters with little or no assurance that they will be empowered through a meaningful system of neighborhood councils, or that the system would not be weakened by future city councils or mayors.

While flexibility is important, there are several critical requirements that should be explicitly guaranteed in the Charter itself. These include:

1. **Self-selection of officers.** Empowerment, in part, assumes that the neighborhoods are able to select or elect their own leaders. Allowing those at city hall to appoint the neighborhood council leaders would single-handedly defeat the purpose of an independent, citywide network of neighborhood councils.

2. **Neighborhood council boundaries must respect neighborhood boundaries, not political boundaries.** People identify with their community, not a constantly changing council district boundary.

3. **Early Warning Ordinance.** The system of providing the neighborhood councils with early notification of important issues should not be limited to local matters. It must also include citywide issues that concern the residents and taxpayers in all

neighborhoods, such as budget priorities, tax increases and tax subsidies, pay raises, water and power rates, sewer service charge charges, citywide ordinances, and other issues that significantly affect the people of our city.

4. Guarantee diversity in representation. Guarantee that neighborhood councils will be open to everyone who lives, works, owns property, or is otherwise a stakeholder in the community. Require that the neighborhood councils, in their petitions for certification, detail how their leadership will continuously represent the diverse interests in their community.

6. Guarantee adequate funding of the Office of Neighborhood Empowerment. The Charter guarantees the adequate funding of the Ethics Commission to avoid the risk of a future city council or mayor attempting to weaken it. It does this by detailing the duties and responsibilities of the Commission. Analogous provisions should be provided for the Office of Neighborhood Empowerment.

As we have learned from the successful experiences in other cities, in order for the neighborhood councils to be effective, they must be as independent as possible from city government. Otherwise, it isn't neighborhood empowerment. It doesn't promote grassroots democracy. It won't dramatically change the way decisions are made at city hall. And it won't heal the disconnection that currently exists between the public and city hall. Inclusion of the provisions suggested above will go a long way toward assuring the necessary independence to help make our neighborhood councils a success.

Sincerely,



JOEL WACHS
President Pro Tem
Los Angeles City Council

Article XXVI

Department of Neighborhoods

Sec. 260. Purpose

The City should provide neighborhoods with the staff, skills, training, equipment, and resources they need to share power, affect decision-making at all levels, hold elected officials accountable, communicate with each other, better understand each other's differences, organize neighborhood improvement projects, and make their neighborhoods and their city better places in which to live.

The intent of these provisions is to emphasize governance from the bottom up by encouraging as much neighborhood self-determination and empowerment as possible.

Section 261. Department Organization

There is hereby established a Department of Neighborhoods (DON) which shall have the duties, and responsibilities set forth in this article, and elsewhere in this Charter. Such duties and responsibilities shall include:

- (a) Prepare a plan for the creation of a citywide network of neighborhood councils to ensure that (1) every part of the city is within the boundary of a neighborhood council; (2) the city would provide each neighborhood council and/or each neighborhood council cluster with the funds and support necessary to conduct its activities independently from city government except as specified in this Charter. The plan would be designed to promote maximum public participation, civic engagement, and neighborhood empowerment, and to provide neighborhoods with the support they need to become as self-sufficient as possible.
- (b) Assist neighborhoods in preparing petitions for recognition, identifying boundaries that shall not divide neighborhoods, and organizing themselves.
- (c) Arrange leadership, cultural awareness, dispute mediation, civics, communications, and equipment training for neighborhood councils' officers and staff.
- (d) Educate top-level city officials, including elected officials and commissioners, in the techniques and benefits of community empowerment and the city's system of neighborhood councils.
- (e) Arrange quarterly Congress of Neighborhoods meetings if requested to do so by the neighborhoods.
- (f) Secure city in-kind support.
- (g) Assist in preparing applications for non-profit status if requested.
- (h) Create and maintain an internal and external information and communication network, including a citywide database of neighborhood organizations that would be available for public use.
- (i) Identify and receive grants, gifts, and appropriations, and assisting the neighborhood councils in securing same.
- (j) Act as the neighborhood councils' advocate on matters involving the City government.
- * (k) Publish a newsletter that is distributed to every stakeholder in the city at least three times a year.
- (l) Assist neighborhood council clusters in hiring and/or administering staff if requested by the neighborhood clusters.
- (m) Provide information to the neighborhood councils as requested.
- (n) Assist the neighborhood councils and neighborhood council clusters with the election or selection of their officers.
- * (o) Assist in recruiting volunteers.

- (p) Assist the neighborhood councils in designing and implementing a "Prepare L.A. Plan" for emergency preparedness, in conjunction with the Office of the Mayor and other provisions of this Charter.
- (q) Performing other duties and responsibilities directed by the City Council or Mayor.

Sec. 262. Board of Neighborhood Commissioners

- (a) There shall be a board of eleven (11) Commissioners to be known as the Board of Neighborhood Commissioners (hereinafter referred to as the "Board"). The Mayor shall appoint all Commissioners, subject to confirmation by the City Council. The Commissioners may be removed by the Mayor alone, at will. The number of Commissioners may be increased from time to time as prescribed by ordinance.
- (b) The Board shall be responsible for policy setting and policy oversight, including the approval of contracts and leases, adoption of all rules and regulations, but shall not be responsible for day-to-day management.
- (c) Six (6) members of the Board shall constitute a quorum. The powers conferred in this section shall be exercised by order of the board adopted by a majority of its members.
- (d) The members of the Commission shall be reimbursed for expenses incurred in the performance of their official duties.

Sec. 263. General Manager

- (a) There shall be a general manager of the Department of Neighborhoods who shall be appointed by the Mayor, subject to confirmation by the City Council, and may be removed by the Mayor alone, at will.
- (b) The general manager shall be responsible for the day-to-day management of the Department.
- (c) The general manager director shall appoint and discharge office staff members and prescribe their duties. Non-clerical personnel of the Office shall serve at the pleasure of the general manager, shall not be subject to civil service requirements or procedures, and shall have no property interest in their employment.

Sec. 264. Certification of Neighborhood Councils

The Commission may grant, by majority vote, certification of the neighborhood councils as official neighborhood councils and neighborhood council clusters, upon receiving their petitions for certification as provided in this Charter. The Commission may also revoke, by majority vote, the certification.

Sec. 265. Approval of the Plan for Creation of Citywide Network of Neighborhood Councils

The Commission shall approve the plan for the creation of a Citywide network of Neighborhood Councils as set forth in Section 261(a) of this Charter, and in conformance with the following requirements:

- (a) The Commission shall seek public input in the formulation of the plan.
- (b) The plan shall contain a statement of goals, policies and objectives of the Neighborhood Council system, and shall contain specific regulations to implement the plan.
- (c) The regulations shall establish the method by which boundaries of neighborhood councils will be determined. The system for determining boundaries shall maintain neighborhood boundaries and respect planning districts to the maximum extent feasible.

- (d) The regulations must ensure that all areas of the City are given an equal opportunity to form neighborhood councils, and shall provide a mechanism by which neighborhood councils are officially recognized or certified.
- (e) The regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business.
- (f) The Mayor and City Council shall provide for the creation of the Department of Neighborhoods and Neighborhood Commission within ninety (90) days of the effective date of this Article.
- (g) The Commission shall complete development of the plan and formally adopt the plan and all necessary regulations within six (6) months of the establishment of the Department and Commission.