

PRESENTED BY COUNCILMAN JOEL WACHS
TO THE
CITY OF LOS ANGELES CHARTER REFORM COMMISSION
July 22, 1998
AND THE
ELECTED LOS ANGELES CHARTER REFORM COMMISSION
TASK FORCE ON STRUCTURES OF GOVERNMENT: COMMUNITY COUNCILS
August 6, 1998

The new City Charter should require the establishment of a citywide network of neighborhood councils in order to promote, encourage, and nurture maximum participatory democracy in Los Angeles, and give the city's neighborhoods an unprecedented ability to affect the decision-making process.

Such a network is essential whether or not the City's system of formally-elected representatives is changed. 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, and make their neighborhoods and their city better places in which to live.

Much of their strength would come from being comprised of the diverse interests that make up their area. Their continued diversity would be guaranteed in the plan they present to the City for formal recognition and funding support.

In the interest of grassroots community empowerment, the Charter should guarantee that the neighborhood and community councils have the ability to pick their own leaders, determine their own boundaries, control their own budgets, and set their own agendas. Those wishing something less would have to determine who can exercise better judgment than the neighborhoods themselves.

The City Council's Governmental Efficiency Committee is currently developing the specifics of a plan for a citywide neighborhood councils network which would be enacted by ordinance, but its chances for approval are uncertain. Mandating the existence of such a network in the Charter protects it from attack by future city councils or mayors.

I suggest that the charter reform commissions begin by designing a network of neighborhood councils that provides the maximum amount of community empowerment. Once done, the commissions can consider proposals to amend it. But those decisions should be made in open sessions so the public can know, discuss, and understand the rationale. A completely separate issue is whether or not to diffuse some formal decision-making through the formal election of numerous "community board" members.

The Charter should contain only those fundamental provisions that would determine whether the neighborhood councils network succeeds or fails. The remainder of the rules and laws should be written outside the Charter in order to provide empowerment to the neighborhoods and flexibility

for the system to evolve. The intent is to emphasize governance from the bottom up by encouraging as much neighborhood self-determination and empowerment as possible.

Those fundamental components are:

DIVERSITY:

The Charter should require that each neighborhood council, and each community cluster of neighborhood councils, represent the diverse interests within their area.

The leaders of the neighborhood councils would be self-selected, or informally elected, by anyone who lives, works, or owns property in the neighborhood (the stakeholders), and who chooses to participate.

In their petition to the City for recognition and funding, the petitioners would detail how they will select their leaders. Some may choose a form of an election with nominations and ballots. Some may choose a caucus system of selection. Still others may choose from volunteers who fill a specific need. The intent is to be inclusionary and to encourage participation by giving all the area's stakeholders an equal vote, and not to allow only certain people to participate.

Appointing the leadership would maintain the status quo, and would place the ability of the neighborhood and community councils to represent their diversity in the hands of the city council members and/or the Mayor. It would mean stepping backward from community empowerment and independence.

The formal election of leaders on the City ballot has the disadvantage of excluding most area stakeholders from participating as equals. Those who would receive unequal treatment include property owners, business owners, non-profit service providers who aren't residents of the area, and the residents who aren't registered to vote (62% of the city's population), including those awaiting their citizenship. There are significant costs involved with a formal election. It is likely that the Voting Rights Act would cause the boundaries of at least some districts to divide neighborhoods. Formal elections are designed more to be a combative process that produces winners and losers, and not a collaborative process that brings together people of diverse interests.

POWERS:

The neighborhood councils would have formal decision-making powers if they determined, after considering the pros and cons, that they wanted a Charter amendment that would grant them such powers, and City voters agreed.

The City Council would not be able to take final action on issues of concern to the neighborhoods until the neighborhood and community councils had a reasonable amount of time to know about, understand, establish a position, and express their opinions on issues that include planning and land use matters, local spending priorities, and all the citywide issues that affect people such as

ordinances, utility rates, the city budget, taxes and fees, and bond issues.

This would be accomplished through enactment of an "early warning ordinance." The intent is that city agencies shall have the responsibility to pro-actively notify neighborhoods of neighborhood issues, and the community councils of neighborhood and citywide issues.

There would be no criminal penalties. Violation of the ordinance could be used as grounds to demand that an action not be taken because adequate notice was not given.

BOUNDARIES:

The boundaries of each neighborhood, and resulting clusters of neighborhoods (communities), must always respect neighborhood boundaries, and not political boundaries which too often split neighborhoods and communities. The intent is to center the network around neighborhoods, not around elected officials.

Political boundaries change at least every 10 years, but could change more often as the result of litigation, an increase in the size of the City Council, or the will of the City Council. If boundaries followed political lines, some people would continually be "reassigned" to different neighborhoods.

ESTABLISHING COMMUNITIES:

The City would be required to create and fund at least 38 clusters of neighborhoods called "communities" so that there would be enough local offices to permit the system to be effective. A Neighborhood Empowerment Commission, created within the Department of Neighborhoods, would certify, and decertify if necessary, the neighborhood and community councils.

The commission would be comprised of an appointee from each city council member, and two additional appointees for each the City Council President and the Mayor in order to ensure that the broadest diversity of geographic and other interests are represented.

The leaders of the neighborhood councils would select or elect the members of the community councils, and prescribe their method of doing so in the plan they submit to the City for recognition. The intent is to provide as much empowerment as possible so that they can design a plan to best meet their needs. One size can't fit all.

The community councils must be given the resources to adequately to maintain and staff an office that meets the needs of their neighborhoods, and communicate with everyone in their area, and with other neighborhood councils and governments. The intent is that power, strength, unity, and understanding come from the ability to communicate.

RECOGNITION OF NEIGHBORHOOD COUNCILS:

Each neighborhood council seeking official recognition from the City shall submit a plan to the

Neighborhood Empowerment Commission showing, at a minimum:

- a. A guarantee that any neighborhood selection of leaders will be equal, free, and non-discriminatory to anyone who lives, works, or owns property in the area (i.e., the stakeholders).
- b. A plan of goals and objectives.
- c. A system through which the neighborhood council will communicate with each stakeholder on a regular basis.
- d. Assurances that the leadership of the neighborhood council will reflect the diverse interests within their area.
- e. A system for financial accountability of its funds.
- f. Guarantees that all meetings will be open and public.

The intent is prescribe only those fundamental elements that are critical to a citywide system, while empowering the neighborhoods to decide the specifics.

RECOGNITION OF COMMUNITY COUNCILS:

Each community council seeking official recognition from the City shall submit a plan to the Neighborhood Empowerment Commission showing, at a minimum:

- a. A system for the selection of community council leaders by the neighborhood councils.
- b. A plan of goals and objectives.
- c. A system through which the community council will communicate with each of its stakeholders and neighborhood councils on a regular basis.
- d. Assurances that the leadership of the community council leaders will represent the diverse interests within their area.
- e. A system for financial accountability of its funds.
- f. Set a minimum and maximum size of neighborhoods within their community.
- g. Guarantees that all meetings will be open and public.

DEPARTMENT OF NEIGHBORHOODS:

The Charter should require the creation of a Department of Neighborhoods that would assist the neighborhoods in organizing themselves into neighborhood councils, clustering themselves into at

least 38 community council areas of approximately equal population, and thereafter continuing to support them.

The DON will be an active proponent of community empowerment, and support the community and neighborhood councils, including, helping them to learn the complexities of city government and become more self-sufficient; arranging leadership, cultural awareness, and dispute mediation training; arranging quarterly Congress of Neighborhoods meetings if requested by the neighborhoods; helping acquire city in-kind support such as using the city purchasing contracts, acquiring surplus equipment, and printing and mailing materials; assisting in preparing applications for non-profit status; maintaining an information and communication network using e-mail, the Internet, the Intranet, and other technology; identifying and pursuing grants and other funding sources; acting as City Hall's neighborhood advocate on behalf of the community and neighborhood councils; and publishing a newsletter that is distributed to every stakeholder in the city at least three times a year. The intent is to ensure that they always have the resources to do a successful job.

Its general manager should be appointed and removed in the same manner as other general managers. The general manager and assistant general manager would be city employees who are exempt from civil service. The intent is to find the best qualified people to handle the highly specialized, politically sensitive, and possibly temporary nature of the jobs.

RECONVENING:

The Charter should require that three years after the adoption of the new Charter, another charter reform commission be convened review, at a minimum, the neighborhood councils network, and recommend changes if necessary.