

To: Joel Wachs 9-15-98
From: Greg Nelson

I think I'm making progress as to what should be in an Early Warning Ordinance.

I think we would cover all the items that would be of interest to organized Neighborhood Councils, and concerned individuals who live in and own property and businesses in those neighborhoods, by ensuring that they have notice of:

1. Council, committee and commission agendas, in addition to other meeting notices that are required by the Brown Act to be posted.
2. Items that are formally introduced into the City Council and commission system. The City Clerk produces a Referral sheet,[@] and the commissions should have to do the same.
3. Applications for discretionary approval.
4. (Significant?) changes in the delivery of services.

This is the electronic age, and the NCs would be provided with state-of-the-art computers and communications equipment compatible with the city's system. So it seems unnecessary to require the city to send (mail, e-mail, or fax) notices to the NCs if they post it on the Internet. I don't know how to word that.

The City Clerk is trying to come up with some better description of the Referral sheet.[@]

To the extent that notice is given of discretionary permits, it would be reasonable to require that it only be sent to the neighborhood affected by the project.

I would think that departments would want to use the communications system to notify NCs of changes in city services, like repaving a street, changing the garbage collection schedules, etc. But the police may not want to have to provide notice of changes in patrolling schedules. Do we need to think this one out further?

Violation would not be a criminal penalty, but rather it would be grounds for someone to argue that the City couldn't take a final action until it gave proper notice.

Should we prescribe that at least 30 days notice be given, or is it adequate to just require that notice be provided at the same time the city knows about it (the referral sheet requirement)?

Exceptions in unforeseen emergencies would, I imagine, be determined by the Council. Rule 16 and Rule 23 motions would be emergencies I guess.