

To: Ron Deaton/Claudia Culling/Mary Strobel
From: Greg Nelson 213.473.5820
Re: Early Warning Ordinance
11-17-98

Here's my first shot at trying to help the elected commission, and the joint commissions, with language for an "early warning ordinance." I'm having trouble putting this one together, especially when it comes to spelling out how I'd like the commissions to notify people of the same things that the City Clerk notifies people about through its Referral Sheet. I'm going to talk to some commissions. Joel has asked me for your help in thinking this through. His main concern is that we may have left out issues that are importance to neighborhoods, which means not just issues that are common to their area, but also citywide issues that are of importance to them as residents and taxpayers.

My deadline for giving the elected commission staff a first draft keeps getting extended as they work on other priorities. I'm now around Nov. 25.

Section _____. Early Warning Ordinance.

A. Responsibility for Notification.

1. It shall be mandatory upon the Council to adopt an ordinance which would guarantee that before any city agency takes final action on issues of concern to the stakeholders and the neighborhood councils, the City must provide notice to the affected neighborhood council cluster offices at least 30 days in advance, whenever practicable, so that the neighborhood councils and their clusters would have adequate time to know about, understand, establish a position, and express their opinions.
2. It is the responsibility of those currently responsible for public notification in each city agency to ensure that the information is made available to the neighborhood council cluster offices as soon as possible after they are aware of it, but no less than 30 days before a final action is taken, except as otherwise provided in this Charter or by ordinance.

B. Notices to be Provided.

1. Agendas for meetings of the City Council, City Council committees, and city commissions.
2. Communications and motions referred to a City Council committee.

[Note: What's on the Referral Sheet.]

3. City Council motions that are placed on the next available Council agenda without referral to a City Council committee.

[Note: Rule 16 motions. The Clerk would send them to the cluster offices through a pre-

programmed fax group following each Council meeting.]

4. Applications for discretionary approval, to the affected areas, as soon as practicable after they are filed.

[Note: No need to send these notices to areas that aren't affected. Refer to Claudia Culling for the term "applications for discretionary approval."]

5. Proposals and matters formally entered into the city's commission system for formal decision.

[Note: Need better wording for this. Want the commissions to adopt the City Clerk's referral sheet system. They can post the information on the Internet or Intranet, or send it to the cluster offices. Have to figure out how matters enter into the commission system.]

6. Changes in delivery of services.

[Q: The task force and commission adopted this, but it doesn't have a definition. How small a change should require a notice? Losing a librarian? How sensitive a change should require a notice? Temporarily changing police deployment?]

C. Exceptions.

The ordinance may provide for exceptions in for unforeseen urgencies, and for matters which regularly must be granted final approval in less than 30 days.

[Note: Certainly you want the city to be able to act quickly in true emergencies. A good example of the second situation would be filming permits which normally need to be granted rather quickly, and a special system of public notification already exists.]

D. Violation.

[Note: The intent was that the city, not any applicant, be required to provide adequate notice. Therefore someone could take a legal action to stop the city from acting if the notice were found to violate the provisions in Charter or ordinance.]