clerk CIS <clerk.cis@lacity.org>

Your Community Impact Statement Submittal

LA City SNow <cityoflaprod@service-now.com> Fri, Jan 16, 2026 at 12:23 PM
Reply-To: LA City SNow <cityoflaprod@service-now.com>
To: reformlacharter@lacity.org, Clerk.CIS@lacity.org, commission@empowerla.org, jendevore@gmail.com

A Neighborhood Council Community Impact Statement (CIS) has been successfully submitted to your Commission or City Council. We provided information below about CISs and attached a copy of the CIS.

We encourage you to reach out to the Community Impact Statement Filer to acknowledge receipt and if this Community Impact Statement will be scheduled at a future meeting. Neighborhood Council board members are volunteers and it would be helpful if they received confirmation that you received their CIS.

The CIS process was enable by the to Los Angeles Administrative Code §Section 22.819. It provides that, "a Neighborhood Council may take a formal position on a matter by way of a Community Impact Statement (CIS) or written resolution." NCs representatives also testify before City Boards and Commissions on the item related to their CIS. If the Neighborhood Council chooses to do so, the Neighborhood Council representative must provide the Commission with a copy of the CIS or rResolution sufficiently in advance for review, possible inclusion on the agenda, and posting on the Commission's website.Any information you can provide related to your agenda setting schedule is helpful to share with the NC.

If the CIS or resolution pertains to a matter *listed on the Commission's agenda*, during the time the matter is heard, the designated Neighborhood Council representative should be given an opportunity to present the Neighborhood Council's formal position. We encourage becoming familiar with the City Councils rules on the subject. At the Chair's discretion, the Neighborhood Council representative may be asked to have a seat at the table (or equivalent for a virtual meeting) typically reserved for City staff and may provide the Neighborhood Council representative more time than allotted to members of the general public. They are also permitted up to five (5) minutes of time to address the legislative body. If the CIS or resolution pertains to a matter *not listed on the agenda*, the designated Neighborhood Council representative may speak during General Public Comments.

We share this information to assist you with the docketing neighborhood council items before your board/commission. If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at empowerla@lacity.org.

******** This is an automated response, please DO NOT reply to this email. ********

Contact Information
Neighborhood Council: Greater Wilshire
Name: Jennifer DeVore
Email: jendevore@gmail.com
The Board approved this CIS by a vote of: Yea(16) Nay(0) Abstain(1) Ineligible(0) Recusal(0)
Date of NC Board Action: 01/14/2026
Type of NC Board Action: For

Impact Information
Date: 01/16/2026
Update to a Previous Input: No
Directed To: Board of Neighborhood Commissioners, City Council and Committees, Charter Reform Commission
Council File Number:
City Planning Number:
Agenda Date:
Item Number:
Summary: The Greater Wilshire Neighborhood Council supports the City Charter Reform recommendations approved by the Los Angeles Neighborhood Councils Coalition (LANCC) on January 3, 2026 and applauds LANCC for its efforts.

3 attachments

VOLUME I
GOVERNANCE

Article

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ARTICLE I
INCORPORATION AND POWERS

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Sec. 100. Incorporation.

The City of Los Angeles shall continue to be a municipal corporation under the same name and possessed of all the property and interests of which it was possessed at the time the Charter takes effect. The boundaries of the City shall be the boundaries as established at the time the Charter takes effect, or as may later be changed in the manner authorized by law.

Sec. 101. Powers of the City.

The City of Los Angeles shall have all powers possible for a charter City to have under the constitution and laws of this state as fully and completely as though they were specifically enumerated in the Charter, subject only to the limitations contained in the Charter.

Sec. 102. Relationship to Other Governmental Entities.

(a) The City may, by ordinance, transfer or consolidate functions of the City government to or with appropriate functions of the state or county government or other governmental entities, or make use of functions of the state or county government or other governmental entities. The Charter provisions providing for the function of the City government transferred or consolidated may, by ordinance, be suspended during the continuation of the transfer or consolidation. Any transfer or consolidation may be repealed by ordinance, which repeal will terminate the suspension of the Charter provisions providing for the transferred or consolidated functions. Nothing in this section shall be construed as affecting transfers or consolidations approved prior to the operative date of the Charter.

(b) The City may exercise any of its powers or perform any of its functions and may participate in the financing of its efforts, jointly or in cooperation, by contract or otherwise, with one or more other cities, states, or other governmental bodies, the United States or any of its agencies.

Sec. 103. Delivery of Services.

Every City office and department, and every City official and employee, is expected to perform their functions with diligence and dedication on behalf of the people of the City of Los Angeles. In the delivery of City services and in the performance of its tasks, the government shall endeavor to perform at the highest levels of achievement, including efficiency, accessibility, accountability, quality, use of technologically advanced methods, and responsiveness to public concerns within budgetary limitations. Every analysis and review of the performance of the government and its officers shall seek to ascertain whether these high standards are being met, and if not, shall recommend methods of improvement.

Sec. 104. Restrictions on the Powers of the City.

The rights and powers granted by the Charter shall be subject to the restrictions set forth in this section or elsewhere in the Charter.

(a) Mortgaging of Property. The City shall have no power to mortgage its property for any purpose, but may buy property subject to mortgage.

(b) License Taxes. It shall require an ordinance adopted by a two-thirds vote of the Council to levy a license tax. No discrimination in the amount of license tax shall be made between persons engaged in the same business, other than by proportioning the tax to the amount of business done, except that the Council by ordinance may provide for license tax exemptions and decreases to promote City economic development under the following circumstances. Any incentives shall be limited to predefined areas of the City, such as redevelopment areas, enterprise zones, employment and economic incentive areas, or revitalization zones, where other federal, state, or local economic incentive areas have been established by the Council, by ordinance or by other method required by state or federal law. In addition, any business tax exemptions or reductions shall require the adoption of an ordinance by the Council specifying the amount of the exemption or reduction; the period of time for which the exemption or reduction will be allowed; the specific business tax classification, or classifications, which will be eligible for the exemption or reduction; and the geographical boundaries within which the exemption or reduction will be applicable.

(c) Sale of Public Utilities. No public utility owned by the City shall be sold, leased or otherwise transferred without the assent of two-thirds of the registered voters of the City voting on the proposition. However, with the authorization of the Council by ordinance, the Board of Water and Power Commissioners shall have the power and authority to sell, lease, transfer or dispose of the public utility water distribution facilities owned by the City of Los Angeles located in the communities of Big Pine, Lone Pine, Independence and Laws in Inyo County, California, together with sufficient water or water rights to supply the service areas of those communities, to public agencies or utilities in those communities, without a vote of the people.

(d) Use of Los Angeles River Bed. The bed of the Los Angeles River, or any part of it, as now or hereafter defined and located, shall not ever be sold, granted, leased, transferred or alienated in any way, but shall be kept at all times for municipal purposes, free and clear of all encumbrances and obstructions, except as follows:

(1) Franchises or rights may be granted by ordinance for crossings over or under the riverbed to railways, pipelines or other public utilities, plants or equipment, as long as they do not obstruct the flow of the Los Angeles River in times of flood, nor conflict with any longitudinal use of the riverbed by the City itself or other uses authorized in this section.

(2) Franchises may be granted for the construction and operation of railroad tracks longitudinally along the riverbed only when such construction and operation is required in connection with a grade crossing plan for the elimination of grade crossings and the unification of all public terminal rail facilities, other than street and interurban railways, after the grade crossing plan has been approved by two-thirds of the voters voting on the question at a general or special election.

(3) The City may grant permits for the removal of sand and gravel from the riverbed, so long as the removal of sand and gravel does not jeopardize or injure any structures authorized by this section.

(e) Floor Area Restriction. The total floor area contained in all the buildings on any one building site shall not exceed 13 times the buildable area of the site as such buildable area is defined by ordinance. The Council, by ordinance, may define and implement the provisions of this subsection and may further restrict and regulate the total floor area, height or bulk of buildings or structures.

(f) Municipal Newspaper. The City shall not appropriate any public money for the printing, publication, sale or distribution of a commercial municipal newspaper.

(g) Business Enterprises. The City shall not engage in any purely commercial or industrial enterprise, except upon a majority vote of the voters of the City voting on the question, unless the enterprise was engaged in by the City at the time the Charter becomes effective, or unless engaging in the enterprise is elsewhere specifically authorized in the Charter. Nothing in this subsection shall prohibit the City from engaging directly in retail concessions of food and merchandise, when those concessions are consistent with and support City operations and purposes.

(h) Rail Transit Assessments.

(1) In the exercise of any powers it may have under any state, federal or other law, the City shall not approve the boundaries or the method of assessment of, or otherwise approve, an assessment district proposed to assess properties for benefits from a rail transit system or stations if assessments are to be made on properties in residential use before April 9, 1985, or under construction before that date for residential use in that district or any zone thereof.

For purposes of this subsection, a "residential use" of property shall include use as a single-family residence, a multi-family residence, a retirement home, or other property improved with a structure designed and used for housing a person or family, including property improved with a residential building which is temporarily vacant as well as property with a residential building under construction, but shall not include use as a hotel, motel or similar transient housing facility. In the event a property is in both residential and non-residential use, assessment may be approved, but shall be calculated only on the non-residential portion.

(2) Neither the Council nor any City board, officer or employee in the exercise of any power or authority it may have shall authorize or approve any grant of funds for a rail transit project unless the district, agency or entity proposing to initiate or implement the project has first entered into a contract with the City which binds the district, agency or entity:

(A) to not levy any assessments on any property in residential use or under construction prior to April 9, 1985, as that term is defined in subsection (h)(1) of this section, to pay in

whole or in part for the acquisition, construction, development, joint development, operation, maintenance or repair of the project or stations connected therewith; and

(B) to pay or fully refund to the payors thereof any assessments required by law to be levied thereon.

(i) Non-discrimination. In the employment of persons in the service of the City, there shall be no discrimination in selection or compensation on account of race, religion, national origin, ancestry, sex, gender identity, gender expression, sexual orientation, age, disability, or marital status.

SECTION HISTORY

Amended by: Subsecs. (g) and (i), Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 105. Title to Property.

The title to all property of the City of Los Angeles, now owned or hereafter acquired, including all property in the name of any officer, board, commission or department of the City, shall be vested and held in the name of the City of Los Angeles.

Sec. 106. Definitions.

(a) Days. If this Charter requires an act to be performed within a specified number of days, it shall mean consecutive calendar days unless otherwise stated. When the last day to perform an act falls on a weekend or City holiday, the period shall extend to the next business day.

(b) Notice. Unless otherwise provided by this Charter or ordinance, if this Charter requires notice to be given to an individual, that notice shall be deemed given on the date of personal service, or upon deposit in the mail, certified or first class mail, to the last known address. Unless otherwise provided by this Charter or ordinance, if notice is mailed, the time by which the recipient must take any action required under the Charter shall commence five days after this notice is mailed.

Sec. 107. Effect of Invalidity in Part.

If any section, subsection, sentence, clause or phrase of this Charter, or any amendment thereto, is for any reason held to be unconstitutional or otherwise invalid, that decision shall not affect the validity of the remaining portions of this Charter. The people of the City of Los Angeles hereby declare that they would have ratified and adopted this Charter and each section, subsection, sentence, clause and phrase thereof, and any amendment thereto, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, phrases or amendment be declared unconstitutional or otherwise invalid.

TRANSITION PROVISIONS

Sec. 108. Intent of Voters.

Except with respect to the provision establishing the size of the City Council, it is the intent of voters adopting this Charter that it not be amended at the same election at which it is adopted other than by a conflicting measure that receives more votes than those received for this Charter.

Sec. 109. Adoption Date; Operative Date.

The Adoption Date of this Charter shall be that date upon which the adopted Charter is filed in accordance with state law. The Operative Date of this Charter shall be July 1, 2000, except that Article IX, Department of Neighborhood Empowerment shall be in effect and operative on the Adoption Date. In addition, the Council, Mayor, City officers and employees shall take those actions set forth in Section 118 after the Adoption Date of this Charter and prior to its Operative Date as prescribed in that section.

Sec. 110. Effect of Enactment on Existing Law and Offices.

(a) Until July 1, 2000, the City and its departments, boards, offices and employees shall continue to exercise and have the powers, duties and obligations provided in the Charter of the City immediately prior to the Adoption Date of this Charter, unless amended or repealed by Charter amendment, regardless of any conflict with the provisions of this Charter.

(b) On or after the Operative Date, to the extent the provisions of this Charter are the same in terms or in effect as provisions of the Charter prior to the Operative Date, they shall be construed and applied as a continuation of those provisions.

(c) On or after the Operative Date, all City ordinances, resolutions and other regulations in force on the Operative Date and not inconsistent with this Charter shall remain in force until changed or repealed by the proper authority and in accordance with the provisions of this Charter. Ordinances, resolutions and other regulations in effect on the Operative Date, regardless of the method or manner of adoption, are repealed and superseded to the extent inconsistent with the provisions of this Charter.

Sec. 111. Obligations of Contract Not Impaired.

All rights, claims, actions, orders, obligations, proceedings, bond authorizations, contracts, franchises, leases and agreements existing on the Operative Date of this Charter shall not be affected by adoption of this Charter. To the extent functions, powers and duties have been reassigned, the office, agency or department to which functions, powers, and duties have been reassigned shall have charge of the matter.

Sec. 112. Previous Charter Sections Treated as Ordinance.

The following sections of the Charter as they existed immediately prior to the Operative Date of this Charter shall be treated as if enacted into ordinance, and may be amended, repealed or replaced by ordinance after the Operative Date of this Charter. To the extent of conflict or inconsistency between the provisions treated as if enacted into ordinance under this section and this Charter, this Charter shall prevail.

Sec. 37	Sec. 295.2	Sec. 385.1
Sec. 38	Sec. 297	Sec. 386
Sec. 49	Sec. 301	Sec. 390
Sec. 90	Sec. 302	Sec. 391
Sec. 92	Sec. 303	Sec. 501.1
Sec. 93	Sec. 304	Sec. 502
Sec. 155	Sec. 309	Sec. 503
Sec. 272	Sec. 310	Sec. 507
Sec. 273	Sec. 315	Sec. 508
Sec. 275	Sec. 316	Sec. 508.1
Sec. 285	Sec. 317	Sec. 509
Sec. 288	Sec. 318	Sec. 509.1
Sec. 290.1	Sec. 321	Sec. 510
Sec. 290.2	Sec. 324	Sec. 510.1
Sec. 291	Sec. 334	Sec. 511

Sec. 291.1	Sec. 335	Sec. 511.1
Sec. 291.2	Sec. 336	Sec. 511.2
Sec. 292.1	Sec. 338	Sec. 512
Sec. 292.2	Sec. 356	Sec. 512.1
Sec. 293	Sec. 363	Sec. 512.2
Sec. 295.1	Sec. 364	Sec. 513

Sec. 113. Effect on Pension and Retirement Benefits.

The adoption of this Charter is not intended in any way to diminish the benefits of any pension or retirement system of the City.

Sec. 114. Changes in City Offices.

(a) City Administrative Officer. On the Operative Date of this Charter, the person then serving as City Administrative Officer shall be deemed to be appointed to the position of Director of the Office of Administrative and Research Services. That office shall perform those duties assigned to it by the Charter.

(b) City Engineer; Purchasing Agent. On the Operative Date of this Charter, the positions of City Engineer and Purchasing Agent shall continue to exist to the extent provided by ordinance.

Sec. 115. Changes in City Departments.

After the Operative Date of this Charter, the departments of Animal Regulation and Building and Safety, which are no longer included in the Charter, shall continue to exist, and to perform the powers and duties prescribed for them in the Charter immediately prior to the Operative Date, until the departments, powers or duties are changed or eliminated by ordinance.

The adoption of this Charter is not intended to affect the powers and duties of the Department of Cultural Affairs or Department of Transportation or their respective commissions. Those powers and duties shall continue until changed or eliminated by ordinance.

Sec. 116. Status of Incumbent Officers and Employees.

(a) No change in the appointment process for any City officer or employee shall affect the status of any person serving as a City officer or employee as of the Operative Date of this Charter. Changes in the process for removal of any City officer or employee shall be effective upon the Operative Date of this Charter.

(b) Individuals in civil service positions that become exempt through the enactment of this Charter shall not have civil service standing as to the newly exempt positions, but will retain their civil service status as to their prior position in accordance with Section 1001 (e).

(c) Any City officer or employee in the service of the City on the Operative Date of this Charter, whose position becomes part of the classified civil service by reason of the enactment of this Charter, shall continue in his or her present position with the full seniority and other rights he or she would have if he or she had been under the classified civil service from the commencement of his or her City service.

Sec. 117. Changes in Civil Service Discipline Provisions.

Changes in the civil service discipline provisions of Section 1016 shall not affect any proceeding or action that has been commenced prior to the Operative Date of this Charter.

Sec. 118. Actions to be Taken Prior to Operative Date.

(a) Changes in Boards. After the Adoption Date of this Charter, the Council and Mayor shall take all steps necessary to:

(1) Create Area Planning Commissions as prescribed in Section 552, and appoint the members of those boards whose terms shall commence July 1, 2000.

(2) Define the residency requirement for two members of the Airport Commission provided in Section 630 of this Charter, and appoint two additional members, whose terms shall commence July 1, 2000, so that commission composition satisfies the residency requirements.

(3) Define the residency requirement for the member of the Harbor Commission provided in Section 650 of this Charter prior to July 1, 2000. The Mayor shall appoint a member to the Commission satisfying the residency requirements of that ordinance if not otherwise satisfied, upon the first vacancy to occur in the Harbor Commission on or after July 1, 2000.

(4) Establish the procedures for the election process to elect two additional members to the Board of Fire and Police Pension Commissioners provided in Section 1104(a) so that the terms of the two additional members may commence on July 1, 2000.

(5) The Mayor shall appoint a City Employee Retirement System retiree to the first opening in a term of a commissioner of the Board of Administration for the Los Angeles City Employees Retirement System appointed by the Mayor, occurring on or after July 1, 2000.

(6) The Board of Water and Power Commissioners shall appoint a department retiree to replace one of the Water and Power Commissioners serving on the Board of Administration of the Water and Power Employees Retirement System, so that the term of that member may commence July 1, 2000.

(b) Rules, Regulations and Codes. After the Adoption Date of this Charter, and prior to its Operative Date:

(1) Each officer, department, agency, and board responsible for promulgating rules and regulations of the City under this Charter shall review all rules and regulations for which it is responsible, and amend and adopt rules and regulations consistent with this Charter to become effective July 1, 2000. The rules and regulations shall be submitted to the City Attorney sufficiently in advance of that date to permit City Attorney review.

(2) The City Attorney, City Administrative Officer and City Clerk shall review all provisions of the Administrative, Municipal, and Election Codes and report to the Mayor and propose to the Council the adoption of ordinances or amendments consistent with this Charter, to become effective July 1, 2000.

(c) Each department shall assess whether any changes in personnel or resources will be needed in light of changed duties under the new Charter, and make recommendations to the Mayor and Council.

Sec. 119. Repeal of Former Charter.

The provisions of the Charter of the City of Los Angeles, operative immediately prior to July 1, 2000, are hereby repealed except to the extent and for the purposes that this Charter expressly continues them in effect.

Sec. 120. Increase in Council Size.

If Section 241 of this Charter concerning Council size is amended through approval by the voters of a separate ballot measure at the same election at which this Charter appears on the ballot, Section 204(g) shall read as follows, rather than as stated in Section 204(g) in Article II of this Charter: "(g) Effective Date of Redistricting; Terms. The Council members elected in the election held in 2001 shall serve two-year terms. The Council districts adopted by ordinance in 2002 shall first become effective beginning with the election held in 2003, at which time, the entire Council shall be elected. The Council members elected in 2003 from the even-numbered districts shall initially serve two-year terms and the members elected in 2003 from odd-numbered districts shall serve four-year terms. Members of the Council elected in 2005 from the even-numbered districts shall serve four-year terms, and thereafter all Council members shall serve four-year terms. The two-year terms contained in this section shall not constitute a term of office for purposes of the term limits contained in Section 206 unless a member serves two two-year terms or the member has served two terms of office prior to initiation of the two-year term."

Sec. 121. Effect of New Charter on Board of Education.

In the event that this Charter is adopted by the qualified voters of the City of Los Angeles at the election held on June 8, 1999, but the provisions of Article IV and Article III relating to the Board of Education of the Los Angeles Unified School District are not approved by a majority of the qualified voters of that district voting at the election held on June 8, 1999, the provisions of Article IV shall be effective for elections of officers of the City only, and not for members of the Board of Education. In that event, the provisions of the Charter of the City of Los Angeles in effect immediately prior to July 1, 2000, shall remain in effect with respect to the Board of Education until amended.

Sec. 122. Elimination of Transition Provisions.

In the event any of the sections included in these Transition Provisions become obsolete in the judgment of the City Attorney, by virtue of the completion of all acts required under the section, the section shall be deemed expired and the City Clerk shall secure removal of that section from the next printing of the Charter.

Sec. 130 Charter Reform Process

-Sec. 130.1. Charter Review Commission

(a) Charter Review Commission Creation

A Charter Review Commission shall be created whenever the Mayor and/or City Council thinks it is time for review. The Commission's term lasts until its recommendations are accepted or rejected by the voting public. The City Council shall have the authority to direct the Commission to conduct a full review or a limited review of the City Charter.

Sec. 130.2 Charter Reform Term

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A new Charter Review Commission shall be established no less frequently than every ten years, timed such that it can be started and completed between two redistricting processes that happen after the decennial Census, to review the Charter and recommend changes with a two-year timeframe and adequate funding for the Commission to complete its work. At least once in the ten year period, a Charter Reform Commission will complete a full review of the Charter.

Sec 130.3 Outreach

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Prior to the commencement of its review of the City Charter, the Commission shall develop and transmit to the City Council an Outreach and Engagement Plan to ensure the participation of a wide variety of individuals and organizations in the Commission's review of the City Charter, including community-based organizations, labor organizations, business advocacy organizations, community councils, parent centers, faith-based community groups, local non-profit organizations, and other community groups. The Outreach and Engagement Plan should include a plan for some meetings to be held in the evening after 6 p.m. and for some meetings to be held on the weekend, provide guidelines for live translation in certain languages, and require notice five days prior to a meeting to the extent practicable. The Outreach and Engagement Plan shall include a town hall event in each Council District and provide outreach and presentation materials available in multiple languages. The City Council may provide direction to the Commission regarding the elements of the Outreach and Engagement Plan.

The Commission's Outreach and Engagement Plan also shall include a dedicated engagement process for the participation of the City's Neighborhood Councils.

Sec 130.3 Charter Reform Recommendations

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A Charter Reform Commission shall have the ability to send items within its purview directly to the ballot when the City Council does not advance the recommendation to a completed ordinance or Charter update or the City Council heavily amends the recommendation on a Commission vote of three-fourths of the commission.

Sec 130.4 Ex Parte Communications

(1) A member of the Commission shall not communicate with any individual or organization regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with another commissioner, Commission staff, legal counsel, or consultants retained by the Commission. This provision does not prohibit communications with City staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(2) The Executive Director of the Commission, and other Commission staff as designated by the Commission, shall not communicate with any elected City officer, candidate for elective City office, or staff of any such officer or candidate, either directly or through an agent, regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with City staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(3) A member or employee of the Charter Reform Commission, City Clerk, or other City department involved in the process for selecting members of the Commission shall not communicate with any elected City officer, candidate for elective City office, or staff of any such officer or candidate, either directly or through an agent, regarding any matter related to the selection process outside of a public meeting before that process has been completed. This provision does not prohibit communications to the extent those communications are related to administrative matters, legal advice, or educational presentations made to the public.

Sec. 130.5 Additional Powers and Duties

A Charter Reform Commission shall –

1) perform Community Outreach from its initial meeting;

2) conduct roving meetings covering all areas of the City;

3) provide telephonic public comments at all meetings;

4) consider all sections of the Charter for potential change

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ARTICLE II
OFFICERS OF THE CITY

Section

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GENERAL PROVISIONS RELATED TO OFFICERS

Sec. 200. City Officers.

All officers of the City, both elected and appointed, shall be subject to recall as provided in Article IV. The officers of the City shall be:

A Mayor

The Members of the Council

A City Attorney

A City Clerk

A Controller

A Treasurer

The members of the boards or commissions of the departments and the chief administrative officer of each department and office

An Executive Director of the Board of Police Commissioners

Other officers as prescribed by ordinance

Sec. 201. City Offices.

The City Offices shall be:

Office of the Mayor

Office of the City Council

Office of the City Attorney

Office of the Controller

Office of the City Administrative Officer

Office of the City Clerk

Office of Finance

Office of Transparency and Accountability

SECTION HISTORY

Amended by: Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 202. Election of Officers at Large.

The following officers of the City shall be elected by the electors of the City, at large:

Mayor

City Attorney

Controller

Sec. 203. Appointment and Removal of Officers.

Except as otherwise provided in the Charter, City officers shall be appointed by the Mayor, subject to confirmation by the Council. Except as otherwise provided in the Charter, the appointing power shall have the power of removal.

Sec. 204. Election of City Council Members; Redistricting.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Subsec. (c), Charter Amendment E, approved November 6, 2018, effective December 14, 2018.

Repealed by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 205. Term of Office.

(a) The Mayor, City Attorney, Controller and members of the Council shall hold their offices for a term of four years except as provided in subsection (b).

(b) Notwithstanding any other provision of the Charter, in order to transition to new election dates starting in 2020, members of the Council elected in 2015 shall be elected for a term expiring in December 2020 and the Mayor, City Attorney, Controller and members of the Council elected in the year 2017 shall be elected for a term expiring in December 2022.

(c) The terms of office for those members of the Council from even-numbered districts shall commence during each fourth anniversary of the year 2020. The terms of office for the Mayor, City Attorney, Controller and those members of the Council elected from odd-numbered districts shall commence during each fourth anniversary of the year 2022. The term of an official elected to City office shall commence on the second Monday in December next following his or her election.

(d) Except where a vacancy in office is created pursuant to Section 207, the incumbents of the elected and appointed offices shall hold office until their successors have qualified.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 206. Term Limits.

No person may serve more than two terms of office as Mayor. No person may serve more than two terms of office as City Attorney. No person may serve more than two terms of office as Controller. No person may serve more than three terms of office as member of the City Council. These limitations on the number of terms of office shall apply only to terms of office that began on or after July 1, 1993. These limitations on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office. For purposes of this

Section, the term of office of officials elected in 2015 and 2017 as described in Section 205(b) shall count as one term.

SECTION HISTORY

Amended by: Charter Amendment, approved November 7, 2006, effective December 13, 2006; Charter Amendment 1, approved March 3, 2015, effective April 2, 2015.

Sec. 207. Vacancy in City Offices.

An office becomes vacant when:

(a) the incumbent dies, retires, resigns, is adjudged insane, pleads guilty or no contest to or is convicted of a felony, is removed from office or fails to qualify within ten days from the time he or she receives his or her certificate of election or appointment;

(b) the incumbent ceases to be a registered voter or resident of the City, where being a registered voter or City residency is a qualification for the office;

(c) the incumbent is convicted of an offense involving a violation of official duties, including, without limitation, a violation of the conflict of interest and government ethics provisions of the Charter or City ordinances. However, removal from office for violating conflict of interest or governmental ethics provisions shall be required only if a court determines that the seriousness of the offense and degree of culpability of the officer so warrant;

(d) the incumbent has been absent from the City without the consent of the Council for more than 60 consecutive days. Absence from the City of the incumbent of an elected office shall be deemed to be with the consent of the Council if the absence was caused by illness, injury or other reason, and if the incumbent could not reasonably have been expected to have returned to the City under the circumstances;

(e) the incumbent of an elected office, or the Chief of Police has ceased to discharge the duties of the office for 90 consecutive days, except when prevented by illness, injury, or other reasonable cause; or

(f) the incumbent of an elected office, or the Chief of Police is found by a court to be incapacitated according to the criteria contained in Section 208.

Sec. 208. Determination of Incapacity.

(a) For purposes of Section 207(f), an elected office and the office of Chief of Police become vacant when, in a quo warranto action or other applicable proceeding as may be established by state law, a court has found that:

(1) the incumbent is physically or mentally incapacitated due to illness, injury or other reason such that he or she cannot perform the duties of the office;

(2) the incumbent was so incapacitated for at least 90 consecutive days prior to the filing of the application with the Office of the California Attorney General for leave to sue in quo warranto or, if the application was not legally required, any other act commencing litigation under this subsection; and

(3) there is reasonable cause to believe that the incumbent will not be able to perform the duties of the office for the remainder of the term of office.

(b) If the City Clerk, after investigation, has reason to believe that all of the conditions set forth in subsection (a) exist, the City Clerk, on behalf of the City, shall initiate, or cause to be initiated, litigation by filing an application for leave to sue in quo warranto with the Office of the California Attorney General or by following any other applicable procedure as may be established by state law. Litigation under this section, in quo warranto or as otherwise provided by state law, may also be brought by any person authorized to do so by state law.

Sec. 209. Code of Conduct of Elected Officials; Censure.

All elected officials of the City are expected to conform to the highest standards of personal and professional conduct. The Council shall have the power to adopt, by a two-thirds vote, a resolution of censure with respect to any member of the Council whose actions constitute a gross failure to meet such high standards, even if the action does not constitute a ground for removal from office under the Charter.

Sec. 210. Acting Incumbency in City Offices.

The City Controller, City Attorney, Treasurer, City Clerk and City Administrative Officer shall each designate an assistant or deputy, who shall become the acting incumbent in case of any vacancy in the office. The designation of acting incumbent shall be made in writing filed with the City Clerk, and may be changed from time to time. Upon a vacancy, the acting incumbent shall serve until the office is filled in accordance with Sections 409, 508(b) or 508(c). Any person so designated must possess the qualifications prescribed for the office and shall take the oath prescribed by the Charter before assuming his or her duties as acting incumbent. If a vacancy in the office occurs, and no acting incumbent has been designated, or if the designated acting incumbent is unable to serve, the Council may designate the acting incumbent for the office.

SECTION HISTORY

Amended by: Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 211. Suspension Pending Trial.

Pending trial, the Council may suspend any elected officer, and the appointing power may suspend any appointed officer, against whom felony criminal proceedings, or criminal misdemeanor proceedings related to a violation of official duties as described in Section 207(c). The temporary vacancy shall be filled in accordance with the Charter.

Sec. 212. Prohibition on Council Member Serving in Other Capacity.

No member of the Council shall, during the term for which he or she has been elected, serve in any other office, if the position is appointed by or subject to confirmation by the Council. This section shall not apply to prohibit a member of the Council from serving on the board of a joint powers authority if the member receives no compensation for the service.

SECTION HISTORY

Amended by: Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 213. Additional Powers and Duties of Officers and Employees.

In addition to the powers and duties prescribed by the Charter, the officers, employees, and boards of the City shall have such other powers and perform such other duties as may be prescribed by the laws of the State of California, or by ordinance, not in conflict with the Charter, or by resolution adopted by the Council, not in conflict with the provisions of the Charter or ordinance.

Sec. 214. Creation of Additional Departments and Officers.

The Council may by ordinance create additional departments, offices and boards, and consistent with the Charter, provide for the election or appointment of officers other than those designated in the Charter, whenever the public necessity or convenience may require. The Council may by ordinance prescribe the duties of those officers, provided that those duties shall not include any of the duties of any officer designated in the Charter, except as authorized under Section 514.

Sec. 215. Oath of Office.

Every officer provided for in the Charter shall, before entering upon the discharge of the duties of office, take the following oath or affirmation: "I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of California and the Charter of the City of Los Angeles, and that I will faithfully discharge the duties of the office of (here inserting the name of the office) according to the best of my ability."

Sec. 216. Annual Report.

Every officer or board of the City government shall make and present to the Mayor and Council an annual report relating to their work, and any other reports as may be required by the Charter or by the Council, by ordinance.

Sec. 217. Investigations and Proceedings.

(a) Administration of Oaths. The Mayor, Controller, Treasurer, the Zoning Administrator, and each member of the Council and of each board provided for in the Charter, and the secretary of each of those boards, shall have the power to administer oaths and affirmations in any investigation or proceeding pending before any of those officers or bodies, or concerning any demand on the City Treasury, and the City Clerk shall have the power to administer all oaths and affirmations required by the Charter.

(b) Witnesses and Subpoenas. The Mayor, Controller, Treasurer, the Zoning Administrator, Council, and each board provided for in the Charter shall have the power and authority to examine witnesses under oath and compel the attendance of witnesses and the production of evidence before them. Upon the request of the Mayor, Controller, Treasurer, President of the Council, or the presiding officer of any board, the City Clerk shall issue subpoenas in the name of the City, attested with the corporate seal, requiring the attendance and testimony of the witness or production of documents at a specified time and place before the Mayor, Controller, Treasurer, Council, or board requesting the subpoena. Nothing in this section shall require Council, any board or officer, or the Zoning Administrator to provide for examination of witnesses under oath in any particular proceeding.

(c) Penalties and Procedure. The Chief of Police, or other officer designated by ordinance, shall cause all such subpoenas to be served. The Council shall prescribe by ordinance suitable penalties for disobedience of subpoenas, and the refusal of witnesses to testify or produce evidence.

(d) Board Examiners. Under procedures prescribed by ordinance:

(1) Each board of commissioners may appoint one or more examiners, or may designate one or more of its members to serve as examiners, whenever, under the Charter or by any law, a right of appeal or protest to the board is given, or where it is required to conduct any investigation or hearing;

(2) Each board may adopt, reject or modify the report of any examiner in whole or in part, or may reconsider the matter in whole or in part;

(3) Each examiner shall have power to administer oaths and require the City Clerk to issue subpoenas; and

(4) Reference to an examiner shall not extend or curtail the time within which the action of any board must be taken, as required by the Charter, any other law or by ordinance.

Sec. 218. Compensation of Elected Officers and Limitation on Outside Activities.

(a) Compensation. The Mayor, City Attorney, Controller and members of the Council shall receive compensation for their services only as provided in this section and shall not receive any other compensation for those services.

(1) Salaries. Members of the City Council shall be paid a salary equal to that prescribed by law for judges of the Municipal Court of the Los Angeles Judicial District or its successor in the event that court is dissolved or reconstituted.

The Controller shall be paid a salary that is 10% more than that of a Council member. The City Attorney shall be paid a salary that is 20% more than that of a Council member. The Mayor shall be paid a salary that is 30% more than that of a Council member.

The Controller shall be responsible for ascertaining the salary of Municipal Court judges and for setting and adjusting the salaries of elected officers in accordance with this section. Salaries shall be paid in bi-weekly increments unless the Council, by ordinance, prescribes otherwise.

(2) Other Benefits. The Council may, by ordinance, subject to referendum as specified in Article IV of the Charter, confer benefits other than salary upon elected officers as additional compensation for their services. However, benefits from the Los Angeles City Employees' Retirement System may not be provided for elected officers that would exceed benefits generally provided to members of the System who are non-represented officers or employees of the City or, if there are no non-represented officers or employees, that would exceed benefits generally provided to other members of the System.

(3) Operative Date of Changes in Salaries. The salaries of elected officers shall be adjusted in the manner provided in this section upon the effective date of any change in the salaries of Municipal Court judges.

(b) Restrictions on Outside Activities. The Mayor, City Attorney, Controller, and members of the Council shall devote their entire time to duties related to their offices. They shall not receive any compensation, including honoraria, for their services other than that provided in this section, except that which may be provided for their serving on governmental entities where payment is authorized for other governmental officers or employees serving in that capacity.

Sec. 219. Salary Setting.

The Council shall set salaries for all officers and employees of the City, including those officers and employees provided for in departments having control of their own definite revenues and funds, except for salaries specifically set or otherwise provided for by the Charter. Salaries shall be set by ordinance, unless otherwise set through collective bargaining agreements approved by the Council and entered into in accordance with the provisions of state law. Collective bargaining shall be conducted in accordance with procedures established by ordinance; provided, however, the ordinance shall provide an opportunity for the Mayor to participate in a committee established to give advice and instructions with respect to the City's bargaining position in the meet and confer process. This committee shall also advise with respect to salaries set by ordinance.

Labor negotiations shall be transparent in that the Council and/or Mayor shall perform outreach activities before, during, and after the negotiations such that the public can understand the direction of the negotiations and have an opportunity to provide public comment.

The City Council shall not approve labor agreements that would create a current or future budget deficit.

Sec. 220. Restrictions on Compensation of Officers.

No officer of the City shall be compensated by fees or commissions. No officer of the City shall retain any fee, recompense or compensation received by him or her for the discharge of any duty of office from any person other than the City, but shall immediately pay over to the Treasurer all money received.

Sec. 221. Surety Bonds.

The Council shall by ordinance fix the amounts and terms of the official bonds of all officers and employees of the City who are required by the Charter or by ordinance to give a bond. These bonds shall be approved by the City Attorney as to form, and shall be filed with and remain in the keeping of the Office of the City Clerk. The City shall pay the premium on any official bond required by the Charter or ordinance.

Sec. 222. Conflicts of Interest; Board of Referred Powers.

(a) City Attorney Opinion. Any board, board member, officer or employee of the City may request the City Attorney to render an opinion concerning the obligation of the board, board member, officer (other than a member of the Council), or employee under applicable laws to refrain from voting or acting upon any matter, contract, sale or transaction to which the board, board member, officer or employee may be a party, or concerning any situation where it would violate state law or where it may not be in the public interest for the board, board member, officer or employee to act in a particular matter, contract, sale or transaction. Likewise, any elected City officer may request an opinion with respect to any board member.

If the City Attorney receives such a request, the City Attorney shall render a written opinion. If the request is made by an elected City officer concerning a board member, the opinion shall be rendered within ten days of the City Attorney's receipt of the request; provided, however, that if the City Attorney determines that the request does not contain sufficient information upon which to render an opinion, the City Attorney shall notify the person making the request, and the time within which the City Attorney must render the opinion shall not commence until that information has been provided to the City Attorney.

(b) Transfer to the Board of Referred Powers. If the City Attorney renders an opinion concluding that the board, board member, officer or employee is disqualified from acting under applicable law, or that it is not in the public interest for the board, board member, officer or employee to act in the matter, contract, sale or transaction involved, the board, board member, officer or employee shall be disqualified from acting on or in any way attempting to influence action on the matter. Except as otherwise provided in this section, the matter shall be transferred for action to the Board of Referred Powers, which is hereby created. In the event that one or more members of a board, but less than a quorum, are disqualified from acting pursuant to the opinion of the City Attorney, the member or members so disqualified shall not act on the matter, but the matter shall not be transferred to the Board of Referred Powers. If state law makes it unlawful for the board to act in the matter by reason of the disqualification of one or more members, the matter shall be transferred for action to the Board of Referred Powers.

Unless a transfer is prohibited by applicable state law, the Board of Referred Powers is vested with the same power to act upon any matter, contract, sale or transaction transferred to it with the same force and effect as if acted upon by the board, officer or employee from whom the matter, contract, sale or transaction was transferred. The Council shall provide by ordinance for all matters relating to number of members, appointment and functioning of the Board of Referred Powers and the procedure applicable in referring matters to it for its determination.

EXECUTIVE BRANCH

Sec. 230. Mayor.

Except as otherwise provided in the Charter, management authority shall be vested in the Mayor who shall be the Chief Executive Officer of the City and shall devote his or her entire time to the duties of the office. The Mayor shall execute and uphold all laws and ordinances of the City.

Sec. 231. Powers and Duties.

The Mayor shall have the power and duty to:

(a) exercise management authority over all departments, agencies and appointed offices of the City, except where the Charter provides otherwise;

(b) appoint and remove staff as may be needed to perform the duties and carry out the responsibilities of the Mayor's office, subject only to budgetary appropriation;

(c) unless provided otherwise in the Charter, appoint chief administrative officers of City departments and appointed offices, and the members of the boards of commissioners created by the Charter, each subject to Council confirmation as provided in the Charter;

(d) unless otherwise provided in the Charter, appoint the members of standing commissions and boards created by ordinance that are advisory to or manage a department or appointed office, or perform regulatory functions, subject to Council confirmation as provided in the Charter;

(e) remove from office any chief administrative officer or commissioner, except where otherwise provided in the Charter;

(f) publicly address the Council on the state of the City, annually prior to the submission of the proposed budget;

(g) prepare and submit the Mayor's proposed annual budget to the Council for consideration in accordance with Article III of the Charter;

(h) represent the City in intergovernmental relations in accordance with City policy and supervise the City's intergovernmental relations function;

(i) declare a local emergency and coordinate the City's emergency response activities in accordance with procedures established by ordinance, and supervise emergency preparedness activities in the various departments and offices, including the Mayor's office, in a manner consistent with City policy;

(j) establish procedures and implement policies not inconsistent with the Charter or ordinance as are necessary to effectively manage and supervise the responsibilities entrusted to the Mayor through the issuance of executive directives, which, in the absence of conflicting provisions in the Charter or ordinance, and until revised or rescinded by the Mayor, shall be binding on all departments, commissions, appointed officers and employees of the City. Executive directives shall be filed with the City Clerk and be published in the manner described in Section 251. Executive directives shall take effect 15 days after publication;

(k) certify in writing to the Council, for each appointment that requires Council confirmation, that in the Mayor's opinion the appointee is especially qualified by reason of training and experience for the position, and that the appointment is made solely in the interest of the City; and

(l) perform other duties and have other powers as are provided elsewhere in the Charter or by ordinance.

Sec. 232. Executive Budget.

There shall be an executive budget division within the office of the Mayor with the power and duty to:

(a) assist the Mayor in the preparation and submission to the Council of a proposed budget and executive summary in accordance with Article III; and

(b) review and monitor departmental budgets and expenditures to ensure that departmental expenditures do not exceed budgeted appropriations for that department.

The Mayor may request the assistance in these duties from other City departments and offices.

Sec. 233. Temporary Transfer of Employees.

The Mayor may make temporary transfers of employees, not to exceed 120 days in any calendar year, from one appointed office or department to another, except the Proprietary Departments, to relieve temporary shortages in personnel, or to meet temporary demands for additional employees caused by temporary or seasonal requirements in any office or department. The Mayor shall notify the City Clerk at the time the transfer of employees is made, and the City Clerk shall notify the President of the Council, the City Administrative Officer and the Board of Civil Service Commissioners of the transfer. The compensation of employees so transferred shall be a charge upon the office or department to which the employees are transferred for the period of the transfer. In the event of objection in writing to the temporary transfer by any of the appointing authorities involved, the Mayor shall determine whether or not the transfer shall be made.

SECTION HISTORY

Amended by: Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 234. Joint Labor-Management Partnerships.

The City shall encourage joint labor-management partnerships to set goals, encourage agreements, solve problems, create incentives for outstanding individual or team

performance and encourage flexibility and innovation. Collective bargaining and discipline shall not be within the jurisdiction of these partnerships.

LEGISLATIVE BRANCH

Sec. 240. Legislative Power.

All legislative power of the City except as otherwise provided in the Charter is vested in the Council and shall be exercised by ordinance, subject to the power of veto or approval by the Mayor as set forth in the Charter. Other action of the Council may be by order or resolution, not inconsistent with the duties and responsibilities set forth in the Charter or ordinance. Except as otherwise specifically provided in the Charter, the Council shall have full power to pass ordinances upon any subject of municipal concern.

Sec. 241. Council Size.

The Council shall consist of 15 members, elected by districts as provided elsewhere in the Charter.

Sec. 242. Conduct of Business.

The Council shall be the sole judge of the election and qualification of its members. Meetings and records of the proceedings of the Council and of the committees of the Council shall be open to the public, including mandatory telephonic public comment, except that closed sessions may be held as permitted by law. The Council shall have the exclusive power to organize its business, prescribe the rules of its proceedings and preserve order at its meetings, subject to the following:

(a) The Council shall hold regular meetings at least three days each week. Meetings may be held in City Hall or elsewhere in the City. By resolution, the Council may establish periods during which the Council or its committees will be in recess. The Council and its committees may also each hold special meetings with proper notice.

(b) The Council, by ordinance or resolution, shall establish a sufficient number of committees to enable it to carry out its duties. The duty of the Council and its committees is to become fully informed of the business of the City so as to oversee all the functions of the City government, and to report to the Council any information or recommendations necessary to enable the Council to properly legislate. Committees shall have the power of investigation, but shall have no administrative control over the various functions of the City government. The administration of the City government shall be vested in the officials designated in the Charter to perform those functions. The President of the Council shall appoint the members and the chair of the committees and each Council member shall be appointed to at least one committee.

(c) City Council members must vote yes, no, or abstain and they must be visible to the public for the vote to count.

(d) Each City Councilmember shall, on an annual basis at a minimum, meet with each Neighborhood Council located wholly or partially within the Councilmember's district if the Neighborhood Council desires the meeting. Such meetings shall be scheduled in consultation with the Neighborhood Council board and held in a manner that permits meaningful input on policy issues affecting the community.

(e) Councilmembers shall file a Form 51 with the City Clerk and the Ethics Commission when recusing from a vote. The Form 51 shall be attached to the Council File as part of the public record.

(f) Members of the City Council shall not be permitted to vote at City Council and committee meetings if they have not completed their required training within 30 days of being seated and to be able to continue voting their required training must be current.

Sec. 243. President and President Pro Tempore.

(a) The Council shall elect one of its members as presiding officer, who shall be called the President of the Council. In case of any vacancy in the office of Mayor pending appointment and qualification of a successor, or in case of unavailability due to sickness, absence from the state, or disability of the Mayor, the President of the Council shall act as Mayor of the City. The President of the Council, while acting as Mayor, shall not lose his or her rights as a member of the Council.

(b) The Council shall elect one of its members "President Pro Tempore" who shall act as presiding officer in the absence of the President of the Council and, in case of vacancy in the office of President of the Council, or in the case of unavailability due to sickness, absence from the state or disability of the President of the Council, shall exercise the powers and duties of the President of the Council under the provisions of this section.

(c) The Council shall provide by ordinance for the succession from among its members to the powers and duties of the President Pro Tempore in case of unavailability due to sickness, absence from the state or disability of the President Pro Tempore, or in the case of a vacancy in that office.

Sec. 244. Quorum and Vote Necessary to Take Action.

Two-thirds of the members of the Council shall constitute a quorum for the transaction of business. Nothing in the Charter shall prevent a smaller number from transacting business by a majority vote of members present to the extent necessary to fill vacancies in the membership of the Council in the manner provided in Article IV, where no quorum can be assembled except by filling the vacancies. Except as otherwise provided in the Charter,

action by the Council shall be taken by a majority vote of the entire membership of the Council; provided, however, that if a majority of the entire membership of the Council votes against a proposed action requiring approval or disapproval, that vote shall constitute Council's disapproval without requiring a separate vote to disapprove. Whenever in the Charter a certain proportion of the Council is required for the performance of any act, it shall mean that proportion of the entire membership of the Council.

SECTION HISTORY

Amended by: Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 245. City Council Veto of Board Actions.

Actions of boards of commissioners shall become final at the expiration of the next five meeting days of the Council during which the Council has convened in regular session, unless the Council acts within that time by two-thirds vote to bring the action before it or to waive review of the action, except that as to any action of the Board of Police Commissioners regarding the removal of the Chief of Police, the time period within which the Council may act before the action of the Board shall become final shall be ten meeting days during which the Council has convened in regular session.

(a) Action by Council. If the Council timely asserts jurisdiction over the action, the Council may, by two-thirds vote, veto the action of the board within 21 calendar days of voting to bring the matter before it, or the action of the board shall become final. Except as provided in subsection (e), the Council may not amend, or take any other action with respect to the board's action.

(b) Waiver. The Council may, by ordinance, waive review of classes or categories of actions, or, by resolution, waive review of an individual anticipated action of a board. The Council may also, by resolution, waive review of a board action after the board has acted. Actions for which review has been waived are final upon the waiver, or action of the board, as applicable.

(c) Effect of Veto. An action vetoed by the Council shall be remanded to the originating board, which board shall have the authority it originally held to take action on the matter.

(d) Exempt Actions. The following actions are exempt from Council review under this section:

(1) actions of the Ethics Commission;

(2) actions of the Board of Fire and Police Pension Commissioners;

(3) actions of the Board of Administration for Los Angeles City Employees Retirement System;

(4) actions of the Board of Administration of Water and Power Employees Retirement Plan;

(5) quasi-judicial personnel decisions of the Board of Civil Service Commissioners;

(6) actions of a board organized under authority of the Meyers-Milias Brown Act for administration of employer-employee relations;

(7) individual personnel decisions of boards of commissioners other than the Board of Police Commissioners; and

(8) actions which are subject to appeal or review by the Council pursuant to other provisions of the Charter, ordinance or other applicable law.

(9) actions of the Independent Redistricting Commission.

(e) Exceptions for Actions of City Planning Commission and Area Planning Commissions. The Council shall not be limited to veto of actions of the City Planning Commission or Area

Planning Commissions, but, subject to the time limits and other limitations of this section, after voting to bring the matter before it, shall have the same authority to act on a matter as that originally held by the City Planning Commission or Area Planning Commission.

SECTION HISTORY

Amended by: Subsec. (d)(9) added, Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 246. Provision of Quarters; Creation of Positions.

Except as to those departments given control of their own revenues or funds, the Council shall provide suitable quarters, equipment and supplies for the various departments and offices of the City government. It shall create the necessary positions in addition to those created by the Charter in those departments and offices, authorize the necessary deputies, assistants and employees, and provide the necessary funds for carrying on the work of the departments and offices. Upon request from any department given control of its own revenues or funds, the Council may assist the department in the performance of its functions with appropriations of money or otherwise.

Sec. 247. Public Improvements.

The City shall have power to provide for public improvements by contract or by the direct employment of labor and purchase of materials. The Council may cause the costs and expenses of the improvements, including any damages to private property caused thereby, to be paid from the General Fund or a special fund of the City, or may make those costs and expenses, including incidental expenses and damages, a lien upon the abutting property, or upon property in districts according to benefits. The Council may establish, by ordinance, an assessment process, the priority of the lien and the method for enforcement, and may levy and collect or cause to be levied and collected assessments upon property according to frontage or upon property in districts according to benefits, to pay the cost of the

improvements. The City may cause to be issued and sold bonds, notes and other evidences of indebtedness, bearing interest, extending over a period not exceeding such time as permitted by state law, to represent any or all the assessments in accordance with requirements and procedures to be established by ordinance.

Sec. 248. Issuance of Housing Revenue Bonds.

In accordance with a procedure established by ordinance, the Council may issue or authorize the issuance of revenue bonds, notes and other evidences of indebtedness from time to time, the proceeds of which may be used for the purpose of acquiring, developing, constructing and rehabilitating, and for the purpose of making loans for the financing or refinancing of the acquisition, development, construction and rehabilitation of, single family and multi-family residential housing developments, including low and moderate-income housing developments and market rate housing developments. The City may cooperate with and receive aid from other agencies of government in accomplishing the purposes described in this section, but shall make no contributions to the payment of interest or principal due on any of these revenue bonds, notes or other evidences of indebtedness, from taxes imposed by the City.

Sec. 249. Ordinances – Enacting Clause.

The enacting clause of all ordinances shall be substantially as follows:

"The People of the City of Los Angeles do ordain as follows:"

Sec. 250. Procedure for Adoption of Ordinances.

(a) Introduction and Passage. No ordinance shall be passed finally on the day it is introduced, but it shall be held over for one week, unless approved by unanimous vote of all the members of the Council present, provided there is not less than three-fourths of all the members present.

(b) Presentation to Mayor. Every ordinance passed by the Council shall, before it becomes effective, be signed by the City Clerk or other person authorized by the Council, and be presented to the Mayor for approval and signature. If the Mayor does not approve the ordinance, the Mayor shall endorse on it the date of its presentation to him or her, and return it to the City Clerk with a written statement of objections to the ordinance. The City Clerk shall endorse on the ordinance the date of its return to him or her. If the Mayor does not approve or veto an ordinance in accordance with this section within ten days after its presentation to him or her, the ordinance shall be as effective as if signed by the Mayor.

(c) Override by Council. The City Clerk shall present the ordinance, with the objections of the Mayor, at the first Council meeting after the Clerk has received the Mayor's objections. The Council may pass any ordinance over the veto of the Mayor within 45 days after the objections of the Mayor are presented to the Council, by two-thirds vote of the Council or by three-fourths vote where two-thirds vote or more was required for passage of the original ordinance.

(d) The authority granted to the City Council under Section 599 (e) to adopt ordinances impacting the Neighborhood Council Plan shall be limited to administrative or ministerial actions necessary to carry out the existing provisions and voter-approved intent of this Article. Such authority shall not include the power to alter, redefine, or diminish the substantive rights, structure, or autonomy of Neighborhood Councils.

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(e) The City Council shall not, by ordinance, resolution, motion, policy, rule, directive, or condition of funding or certification, impose requirements that substantively modify or interfere with:

1. the composition, size, election/selection, qualifications, or tenure of Neighborhood Council governing boards;

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2. the internal governance, bylaws, decision-making processes, or leadership structures of Neighborhood Councils;

3. the authority of Neighborhood Councils to define stakeholder participation consistent with this Article.

(f) In the event of a conflict between this Article and any ordinance, regulation, or administrative rule adopted pursuant to Section 599 (e), the provisions of this Article shall control.

(g) Nothing in this section shall prohibit the City Council from adopting narrowly tailored ordinances necessary to ensure compliance with applicable state or federal law, provided that such ordinances do not exceed what is strictly required for such compliance and do not otherwise infringe upon the autonomy granted to Neighborhood Councils by this Article.

Sec. 251. Publication or Posting of Ordinances.

All ordinances finally adopted under the provisions of the Charter shall be published in the English language at least once in some daily newspaper circulated in the City of Los Angeles, or publicized by some other method authorized by ordinance. No ordinance shall be valid or take effect until that publication or satisfaction of other method authorized by ordinance. As used in the Charter, publication of an ordinance shall mean compliance with this section.

Sec. 252. Effective Date of Ordinances, Orders and Resolutions.

Orders and resolutions shall take effect upon their passage unless requiring Mayoral approval, in which case they shall take effect upon Mayoral approval or override of Mayoral veto. An ordinance shall go into effect 31 days from its publication, except for urgency ordinances adopted pursuant to Section 253, and except for the following ordinances, which shall take effect upon their publication:

(a) an ordinance ordering, or otherwise relating to an election;

(b) an ordinance ordering or otherwise relating to the levying or collection of the annual City taxes;

(c) an ordinance which provides for or changes any of the following with respect to streets, boulevards, alleys, courts or other public places: name, curb lines, grade, improvement, opening, widening, straightening or extension;

(d) an ordinance relating to the construction of sewers or storm drains;

(e) an ordinance relating to the bringing or conduct of suits or actions or the levying or collection of local assessments upon private property for any of the purposes referenced in subsections (c) and (d);

(f) an ordinance relating to the condemnation of lands for parks, boulevards or playgrounds under laws or ordinances providing for the payment of the expense thereof by local assessment upon private property;

(g) an ordinance relating to creating classes of positions, setting salaries, authorizing the employment of personnel or prescribing conditions of employment;

(h) an ordinance establishing pension or retirement benefits in accordance with Article XI of the Charter;

(i) an ordinance making or authorizing any contract, other than an ordinance granting any franchise, right or privilege; and

(j) any ordinance making or authorizing the sale or issuance of bonds of the City or of any district within the City.

SECTION HISTORY

Amended by: Subsec. (h) deleted and Subsecs. (i), (j), and (k) renumbered, Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 253. Urgency Ordinances.

The Council may adopt an urgency ordinance that shall take effect upon its publication. An urgency ordinance may only be adopted if required for the immediate preservation of the public peace, health or safety. Any urgency ordinance shall contain a specific statement showing its urgency, and must be passed by a three-fourths vote of the Council. No grant of any franchise, right or privilege shall ever be construed to be an urgency measure.

Sec. 254. Legislation Pending Before State and Federal Government.

The Council, by resolution, may establish the official position of the City with respect to legislation proposed to or pending before the state or federal government. The resolution shall be subject to veto by the Mayor, and override of the Mayor's veto by a two-thirds vote of the Council. The Council, by ordinance, shall adopt procedures to implement the provisions of this section, which procedures shall set the time periods for Council and Mayoral action.

Neighborhood Councils, regardless of the City's position, may deliver to any governmental agency, inside or outside the City, a statement passed in compliance with the Brown Act at a public meeting at which there is quorum. The City may create and require language to make it clear the Neighborhood Council is speaking for its neighborhood and not for the City as a whole.

CONTROLLER

Sec. 260. Auditor and General Accountant.

The Controller shall be the auditor and general accountant of the City and shall exercise a general supervision over the accounts of all offices, departments, boards and employees of the City charged in any manner with the receipt, collection or disbursement of the money of the City. The Controller shall be elected as provided in Section 202.

Sec. 261. Powers and Duties.

The Controller shall:

(a) appoint assistants, deputies, clerks and other persons as the Council shall prescribe by ordinance;

(b) prescribe the method of keeping all accounts of the offices, departments, boards or employees of the City in accordance with generally accepted accounting principles, except that any change of the system of accounting shall first be authorized by the Council;

(c) regularly review the accounting practices of offices and departments and upon finding serious failings in accounting practices, be empowered to take charge of the accounting function, and thereafter assist the office or department in implementing appropriate accounting standards and practices;

(d) maintain a complete set of accounts which shall be deemed the official books and accounts of the City, which shall show at all times the financial condition of the City, the state of each fund, including funds of departments responsible for managing their own funds, the source from which all money was derived and for what purposes all money has been expended;

(e) in compliance with generally accepted government auditing standards, audit all departments and offices of the City, including proprietary departments, where any City funds are either received or expended; be entitled to obtain access to all records and personnel, including from City contractors and subcontractors that are either expending or receiving City funds, in order to carry out this function; establish an auditing cycle to ensure that the performance, programs and activities of every department are audited on a regular basis, and promptly provide completed audit reports to the Mayor, Council, and City Attorney and make those reports available to the public;

(f) maintain a reconciliation between the accounts in all offices and departments with the accounts in the Controller's office, and from time to time, verify the condition of all City funds in the City Treasury, and report to the Mayor and Council thereon;

(g) allocate among the several respective funds all public money at any time in the City Treasury not otherwise specifically allocated and appropriated by law or ordinance, and promptly notify the Treasurer of the allocation or appropriation;

(h) report to the Mayor and Council, at times established by law, the condition of each fund, and make other reports as the Mayor or Council requests;

(i) maintain each fund on a parity with its obligations at all times by transferring from the Reserve Fund as a loan to any fund which may become depleted through tardy receipt of revenues, and upon receipt of revenues sufficient to make an allocation as will restore each fund to parity, retransfer the amount of the loan to the Reserve Fund;

(j) monitor the level of debt incurred by the City and report periodically to the Mayor and Council on City debt; and

(k) conduct performance audits of all departments and may conduct performance audits of City programs, including suggesting plans for the improvement and management of the revenues and expenditures of the City. Nothing in this subsection shall preclude the Mayor or Council from conducting management studies or other review of departmental operations.

SECTION HISTORY

Amended by: Subsec. (e), Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 262. Approval of Demands on Treasury.

(a) The Controller shall, prior to approval of any demand, make inspection as to the quality, quantity and condition of services, labor, materials, supplies or equipment received by any office or department of the City, and approve before payment all demands drawn upon the Treasury if the Controller has adequate evidence that:

(1) the demand has been approved by every board, officer or employee whose approval is required by the Charter or ordinance;

(2) the goods or services have been provided, except that advance payment may be authorized by ordinance for specified categories of goods and services;

(3) the payment is lawful;

(4) the appropriation for the goods or services has been made;

(5) the prices charged are reasonable;

(6) the quantity, quality and prices correspond with the original specifications, orders or contracts; and

(7) any additional criteria established by ordinance have been satisfied.

(b) Notwithstanding subsection (a), the Controller shall delegate to the various offices and departments the duties of inspection of goods and services and approval of demands,

in accordance with methods for inspection and approval established by the Controller, but the Controller may suspend the authority delegated pursuant to this subsection upon a finding of abuse of that authority or on a determination that the office or department lacks adequate controls to exercise that authority properly. In the event of suspension of the authority delegated pursuant to this subsection, the Controller shall assist the office or department to achieve adequate controls and standards prior to reinstatement of that authority to the office or department.

(c) The Controller shall withhold approval of any demand, in whole or in part, if there is a question as to whether it is improper, illegal, or unauthorized, and immediately file a report with the Mayor and Council stating the objections to the demand. The Council shall promptly consider the report and may overrule or sustain the objections of the Controller.

(d) The Controller shall keep a record of all demands on the Treasury approved by the Controller and of all demands to which objections have been made and overruled.

Sec. 263. Approval of Expenses of Controller.

All demands for the expenses of the office of the Controller shall, before payment, be presented to the Mayor, who shall have the same powers as to approval or disapproval as are exercised by the Controller in the case of other demands. The action of the Mayor shall be subject to review by the Council.

Sec. 264. Reduction of Demand on Treasury.

No demand upon the Treasury shall be allowed by the Controller in favor of any person or entity indebted to the City without first deducting the amount of the indebtedness, to the extent permitted by law.

Sec. 265. Payment of Bonds.

Nothing in this Article shall be construed as interfering with or preventing the payment by the Treasurer of principal and interest on bonds payable by the City in accordance with the California Constitution, laws and ordinances authorizing the issuance and payment of those bonds.

Sec. 266. Periodic Surveys of Proprietary Departments.

(a) The Controller, Council and Mayor shall jointly cause, at least once in every five years, an industrial, economic and administrative survey to be made of the business and property of each of the Harbor, Water and Power and Airports Departments and shall select an independent qualified industrial engineer or organization specializing in such surveys to conduct the survey. The cost of each survey shall be paid for from the funds of the surveyed department.

(b) Each survey shall be made in consultation with the Mayor and City Council to ascertain if the surveyed department is operating in the most efficient and economical manner.

(c) A copy of the report of each survey shall be transmitted to the Mayor, Council, and board of the surveyed department and shall be made available to the public.

CITY ATTORNEY

Sec. 270. Qualifications.

The City Attorney must be qualified to practice in all the courts of the state, and must have been so qualified for at least five years immediately preceding his or her election. The City Attorney shall devote his or her entire time to the duties of the office.

Sec. 271. Powers and Duties.

The powers and duties of the City Attorney shall be as follows:

(a) The City Attorney shall represent the City in all legal proceedings against the City. The City Attorney shall initiate appropriate legal proceedings on behalf of the City.

(b) The City Attorney shall be the legal advisor to the City, and to all City boards, departments, officers, Neighborhood Councils, and entities. The City Attorney shall give advice or opinion in writing when requested to do so by any City officer, ~~or~~ board, or Neighborhood Council president or chair.

(c) The City Attorney shall not limit public interactions for Neighborhood Councils more than it does for the City Council.

(c) The City Attorney shall prosecute on behalf of the people all criminal cases and related proceedings arising from violation of the provisions of the Charter and City ordinances, and all misdemeanor offenses arising from violation of the laws of the state occurring in the City.

(d) The City Attorney shall approve in writing the form of all surety or other bonds required by the Charter, or by ordinance, before the bonds are submitted to the proper body, board or officer for final approval, and no such bond shall be approved without approval as to form by the City Attorney. Except as otherwise provided in the Charter, the City Attorney shall approve in writing the form of all contracts before the contracts are entered into by or on behalf of the City.

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(e) The City Attorney shall keep records of all actions and proceedings in which the City or any officer or board is an interested party, and copies of all written opinions given by the City Attorney's office. The City Attorney shall comply with all requests for information from the Mayor or Council, and shall report on a regular basis to the Mayor and Council on all matters of litigation, in a form and at times specified by ordinance. In all litigation involving potential financial liability of the City, the City Attorney shall keep the Mayor and Council informed as to the status and progress of litigation.

(f) Notwithstanding any other provision of the Charter, in the course of investigating any violations of state or local law that the City Attorney has authority to enforce, the City Attorney shall have the power to subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence, require the production of any books, papers, records or other items, and require responses to written interrogatories relevant to the investigation, except that the powers granted by this subsection shall not include the power to investigate City offices, departments, officers, or employees or to compel the production of documents or testimony from City offices, departments, officers, or employees. The Chief of Police, or other officer designated by ordinance, shall cause all such subpoenas or other written orders to be served. The Council shall prescribe by ordinance suitable penalties for disobedience of subpoenas, and the refusal of witnesses to testify, produce evidence, or respond to written interrogatories.

SECTION HISTORY

Amended by: Subsec. (f) added, Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 272. Control of Litigation.

The civil client of the City Attorney is the municipal corporation, the City of Los Angeles. The City Attorney shall defend the City in litigation, as well as its officers and employees as provided by ordinance. The City Attorney may initiate civil litigation on behalf of the City or the People of the State of California, and shall initiate civil litigation on behalf of the City when requested to do so by the authority having control over the litigation as set forth below. The City Attorney shall manage all litigation of the City, subject to client direction in

accordance with this section, and subject to the City Attorney's duty to act in the best interests of the City and to conform to professional and ethical obligations. In the course of litigation, client decisions, including a decision to initiate litigation, shall be made by the Mayor, the Council, or boards of commissioners in accordance with this section. However, the decision to settle litigation shall be made in accordance with Section 273.

(a) Council. The Council shall make client decisions in litigation involving matters over which the Charter gives the Council responsibility.

(b) Mayor. The Mayor shall make client decisions in litigation involving matters over which the Charter gives the Mayor responsibility.

(c) Boards. The boards of the Proprietary Departments, the Ethics Commission, the Board of Fire and Police Pension Commissioners, the Board of Administration of the Los Angeles City Employees' Retirement System, the Board of Administration of the Water and Power Employees' Retirement System, and the Independent Redistricting Commission shall make client decisions in litigation exclusively involving the policies and funds over which the Charter gives those boards control.

(d) Interpretation of Section. The City Attorney shall have the authority to make the determination regarding who is authorized to make client decisions on behalf of the City in accordance with the principles of this section and accepted principles of representation of municipal entities.

SECTION HISTORY

Amended by: Subsec. (c), Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 273. Settlement of Litigation.

(a) Boards. The boards of the Proprietary Departments, the Ethics Commission, the Board of Fire and Police Pension Commissioners, the Board of Administration of the Los Angeles City Employees' Retirement System, the Board of Administration of the Water and Power Employees' Retirement System, and the Independent Redistricting Commission shall have the authority to approve or reject settlement of litigation exclusively involving the policies and funds over which the Charter gives those boards control. The settlement of all other litigation shall be in accordance with subsections (b) and (c) of this section.

(b) Settlements Involving Only Money Damages.

(1) The Mayor shall have authority to approve or reject settlements involving only the payment or receipt of money damages not exceeding an amount set by ordinance, and shall make client decisions with respect to settlement of such litigation. The Mayor may delegate this authority to the City Attorney.

(2) A claims board comprised of the Mayor as chair, the President of the Council and the City Attorney, or their designees, shall have the authority to approve or reject settlement of litigation involving only the payment or receipt of money damages exceeding the amount that is within the Mayor's authority under the preceding subsection, and below an amount set by ordinance. The claims board shall make client decisions with respect to settlement of such litigation.

(3) The Council shall have the authority to approve or reject settlement of litigation that involves only the payment or receipt of money damages exceeding the amount that is within the authority of the claims board under the preceding subsection, subject to veto of the Mayor, and Council override of the Mayor's veto by a two-thirds vote of the Council. The Council shall make client decisions with respect to settlement of such litigation. The claims board shall make recommendations to the Council concerning settlement of litigation within the scope of this subsection.

(c) Other Settlements. The Council shall have the authority to approve or reject settlement of litigation that does not involve only the payment or receipt of money, subject to veto of the Mayor, and Council override of the Mayor's veto by a two-thirds vote of the Council.

SECTION HISTORY

Amended by: Subsec. (a), Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 274. Employment of Assistants.

The City Attorney may appoint assistants, deputies, clerks and other persons as the Council shall prescribe by ordinance. Each Assistant City Attorney must, at the time of appointment, be qualified to practice in all courts of the state and must have been so qualified for at least two years immediately preceding the appointment. Employment in the City Attorney's office shall be subject to Section 1050 of Article X of the Charter.

Sec. 275. Employment of Other Legal Counsel.

Upon recommendation of a board enumerated in Section 272(c), and the written consent of the City Attorney, the City may contract with attorneys outside of the City Attorney's Office to assist the City Attorney in providing legal services to that department. The City may otherwise contract with outside legal counsel to assist the City Attorney in the discharge of his or her duties under the Charter only upon written approval of the Council and the City Attorney, and consistent with budgetary appropriations.

CITY CLERK

Sec. 280. Appointment and Removal.

The City Clerk shall be appointed and removed by the Mayor, subject in both appointment and removal to confirmation by the Council.

Sec. 281. Powers and Duties.

(a) The City Clerk shall be the custodian of the City seal, the City ordinances, contracts, records, including a complete record of the real estate holdings of the City, and other City documents entrusted to the Clerk's care.

(b) The City Clerk shall keep all ordinances, contracts, records and documents properly indexed and, when not in actual use, open during regular office hours to public inspection.

(c) The City Clerk shall be present at each meeting of the Council and keep a record of its proceedings.

(d) The City Clerk shall administer all oaths and affirmations except as otherwise provided by the Charter.

(e) The City Clerk shall superintend elections as provided in the Charter.

(f) The City Clerk shall devote his or her entire time to the duties of the office.

(g) The City Clerk shall keep a record and have custody of all official bonds, and place and renew all corporate surety bonds of officers or employees provided that the reliability of corporate sureties has been approved by the Council.

(h) The City Clerk shall perform duties related to the Independent Redistricting Commission as provided in the Charter and by ordinance.

SECTION HISTORY

Amended by: Subsec. (h) added, Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Sec. 290. Appointment and Removal; Qualifications; Assistants.

The City Administrative Officer shall be appointed and removed as provided in Section 508. The City Administrative Officer shall have administrative and executive ability as demonstrated by five years experience at the executive or administrative level within ten years immediately preceding appointment to the position of City Administrative Officer. The City Administrative Officer may appoint and remove as many assistants as may be authorized by the Charter and ordinance.

SECTION HISTORY

Amended by: Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 291. Powers and Duties.

The City Administrative Officer shall have the power and duty to:

(a) keep the Mayor and the Council advised of the condition, finances and future needs of the City, and make recommendations as are appropriate;

(b) assist in the preparation of the annual budget in accordance with policies prescribed by the Mayor;

(c) develop work programs and standards required in the proper planning of the budget;

(d) prepare reports on revenue and costs and, throughout the year, conduct studies and investigations that will assist in the preparation of the budget;

(e) assist the Council in the review of the proposed budget;

(f) assist the Mayor and Council in the consideration of any appropriations subsequent to the adoption of the budget, as set forth elsewhere in the Charter;

(g) plan and direct a system of budgetary administration to assure the proper and effective expenditure of funds;

(h) subject to the approval of the Mayor, prescribe rules and standards governing the matters under the jurisdiction of the Office of the City Administrative Officer with which all officers and departments of the City must comply;

(i) as part of budget planning, the CAO shall prepare a four-year budget outlook that compares projected revenues to projected expenditures in order to identify trends and potential future pressures. The four-year budget outlook shall reflect realistic anticipated raises for City employees.

(j~~i~~) furnish the Mayor or Council aid, information or recommendation as requested in writing by the Mayor, the Council, or Council Committee; and

(k~~j~~) perform other duties assigned to the office in the Charter.

Except as provided in Section 292, the powers and duties of the City Administrative Officer set forth in this section shall not apply to the Proprietary Departments.

OFFICE OF TRANSPARENCY AND ACCOUNTABILITY

Sec. 295. Creation and Powers and Duties

1. Composition and Appointments

A Board comprised of five members, each member serving a four-year, staggered term. A member of the Board must not be currently or previously employed by the City or another governmental entity, be a current or previously elected official other than Neighborhood Council, be a registered lobbyist, or be a current or previous member or employee of a labor union that represents City employees for the previous ten years before appointment.

The first Office of Transparency and Accountability is established as follows:

(a) two members appointed by the Mayor;

(b) one member appointed by the chair of the City Council Budget and Finance Committee;

(c) One member appointed by the Ethics Commission

(d) one member appointed by the City Controller;

The City Council does not approve the appointments to maintain the independence of the Office.

The Board appoints an Executive Director who serves an eight-year term and who hires approximately ten staff members ranging from the economy and public policy to information technology. The Executive Director shall have demonstrated financial expertise.

Subsequent board members and Executive Directors are selected by the Board.

Board members and the Executive Director shall

(1) reside in the City of Los Angeles

(2) complete a Form 700 before entering the position, annually, and when leaving the position

Board members, the Executive Director, and staff shall

(1) disclose at each meeting their ex parte communications

2. Removal

The Office may remove a board member or Executive Director for substantial neglect of duty, gross misconduct in office, inability to discharge the duties of office, failure to comply with the Office's eligibility requirements and restrictions described in Section 295, unexcused absences, or failure to abide by transparency requirements. Removal under this provision requires a vote of 60% of the members of the board after providing the member notice of a public hearing and an opportunity to respond in writing and at the public hearing. The removed member may appeal the Commission's decision to the City Ethics Commission.

3. Powers and Duties

The Office of Transparency and Accountability is an independent watchdog. The office serves as the people's financial guardian, reviewing contracts, authorizations for expenditures, scrutinizing expenditures and sounding the alarm when the numbers stop adding up.

The Office of Transparency and Accountability shall have the power and duty to:

(a) Analyze and report on the City's budget;

(b) Analyze any new piece of legislation that has a potential impact on jobs or City revenues;

(c) Take a proactive role in examining existing issues and service standards in city government;

(d) Measure outcomes of City programs and services;

(e) Take other actions under its mandate to provide real-time status that will help open the lines of communication between the electorate and their elected officials;

(f) The Office of Transparency and Accountability is a truth-telling body that operates independently of elected officials and provides unbiased facts to the public;

(g) Hire independent legal counsel when needed;

(h) The Office may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the commission's duties or exercise of its powers.

The Office of Transparently shall have a protected budget of $3 million that is adjusted annually based on the cost of living in the prior year. However, adjustment to the Office's annual budget based on the cost of living the prior year is not required in the event of a declared fiscal emergency.

SECTION HISTORY

Amended by: Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 292. Administrative Management Research.

The City Administrative Officer shall conduct research in administrative management for the improvement of the organization, policies and practices of all appointed offices, departments and other agencies of City government, including, without limitation, the Proprietary Departments, for the purpose of evaluating programs and developing performance measures concerning the duties of the various positions, the methods and the standards of efficiency. The City Administrative Officer shall recommend to the Mayor, Council and the respective departments and agencies those changes that will promote economy and efficiency in the conduct of City government.

SECTION HISTORY

Amended by: Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 293. Additional Responsibilities.

Notwithstanding Section 213, additional responsibilities related to management-employee relations or other responsibilities that are not the responsibility of other departments, offices and commissions may be assigned to the Office of the City Administrative Officer by ordinance. Responsibilities of other departments, offices and commissions may be transferred to the Office of the City Administrative Officer only pursuant to Section 514.

SECTION HISTORY

Amended by: Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

ARTICLE III
FINANCE, BUDGET AND CONTRACTS

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OFFICE OF FINANCE

Sec. 300. Director of Finance; Powers and Duties of Office.

The chief administrative officer of the Office of Finance shall be the Director of Finance, who shall be appointed and removed as provided in Section 508. The Office of Finance shall have the power and duty to:

(a) develop and implement the City's revenue policy consistent with the Charter and ordinance, and develop guidelines for the collection of outstanding receivables;

(b) collect revenues and issue those licenses, permits and tax registration certificates not issued by the City officers or departments; and

(c) make recommendations to the Mayor and Council concerning the efficient organization of the revenue collection functions performed by City offices and departments.

Sec. 301. Treasury; Treasurer.

The official depository of the City shall be known as the City Treasury, which shall be under the direction and control of the Treasurer who shall be appointed and removed by the Mayor, subject in both appointment and removal to confirmation by the Council.

The Treasurer shall have the following powers and duties:

(a) The Treasurer shall be the custodian of all money deposited in the City Treasury. Money in the Treasury shall only be paid out upon the presentation of warrants or other forms of communication prescribed by the Controller, after demands for payment have been approved by the Controller in the manner provided elsewhere in the Charter or by ordinance, except that no warrants shall be required for payment of the principal and interest of bonds or other evidence of indebtedness payable by the City when due.

(b) When warrants presented to the Treasurer have all the signatures required by law, and are countersigned by the Controller, those signatures shall be prima facie evidence of the legality of the warrants. The Treasurer may, in the event of the authenticity of any warrant being questioned, fully investigate and satisfy himself or herself regarding the authenticity before paying.

(c) The Treasurer shall transmit to the Controller, at the end of each business day, a detailed statement showing the receipts and disbursements credited or debited to each fund or account.

(d) The Treasurer shall, at the end of each fiscal year, submit to the Mayor and Council a detailed statement of the receipts, disbursements and balances of the Treasury.

(e) The Treasurer shall be the custodian of all securities bought by the City. Upon sale of any bonds by the City, the Treasurer shall deliver the bonds, receive and credit the proceeds to the proper fund or accounts, and report the action to the Council.

(f) The Treasurer shall assist any officer of the City who is authorized by the Charter or ordinance to inspect the records and deposits in the Office of the Treasurer to make an inspection.

(g) The Treasurer shall perform those duties imposed upon City treasurers by any law of the state applicable to the City, and shall furnish a bond for the faithful performance of duties.

(h) The Treasurer shall assist the Controller and outside auditors as requested in the audits of the City's finances.

Sec. 302. Funds.

All money paid into the City Treasury shall be credited to and kept in separate funds in accordance with the provisions of the Charter, ordinance or other applicable law. In addition to funds established elsewhere in the Charter for departments controlling their own funds, the following funds are hereby established: General Fund, Reserve Fund, and bond funds, interest funds, sinking funds, trust funds and other funds as may be required by law or ordinance.

(a) The General Fund is established as a medium of control of and accounting for municipal activities other than activities authorized or contemplated by special funds. All revenues and receipts which are not by law or Charter pledged or encumbered for special purposes shall be credited to the General Fund.

(b) The Reserve Fund shall include funding for unanticipated expenditures and revenue shortfalls in the City's General Fund. It shall include two accounts within the fund, the Contingency Reserve Account and the Emergency Reserve Account.

(1) Contingency Reserve Account: The Contingency Reserve Account shall include all monies in the Reserve Fund over and above the amount required to be allocated to the Emergency Reserve Account pursuant to subsection (b)(2) of this Section.

(2) Emergency Reserve Account Allocation: The City Council shall annually allocate an amount to the Emergency Reserve Account of the Reserve Fund that shall bring the balance in that account to not less than two and three-fourths (2 3/4) percent of all General Fund receipts anticipated for that fiscal year in the adopted budget.

(3) Accessing Reserve Fund:

(i) The Contingency Reserve Account will be the source of additional funding needed as a result of unanticipated expenditures and revenue shortfalls. The City Council shall, by ordinance, establish policies for the use of the Contingency Reserve Account.

(ii) Transfers from the Emergency Reserve Account of the Reserve Fund shall require approval by a two-thirds vote of the City Council with the concurrence of the Mayor, or, in the event of a Mayoral veto, by a three-fourths vote of the City Council. Concurrent with the transfer, the City Council shall make a finding of urgent economic necessity. The basis on which a finding of urgent economic necessity may be made includes, but shall not be limited to, a significant economic downturn after the budget is adopted, a natural disaster, such as an earthquake, civil unrest, or other significant unanticipated events requiring the expenditure of General Fund resources.

(4) Restoration of Emergency Reserve Account: Except as provided in subsection (b)(5), whenever the City utilizes monies in the Emergency Reserve Account pursuant to subsection (b)(3)(ii) of this Section, the City shall, in the subsequent fiscal year, restore to the Emergency Reserve Account the amount expended therefrom as part of the annual allocation required by this Section to bring the balance in that account to not less than two and three-fourths (2 3/4) percent of all General Fund receipts anticipated for that fiscal year in the adopted budget.

(5) Suspension of Emergency Reserve Account Restoration: In the event of a catastrophic event which requires use of the Emergency Reserve Account spanning more than one fiscal year, the City Council may, by a two-thirds vote with the concurrence of the Mayor or, in the event of a Mayoral veto, by a three-quarters vote, temporarily suspend the requirements of subsection (b)(4) herein; provided, however, that concurrent with the action of the City Council to suspend the requirement, the City Council adopts findings detailing the necessity for continued access to the Emergency Reserve Account and setting forth a date on which the requirements of Section (b)(4) shall be reinstated. Transfers of funds from the Emergency Reserve Account during the time to which the suspension of the requirement to restore such monies applies shall not be required to be restored.

(6) Temporary Transfers: Nothing herein shall prohibit temporary transfers of funds from the Contingency Reserve Account or Emergency Reserve Account as otherwise authorized by City Charter Section 340.

(7) Nothing herein shall be construed as applying to, or limiting, the provisions of Charter Section 231(i) or any other provisions of this Charter, State statute or City ordinance relative to Emergency Declarations.

(c) A Budget Stabilization Fund shall be established by ordinance within the City Treasury. Requirements for funding and transfers or expenditures to be made therefrom shall be established by ordinance.

SECTION HISTORY

Amended by: Charter Amendment P § 1, approved March 8, 2011, effective April 8, 2011.

Sec. 303. Investments.

(a) The Treasurer may deposit the money held in the Treasury in the institutions and upon terms provided by law.

(b) Notwithstanding other provisions of the Charter, the boards of the Proprietary Departments, and of the Departments of Recreation and Parks and Library may grant to the Treasurer the authority to combine money in funds under their respective control with other City money for the purpose of investment. Earnings from the investment of the money of these departments shall be paid by the Treasurer to the department fund from which the money was derived in proportion to the share of the total investment supplied by that fund. The computation of the proportionate shares shall be by a method proposed by the Treasurer, subject to the approval of each of the above boards.

GENERAL BUDGET

Sec. 310. Fiscal Year.

The fiscal year of the City shall begin on July 1 of each year and shall end on June 30 of the following year.

Sec. 311. Budget Estimates to Mayor; Statement of Budget Priorities.

(a) At the time the Mayor prescribes, but not later than January 1 of each year, each board or officer at the head of any department or office, or other City governmental activity, other than those departments having control of their own funds, shall submit to the Mayor, with copies to the Council and the City Administrative Officer, on forms and in the manner prescribed by the Mayor, a detailed estimate of the money required for the next fiscal year for the proper operation of their departments and offices. These estimates shall contain uniform budget classifications and shall clearly set forth the functions performed and the items and services required for such performance. Summaries, schedules and supporting data shall be attached to the estimates. Any department head or officer requesting an increase over the prior year's appropriation shall indicate which

classifications need the increase and rank the order of immediate need for each classification. After consultation with an officer or head of a department, the Mayor may refer the estimate back with instructions to prepare a revised estimate on the basis of a maximum sum for the department, office or activity, that maximum sum to be fixed by the Mayor, or with further qualification as the Mayor shall determine. The officer or head of department shall present the revised estimate to the Mayor, with a duplicate to the Council and to the City Administrative Officer, at a date fixed by the Mayor.

(b) Neighborhood Councils shall submit to the Mayor, in the same timeframe as the City departments, their budget request for the following year. The two at-large Board of Neighborhood Commissioners appointed by the Neighborhood Councils shall be a single point-of-contact for the Neighborhood Council budget and shall organize the requests of the Neighborhood Councils into a single request for the Mayor's consideration.

(b) On or before February 1, the Mayor shall publish his or her budget priorities for the next fiscal year in order to facilitate public comment.

(c) On or before March 1 of each year the Controller shall submit to the Mayor, with a duplicate to the Council and to the City Administrative Officer, a detailed statement of the money that the Controller estimates will be required for the interest and sinking funds and for all outstanding bonded indebtedness and other lawful obligations of the City or of special districts and an estimate of the revenue to be derived from fines, licenses and other sources.

SECTION HISTORY

Amended by: Subsecs. (a) and (c), Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 312. Mayor's Proposed Budget.

On or before April 20 of each even year, the Mayor shall submit to the Council a budget for the next ensuing two fiscal years setting forth in summary and in detail:

(a) estimates of the expenditures and appropriations necessary for the support of the required work programs of the City government for the ensuing fiscal year, including interest and sinking funds or payments of principal on the bonded indebtedness of the City and of special districts;

(b) detailed estimates of the receipts of the City during the ensuing fiscal year, under laws existing at the time the budget is transmitted, and also under the revenue proposals, if any, contained in the budget;

(c) the expenditures and receipts of the City government during the last completed fiscal year;

(d) estimates of the expenditures and receipts of the City government during the fiscal year in progress;

(e) the amount of annual, permanent or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of June 30 of such year;

(f) balanced statements of:

(1) the condition of the Treasury at the end of the last completed fiscal year;

(2) the estimated condition of the Treasury at the end of the fiscal year in progress; and

(3) the estimated condition of the Treasury at the end of the ensuing fiscal year in case the financial proposals contained in the budget are adopted.

(g) all essential facts regarding the bonds, notes and other lawful obligations of the City;

(h) other financial statements and data necessary or desirable in order to make known in all practical detail the financial condition of the City government;

(i) an Unappropriated Balance, which shall be available for appropriations later in the ensuing fiscal year to meet contingencies as they arise; and

(j) a statement of resources of the Reserve Fund which shall be carried over to the next ensuing fiscal year to meet the cash requirements of the City for the portion of the next ensuing fiscal year prior to the receipt of taxes, or for appropriations to the Unappropriated Balance as provided in the Charter. The Reserve Fund shall be maintained at a minimum of 5% of the total budget. The Reserve Fund shall only be drawn upon during a declared emergency and may not be used to balance the rest of the budget.

(j) During budget challenges, the percentage of Neighborhood Councils budget reductions shall not be greater than that of the office of the Mayor. When the Mayor's office budget is restored after the budget challenge, the Neighborhood Councils budgets are similarly restored.

Sec. 313. Council Consideration of Budget.

After receiving the budget submitted by the Mayor, and prior to taking action on the budget, the Council shall hold a noticed public hearing. On or before June 1, the Council shall:

(a) approve the budget as submitted by the Mayor; or

(b) modify the budget by disapproving in whole or in part any items, or by increasing or decreasing any item, or by adding new items, and return the budget as modified by the Council to the Mayor. Any action taken by the Council under this section shall be taken by a majority vote of its members.

Upon failure of the Council to return the budget to the Mayor as provided in this section, the budget as submitted by the Mayor to the Council shall be signed by the City Clerk and thereupon become the general City budget for the ensuing fiscal year.

Sec. 314. Mayor's Veto.

The budget as adopted by the Council shall not be held for reconsideration but shall be promptly transmitted by the City Clerk to the Mayor upon whose approval and signature it shall become effective. If the Mayor shall fail to act upon the budget within five days, excluding Saturdays, Sundays and legal holidays, after its adoption by the Council, it shall be signed by the City Clerk and shall thereupon become effective. If the Mayor disapproves of any increase, decrease, omission or insertion of any item of the budget by the Council, the Mayor may veto, restore or otherwise change any item to the amount originally proposed by the Mayor or to any amount between that originally proposed by the Mayor and that adopted by the Council. The Mayor, however, shall have no power to change any description or limitation made applicable to an item by the Council, except to veto the change or to restore the description or limitation to the condition originally proposed by the Mayor. Upon completion of these changes, the Mayor shall within the five day period return the budget to the Council with a statement of action taken.

Sec. 315. Council Consideration of Mayor's Veto Message; Final Adopted Budget.

Upon receipt by the Council of the budget veto message from the Mayor, the Council shall have five days, excluding Saturdays, Sundays and legal holidays, within which to overcome the action of the Mayor relative to any item or items of the budget. Any item or items of the budget which shall have been vetoed, or otherwise changed by the Mayor, and which shall not be, by a two-thirds vote of all of the members of the Council, either readopted notwithstanding the objections of the Mayor or changed to an amount between that as originally adopted by the Council and that as changed by the Mayor, shall remain as modified by the Mayor.

Where the Mayor has changed any description or limitation applicable to an item, the Council, in its action pursuant to this section, shall have no power to alter the description or limitation other than to restore it to the condition in which it was originally adopted by the Council.

Upon the expiration of the Council's five day period, or sooner if the Council by majority vote so directs, the budget as returned by the Mayor, and to the extent modified thereafter by the Council, shall become the general City budget for the ensuing fiscal year and shall not be held for reconsideration but shall be promptly transmitted to the City Clerk, signed by the City Clerk and filed in the office of the Controller.

EXPENDITURES

Sec. 320. Expenditure Programs.

Each office and department provided for in the general City budget, and the Departments of Library and Recreation and Parks to the extent that they are assisted by appropriations from the General Fund, shall have authority to expend, in the manner provided by other provisions of the Charter, ordinance, and other applicable law, the funds appropriated for its support during the ensuing fiscal year, but only in accordance with a program of planned expenditures which shall be prepared, filed and modified from time to time, as provided by law. No department, bureau, or office of the City government shall make expenditures or incur liabilities in excess of the amount appropriated therefor.

Sec. 321. Capital Infrastructure Planning.

The Mayor shall direct the departments to jointly create a five-year capital infrastructure plan that includes a list of needs, an estimated cost for remedying each need that can be started within the next five years, a planned start date, and a planned end date. This plan shall include emergency infrastructure. The Mayor's office shall oversee and manage the development of this plan.

The five-year capital infrastructure plan shall include deferred maintenance and new capital expenditures.

The five-year capital infrastructure plan shall be updated bi-annually.

SECTION HISTORY

Amended by: Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

DEBT

Sec. 325. Debt Impact Statements.

Prior to the adoption of any ordinance or resolution authorizing the incurring of any indebtedness by the City or the placing of any debt authorization on the ballot, the Mayor and Council shall have prepared a debt impact statement. The debt impact statement shall analyze the effect of the new debt on the City's finances and indicate the amount of additional funds required to be budgeted for debt service.

TAXATION

Sec. 330. Use of County System of Assessment and Taxation.

Until otherwise provided by ordinance, the City shall continue to use, for purposes of municipal taxation, the county system of assessment and tax collection. Should the City resume the work of assessment and tax collection, the procedure shall be fixed by ordinance and, so far as applicable, shall be substantially the same as provided at the time by law for county taxes in the County of Los Angeles.

Sec. 331. Tax Levy.

Not earlier than the month of June, but not later than the last day of the month in which the statement of property valuations within the City as required by law is received, the Council shall adopt an ordinance levying upon the assessed valuation of the property in the City, in accordance with the provisions of law, a rate of taxation upon each one hundred dollars ($100) of valuation, which, with the amounts, if any, transferred from the Reserve Fund in or for the current fiscal year subsequent to the adoption of the annual budget and the amount estimated to be received from fines, licenses and other sources of revenue, will be sufficient to raise the amount appropriated in the annual budget.

Sec. 332. Tax Levy – Alternate Method.

If the Council fails to levy a rate of taxation at the time and in the manner provided by the Charter, the Controller shall add to the budget the amount required to meet maturing portions of principal and interest on the bonded indebtedness of the City and of special districts in the City, and any special taxes lawfully imposed, and shall calculate a rate of taxation as provided in Section 331, not exceeding the limit provided by law. The Controller shall give public notice of the rate of taxation by publication in a newspaper of general circulation in the City or by other means provided by ordinance, and the tax rate calculated by the Controller shall be the rate of taxation of the City. The Controller is hereby vested with all necessary legislative power to carry out the provisions of this section.

TRANSFERS

Sec. 340. Transfers Between Funds; Temporary Transfers.

(a) It shall not be lawful to transfer money from one fund to another or to use the money in one fund in payment of demands upon another fund, except in the case of the Unappropriated Balance and the Reserve Fund, or except as specifically provided in the Charter.

(b) Notwithstanding subsection (a), the Treasurer and the Controller, when authorized and directed by the Council by resolution, shall make temporary transfers, in accordance with procedures established by law, from the funds of the City as may be necessary to provide funds for meeting obligations of the City. The amount of any temporary transfers shall not at any one time exceed 85% of the ad valorem property taxes accruing to the City, shall not be made after the last Monday in April of the current fiscal year, and shall be replaced from the taxes accruing to the City before any other obligation of the City is met from those taxes.

Sec. 341. Transfers from Reserve Fund; Appropriations from Unappropriated Balance.

Transfers may be made from the Reserve Fund after adoption of the annual budget to meet in whole or in part any appropriated item of the annual budget, or may be made to the General Fund or the Unappropriated Balance. These transfers and any appropriations from the Unappropriated Balance may be made after adoption of the budget, as follows:

(a) upon recommendation of the Mayor, approved by a majority vote of the Council;

(b) upon a majority vote of the Council, subject to the approval of the Mayor, or passage by the Council over the Mayor's veto by a two-thirds vote.

If any order making a transfer or appropriation is not returned to the City Clerk by the Mayor for presentation to the Council, with objections in writing, within ten days after it has been presented, it shall become effective and be as valid as if the Mayor had approved and signed it.

Sec. 342. Transfers of Appropriated Funds.

Funds appropriated in the general City budget or thereafter by the Council for expenditure by any officer, board or department may be transferred to the Reserve Fund or the Unappropriated Balance, or appropriated for the same or other purposes by other authorized officers, boards or departments and the budget or other spending authority amended accordingly:

(a) for transfers not in excess of an amount established by ordinance, on the approval of the Mayor, provided that the Mayor shall give notice of such transfer at the time it is made to the City Clerk who shall notify the President of the Council, the Controller and the City Administrative Officer of the transfer;

(b) for transfers in excess of an amount established by ordinance, on the approval of the Mayor and a majority vote of the Council; or

(c) for transfers in excess of an amount established by ordinance, on the majority vote of the Council, subject to the approval of the Mayor, or passage by the Council over the Mayor's veto by a two-thirds vote.

If any order making a transfer is not returned to the City Clerk by the Mayor, for presentation to the Council, with objections in writing, within ten days after it has been presented, it shall become effective and be as valid as if the Mayor had approved and signed it.

SECTION HISTORY

Amended by: Subsec. (a), Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 343. Intra-Departmental Transfer.

(a) Departments Not Controlling Their Own Funds. The head of any department not having control of its own funds may make application in writing to the Mayor for a transfer of amounts from one appropriated item to another in the budget allowance of the department or to a new item created after adoption of the annual budget. On the approval of the Mayor, the Controller shall make the transfer, but no transfer of an amount exceeding either thirty-five thousand dollars ($35,000) or other amount established by ordinance shall be made unless approved by a majority vote of the Council. Notwithstanding the above, for transfers within the Council's budget, the President of the Council shall be authorized to approve transfers.

(b) Departments Controlling Their Own Funds. The general manager of any department having control of its own funds may make application in writing to the board having control and management over the department for a transfer of amounts from one budget item to another in the annual budget of the department, or to a new item created after adoption of the annual budget. On the approval of the board, the Controller shall make the transfer, but no transfer of an amount exceeding thirty-five thousand dollars ($35,000) or other amount established by ordinance shall be made unless approved in writing by the Mayor.

(c) Increase in Limit. The monetary limitations of thirty-five thousand dollars ($35,000) in subsections (a) and (b) above shall commence at the beginning of the City's 1999-2000 fiscal year and shall be subject in subsequent fiscal years to an annual adjustment at the beginning of the fiscal year based upon the Consumer Price Index for all urban consumers for the Los Angeles area published by the United States Department of Labor, Bureau of Labor Statistics.

(d) Notice. At the time any transfer of funds pursuant to this section is made, the authority approving the transfer shall give notice to the City Clerk, who shall notify the President of the Council, the Controller and the City Administrative Officer of the transfer.

SECTION HISTORY

Amended by: Subsec. (d), Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 344. Transfer of Surplus to Reserve Fund.

(a) At the close of each fiscal year, the Controller and Treasurer shall transfer all surplus money remaining in each fund over and above the amount of outstanding demands and liabilities payable out of the fund to the Reserve Fund, except surplus money in the several bond funds, interest and sinking funds, trust funds, pension and retirement funds, Harbor Revenue Fund, Library Fund, Recreation and Parks Fund, Power Revenue Fund, Water Revenue Fund, Airport Revenue Fund and other funds as provided by the Charter or ordinance. The Council may, by ordinance, direct that surplus money in the Harbor Revenue Fund, the Power Revenue Fund or the Water Revenue Fund be transferred to the Reserve Fund with the consent of the board in charge of the fund, but not otherwise. Surplus money may be transferred from the Airport Revenue Fund only as provided in Section 635.

(b) The Council may, by ordinance, direct that a transfer be made to the Reserve Fund from surplus money in the Water Revenue Fund or Power Revenue Fund with the consent of the Board of Water and Power Commissioners (the "Board"), as provided in this section.

(1) For purposes of this section, surplus in the Water Revenue Fund or Power Revenue Fund shall be defined as the amount remaining in the Water Revenue Fund or Power Revenue Fund, less outstanding demands and liabilities payable out of the fund, at the end of the fiscal year prior to the fiscal year in which the transfer is to be made, as shown by audited financial statements.

(2) Through the process provided in this section, the Board may withhold its consent to make the transfer in whole or in part if, despite the existence of a surplus as defined herein, it finds that making the transfer would have a material negative impact on the Department's financial condition in the year in which the transfer is to be made.

(3) By no later than November 30 of each year, the Board shall be presented with audited financial statements for the prior fiscal year. Based upon the audited financial statements for the prior fiscal year and budget status information for the current fiscal year, the Board shall, by December 31 of each year notify the Council and Mayor that the Board has (i) approved that the transfer be made in full, (ii) approved that the transfer be made in part, or (iii) decided that the transfer not be made in whole or in part. In the event that no approval of the transfer in full has been made by the date of notification, the Board shall provide the City Council and Mayor with (i) a detailed explanation of the basis therefor and all supporting financial information, and (ii) a preliminary assessment on the feasibility of making the transfer or the remaining portion of the transfer, as the case may be, by the end of the current fiscal year, which preliminary assessment shall be accompanied by a detailed explanation of its basis and all supporting financial information.

(4) In the event that the Board notifies the City that it will be unable to make the transfer in whole or in part because it will have a material negative impact on the Department's financial condition in the year in which the transfer is made, the City Administrative Officer shall verify the Department's findings and report to the Mayor and City Council concurrently, by no later than February 28, with that office's findings and recommendations. The Board shall after receiving the report from the City Administrative Officer and consultation with the Council and Mayor, act to either amend or uphold the Board's preliminary findings.

(5) Any transfer made shall be consistent with any applicable contractual obligations.

SECTION HISTORY

Amended by: Charter Amendment J § 2, approved March 8, 2011, effective April 8, 2011.

CLAIMS

Sec. 350. Claims Against City.

(a) Claim Required. No suit shall be brought on any claim for money or damages against the City, or any officer or board of the City, until a claim has been filed with the City Clerk, and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Claim procedures and requirements shall be governed by state law or ordinance not inconsistent with state law. Except in those cases where a shorter period of time is otherwise provided by state law, all claims for damages against the City must be presented within six months for personal injury and within one year for property damage after the occurrence from which the damages arose, or after the last item of the account or claim accrued.

(b) Action on Claim. In all cases, the claim shall be approved or rejected in writing and the date given. Failure to act upon any claim within 45 days from the date the claim is filed with the City Clerk or, if amended, within 45 days after the amended claim is filed with the City Clerk, or within any greater period provided by state law, shall be deemed to be a rejection.

(c) Applicability. The requirements of this section shall not apply to claims for payment upon presentation and surrender of any bonds, notes or other evidences of indebtedness authorized by the Charter or state law and payable solely from any revenue fund or other special fund.

MISCELLANEOUS FINANCE

Sec. 360. Payment into Treasury.

Except as provided by ordinance, all public money collected by any officer, employee of the City or other person shall immediately be paid into the City Treasury, without any deduction on account of any claim for fees, commissions or any other cause.

Sec. 361. Law Governing Bonded Indebtedness.

Except for revenue bonds issued pursuant to Section 609 or related ordinance or other bonded indebtedness issued pursuant to other procedural ordinance, the laws of the State of California establishing the procedure for the creation of bonded indebtedness in force at the time any bonded indebtedness is created by the City shall, so far as applicable, be followed.

Sec. 362. Annual Audit.

At the end of each fiscal year, the Council shall require the income and expenditures of each department and office of the City to be audited by one or more certified public accountants, who are not connected with the department to be audited. The accountants shall make their report directly to the Council and send copies to the Mayor and Controller. The Council shall determine the extent of the audit as to each of the departments, and may provide for the taking of the audit by resolution.

CONTRACTS

Sec. 370. Contracts Required to be in Writing and Signed.

Every contract involving consideration reasonably valued at more than an amount specified by ordinance shall, except in cases of urgent necessity for the preservation of life, health or property as provided in Section 371(e)(5), be made in writing, or other manner as provided by ordinance. The draft of the contract shall be approved by the board, officer or employee authorized to make the contract. Every contract must be approved by the City Attorney as to form, except for contracts or classes of contracts involving consideration reasonably valued at less than an amount set by ordinance.

The contract shall be signed on behalf of the City by:

(a) the Mayor; or

(b) the board, officer or employee authorized to enter into the contract; or

(c) in the case of a contract authorized by Council, the person authorized by the Council.

The City shall not be, and is not, bound by any contract unless it complies with the requirements of this section and all other applicable requirements of the Charter.

Sec. 371. Competitive Bidding; Competitive Sealed Proposals.

(a) Competitive Bidding. Except as provided in subsection (e) below, the City shall not be, and is not, bound by any contract unless the officer, board or employee authorized to contract has complied with the procedure for competitive bidding or submission of proposals established by this section and ordinance.

Contracts shall be let to the lowest responsive and responsible bidder furnishing satisfactory security for performance. This determination may be made on the basis of the lowest ultimate cost of the items in place and use. Where the items are to constitute a part of a larger project or undertaking, consideration may be given to the effect on the aggregate ultimate cost of the project or undertaking. Notwithstanding the provision of this subsection requiring award to the lowest responsive and responsible bidder, a bid preference can be allowed in the letting of contracts for California, Los Angeles County, or City of Los Angeles firms, and the bid specifications can provide for a domestic content and recycled content requirement. The extent and nature of the bid preference, domestic content and recycled content requirement and any standards, definitions and policies for their implementation shall be provided by ordinance.

(b) Competitive Sealed Proposals. As an alternative to an award pursuant to open and competitive bidding, a contract can be let pursuant to a competitive sealed proposal method, in accordance with criteria established by ordinance adopted by at least a two-thirds vote of the Council. The competitive sealed bid proposal system may permit negotiations after proposals have been opened to allow clarification and changes in the proposal. Adequate precautions shall be taken to treat each proposer fairly. No award may be made pursuant to this alternative method to a proposer whose final proposal is higher as to the ultimate cost to the City, as above defined, than any other responsive proposal submitted. The contracting authority, in order to utilize this alternative method, must make a written finding supported by a written statement of facts that adherence to the rule that the award be made to the lowest responsive and responsible bidder is not practicable or advantageous and shall also state in writing the reason for the particular award.

Consistent with competitive bidding requirements, design-build or other appropriate project delivery systems may be used when justified by the type of project and approved by the contracting authority.

(c) Right to Reject. The City shall reserve the right to reject any and all bids or proposals and to waive any informality in the bid or proposal when to do so would be to the advantage of the City. The City may also reject the bid or proposal of any bidder or proposer who has previously failed to timely and satisfactorily perform any contract with the City.

(d) Notice. The Council, board, officer or employee authorized to contract shall cause notice inviting bids or proposals to be published at least once in a daily newspaper circulated in the City, or to be given by other method prescribed by ordinance, inviting bids or proposals. All bids and proposals shall comply with additional requirements provided by ordinance, including, but not limited to, the furnishing of a bid bond, performance bond and

affidavit of non-collusion. Further procedures for competitive bidding shall be prescribed by ordinance.

(e) Exceptions. The restrictions of this section shall not apply to:

(1) Contracts involving consideration reasonably valued at less than an amount specified by ordinance.

(2) Contracts, as determined by the contracting authority, for the performance of professional, scientific, expert, technical, or other special services of a temporary and occasional character for which the contracting authority finds that competitive bidding is not practicable or advantageous.

(3) Contracts for the furnishing of articles covered by letters patent granted by the government of the United States.

(4) Contracts for leasing as lessee or purchasing real property when approved by majority vote of the Council.

(5) Contracts for repairs, alterations, work or improvements declared in writing by the contracting officer or board, or its designee, to be of urgent necessity for the preservation of life, health or property. The declaration shall give the reasons for the urgent necessity and must be approved by the Council or its designee. Approval may be conditioned upon compliance with one or more of the requirements of this section.

(6) Contracts entered into during time of war or national, state or local emergency declared in accordance with federal, state or local law, where the Council, by resolution adopted by two-thirds vote and approved by the Mayor, suspends any or all of the restrictions of this section or their applicability to specific boards, officers or employees.

(7) Contracts for equipment repairs or parts obtained from the manufacturer of the equipment or its exclusive agent.

(8) Contracts for cooperative arrangement with other governmental agencies for the utilization of the purchasing contracts and professional, scientific, expert or technical services contracts of those agencies and any implementing agreements, even though the contracts and implementing agreements were not entered into through a competitive bid process.

(9) New, long-term concession agreements with the existing merchants as of the Adoption Date of the Charter on Olvera Street negotiated by the City department responsible for administering the El Pueblo de Los Angeles Historical Monument.

(10) Subject to the requirements of Section 1022, contracts (including without limitation those, as determined by the contracting authority, for the performance of professional, scientific, expert, technical or other special services), where the contracting authority finds that the use of competitive bidding would be undesirable, impractical or impossible or where the common law otherwise excuses compliance with competitive bidding requirements.

SECTION HISTORY

Amended by: Charter Amendment BB, approved June 7, 2022, effective August 22, 2022.

Sec. 372. Competitive Proposals Preferred.

Except as otherwise provided by ordinance, in all cases where bids are not required by the Charter, competitive proposals or bids shall be obtained as far as reasonably practicable and compatible with the City's interests. In all cases, a public record of these proposals and agreements shall be kept. The right to reject any and all proposals or bids shall be reserved in all cases.

Sec. 373. Long Term Contracts; Approval by Council.

Except as otherwise provided in the Charter, no board, officer or employee shall make any type of contract, as specified by ordinance, obligating the City or any department to make or receive payments of money or other valuable consideration for a period longer than such period as provided by ordinance, unless such contract shall have been first approved by the Council. The ordinance shall set a time period for review by the Council, and may further define what constitutes a term of more than the specified period. If the Council does not approve the contract, the Council shall not modify the contract, but shall return it to the contracting authority for reconsideration and resubmission to Council. This section shall not apply to contracts entered into with the United States government, or other governmental agencies, or as specifically authorized in Sections 605 through 607.

Sec. 374. Contract or Direct Employment.

Whenever any board, officer or employee is given authority in the Charter to construct any public work or improvement, that authority shall include the right to proceed either by contract or by the direct employment of labor and purchase of materials, in accordance with the Charter.

Sec. 375. Prequalification of Bidders.

Nothing in this Article shall prevent the prequalification of bidders in accordance with criteria provided by ordinance if the process is clearly described in the bid specifications or request for proposals, and the contracting authority makes a written finding that utilization of such process would benefit the City.

Sec. 376. Change Orders.

Upon the award of any contract, the contracting authority may delegate the approval of change orders to a department employee, but that delegation shall specify the dollar amount that can be approved without further authorization by the contracting authority.

Sec. 377. Prevailing Wage.

The provisions of California Labor Code Section 1770 et. seq. regarding prevailing wages on public works and related regulations, as now existing and as may be amended, are accepted and made applicable to the City, its departments, boards, officers, agents and employees.

Sec. 378. Living Wage.

The City shall require that a living wage be provided to the employees of those doing business with the City in a manner to be prescribed by ordinance.

PURCHASES

Sec. 380. Purchases.

The City shall prescribe by ordinance the process for purchases of materials and supplies, equipment and equipment rental, repair and maintenance, consistent with the requirements of the Charter.

SALES

Sec. 385. Sale of City Property.

Any real or personal property owned by the City that is no longer needed may, subject to the limitations elsewhere prescribed in the Charter, be sold under terms and conditions prescribed by ordinance. However, any real or personal property under the control of any board authorized by the Charter or by law to acquire, hold or control the property shall not be sold without the approval of the board or officer having the management of the department. Except as otherwise provided by law, the proceeds of the sale shall be paid into the City Treasury and placed in the fund of the department having control of the property.

FRANCHISES

Sec. 390. Franchises.

(a) Granting of Franchises. The City may grant franchises for fixed terms, permits or privileges (Franchises) for the construction and operation of plants or works necessary or convenient for furnishing the City and its inhabitants with transportation, communication, terminal facilities, water, light, heat, power, refrigeration, storage, or any other public utility or service (Public Utility Service). The Council may prescribe the terms and conditions of the grant, and shall prescribe by ordinance the procedure for making these grants, subject to the limitations provided in the Charter and applicable law.

(b) Award of Franchise. Before granting any Franchise, the Council shall advertise its intention to grant the Franchise and shall award the Franchise to the highest responsible and responsive bidder after competitive bidding, in accordance with the procedures prescribed by ordinance governing the granting of Franchises.

(c) Term of Franchises. No Franchise for the construction and operation of plants or works necessary or convenient for the furnishing of the City and its inhabitants with Public Utility Service shall be made for a period exceeding 21 years, except Franchises for the construction and operation of subways, elevated railways and grade separated railways, which shall be granted for a period not exceeding 40 years for the original Franchise. No grant for the extension of facilities of an existing utility operating under a Franchise granted by the City or county shall be made for a period beyond the expiration date of the Franchise under which the utility, or the portion of the utility with which the extension is to be connected, is operated.

The City may, by ordinance, five years or less prior to the expiration of any Franchise, grant to the holder of the Franchise a new Franchise to replace the expiring Franchise. The term of the replacement Franchise shall not exceed ten years from the date of expiration of the Franchise it replaces, except that any replacement cable television Franchise may be granted for a period not to exceed 15 years. Each replacement Franchise shall comply with the ordinances governing the granting of Franchises in force at the time the replacement Franchise is granted, and shall carry all the conditions required in the original Franchise.

(d) Terms and Conditions of Franchises.

(1) Power to Order Extensions of Facilities. Every Franchise shall provide that the board designated by ordinance to have such authority shall have the power to order extensions of the facilities authorized in the Franchise, after a hearing as provided by ordinance.

(2) Right to Purchase. Except as otherwise provided in the Charter, every Franchise shall reserve to the City the right to purchase the property of the Public Utility Service, or find a purchaser therefor, upon one year's written notice, either at an agreed price or a price to be determined in a manner prescribed in the grant.

(3) Price for Purchase. In fixing in any Franchise the price to be paid by the City for any utility, no allowance shall be made for Franchise value, good will, going concern, earning power, increased cost of reproduction, severance damage or increased value of right of way.

(4) Assumption of Bonds. Every Franchise shall provide that when purchasing the property of the grantee, the City, if and when permitted by the California Constitution, may assume the obligations of the grantee for the payment of the bonds then outstanding against the property, not exceeding in aggregate par value the valuation of the property purchased, as determined in accordance with this section. In this case, the par value of the bonds shall be deducted from the valuation of the property, and the excess, if any, of the valuation of the property over the par value of the bonds assumed shall be the net purchase price to be paid to the grantee.

(5) Consolidated or Annexed Territory. Every Franchise shall provide that in case of consolidation with or annexation to the City of any territory not now included in the City, any Franchise to operate the Public Utility Service or any part thereof, held or claimed by the holder of the Franchise in or for any portion of territory consolidated or annexed to the City shall automatically be surrendered to the City, and the rights and obligations of the Franchise shall automatically extend to the additional territory.

(e) Resettlement Franchises. A resettlement Franchise may be granted to a public utility operating in the City under more than one Franchise issued for different periods, and for different expiration dates for different parts of its system, which resettlement Franchise shall be in lieu of all other Franchises held by the grantee within the City.

(f) Applicability. Nothing in this section shall apply to the granting of Franchises by the Departments of Harbor and Airports.

ARTICLE IV
ELECTIONS

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GENERAL PROVISIONS RELATING TO ELECTIONS

Sec. 400. Types of Elections.

Municipal elections held in the City of Los Angeles shall be classified as primary nominating elections, general municipal elections and special elections.

Sec. 401. Election Days – City of Los Angeles and Board of Education.

For City offices and elections of the Board of Education, primary nominating elections shall be held on the first Tuesday after the first Monday in March in every even-numbered year, and general municipal elections shall be held on the first Tuesday after the first Monday in November of every even-numbered year. The Council may, by ordinance, specify different dates for the primary nominating and general municipal elections so that they may be held on the same dates as the statewide primary and general elections.

SECTION HISTORY

Amended by: Charter Amendment R § 1, approved March 5, 2002, effective April 12, 2002; Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015; Charter Amendment E, approved November 6, 2018, effective December 14, 2018; Charter Amendment EE, approved November 6, 2018, effective December 14, 2018; Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 402. Ordinance Ordering the Holding of an Election.

The Council shall, by ordinance, order the holding of all elections. The ordinance ordering the election shall specify the object and time of holding the election and whether the election is to be conducted by the City Clerk or, alternatively, consolidated with another election or otherwise conducted by the County of Los Angeles. The ordinance also shall establish election precincts, designate polling places and name officers of election for each precinct, and may do so by making reference to other enactments or documents. Any ordinance ordering the holding of an election may also order the holding of a run-off election, to be held if necessary.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015.

Sec. 403. Officers of Election.

Officers of election for elections conducted by the City Clerk shall be selected and appointed in accordance with procedures set forth in the City Election Code. No candidate who has taken out papers for nomination, nor a member of his or her immediate family, shall be permitted to act as an election officer, nor shall the polling place be held in his or her residence.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015.

Sec. 404. Returns of Election.

The returns of every election conducted by the City Clerk shall be delivered to the City Clerk, who shall, within 28 days after any election, canvass the returns and certify them to the Council, who shall declare the result and order the issuance of certificates of nomination or election as appropriate. The Council shall be the judge of the qualifications of all of the elected officers. When any municipal election is consolidated with any state or county election, after the Board of Supervisors or Registrar of Voters of Los Angeles County has canvassed the returns and certified the result of the canvass of all municipal questions submitted at the election to the Council, the Council shall declare the result and order the issuance of certificates of nomination or election as appropriate. Any act in relation to the conduct of the election required by the Charter to be performed by an officer or employee of the City may be performed by the proper officer or employee of the county.

SECTION HISTORY

Amended by: Charter Amendment R § 2, approved March 5, 2002, effective April 12, 2002; Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015.

Sec. 405. Employment of Additional Persons.

Whenever requested by the City Clerk, the Council shall authorize the Clerk to employ those persons, in addition to the persons regularly employed in the Clerk's office, as may be necessary to assist in the performance of any duty imposed upon the Clerk in connection with the conduct of any election. The provisions of the Charter respecting the classified civil service of the City shall not apply to the persons so specially employed.

Sec. 406. Recounts.

(a) Applicability. This section governs recounts of elections of the City of Los Angeles and Los Angeles Unified School District conducted by the City Clerk. Nothing in this section shall be construed to prevent any person from contesting the results of any election by judicial proceedings authorized by law.

(b) Procedure. Within five days after the Council's declaration of the results of an election, any registered voter of the City, or of the School District in the case of Board of Education elections, may file with the City Clerk a written request to recount all of the votes cast at that election for candidates for any office, or for and against any measure. The request shall comply with the requirements of the City Election Code. The recount shall be conducted publicly and shall commence not more than seven calendar days after the City Clerk's acceptance of the recount request. No person who is an interested party to the recount shall be involved in the recount. The recount shall otherwise be conducted in accordance with procedures set forth in the City Election Code.

(c) Results of Recount. Upon completion of the recount, the Council shall declare the result. If any person who had not been declared nominated or elected is found upon the recount to be entitled to nomination or election, the Council shall so declare and direct that the proper certificate of nomination or election be issued to that person. If by the recount it is determined that the result of a ballot measure election is different than as already declared, the Council shall so declare.

(d) Costs of Recount. Any request for recount shall be accompanied by a bond or cash deposit in a sum specified by ordinance, in a form satisfactory to the City Clerk. The bond or deposit shall be payable to the City of Los Angeles in the event that the recount does not change the result of the election. If the result of an election is changed by the recount, the expense of the recount shall be borne by the City, and the bond or cash deposit shall be returned to the elector who requested the recount. The results of an election are considered changed if the identity of any person who had been declared nominated or elected is changed, or if the approval or disapproval of any ballot measure is changed.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015.

Sec. 407. Eligibility for Office.

(a) Election. To be eligible for nomination or election to any office under the Charter, a person must be a registered voter of the City or of the School District in the case of candidates for the Board of Education, at the time of his or her nomination and election, and have been a resident of the City, in the case of candidates for Mayor, Controller, or City Attorney, or of the Council district or Board district from which he or she is nominated or elected in the case of candidates for City Council and Board of Education, for at least 30 days immediately preceding the first day upon which candidates could file a Declaration of Intention to run for office at that election. When an election is to be held to fill a vacancy in an elected office and the Charter does not require the filing of a Declaration of Intention to run for that office, the 30 day residency requirement shall be measured from and precede the first day upon which candidates are permitted to secure Nominating Petitions for that office from the City Clerk.

(b) Appointment. The eligibility requirements of subsection (a) shall also apply to persons appointed to fill a vacancy in an elected office; however, the 30 day residency requirement shall be measured from and precede the date of appointment.

(c) Disqualification. No person shall be eligible to file a Declaration of Intention to run for City office or for election or appointment to any elected City office, who, within the prior five years:

(1) was convicted of a felony or entered a plea of guilty or no contest to a felony charge; or

(2) was convicted of a violation of the conflict of interest or governmental ethics provisions of the Charter, City ordinances, or state or federal law, unless the court at the time of sentencing specifically determines that this provision shall not apply.

(d) Any person disqualified under these provisions from seeking election or appointment to an elected City office shall likewise be ineligible for the same period of time to hold any appointed position in the City government.

Sec. 408. Eligibility to Vote.

To be eligible to vote at any of the elections held under the Charter, a person must be registered in the manner and have the qualifications required by the general laws of this state respecting the registration and qualification of voters for state and county elections.

Sec. 409. Filling Vacancies in the Offices of Mayor, City Attorney, Controller and Member of the City Council.

Vacancies in the offices of Mayor, City Attorney, Controller and members of the City Council shall be filled by appointment or election in the manner set forth in this section.

(a) Appointment. The Council may fill a vacancy by appointing a person to hold the office for the portion of the unexpired term remaining until the next second Monday in December of an even-numbered year. If any portion of the term remains after that date, the Council shall also call a special election or elections to fill the remainder of the term, and shall consolidate the election with the primary nominating election and general municipal election next following the appointment. If a vacancy is filled by appointment after the first date fixed by law for filing a Declaration of Intention to become a candidate at the next primary nominating election, the person appointed shall hold the office for the remainder of the unexpired term.

(b) Special Election. The Council may call a special election, and special runoff election, if necessary, by ordinance for the purpose of filling the vacancy for the remainder of the unexpired term. The Council shall provide in the ordinance for the consolidation of the election with any other election and for the procedure for nominating candidates, including the amount of the filing fee, if any, to be paid by candidates and other matters pertaining to the election. The Council also may appoint a person to hold the office temporarily until the vacancy election is conducted and the election results are certified and declared.

(c) Recall. Any person appointed or elected to fill a vacancy may be removed from office by the recall in the same manner as if he or she had been elected to office.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment E, approved November 6, 2018, effective December 14, 2018.

Sec. 410. Filling Vacancies in the Office of Members of the Board of Education.

Vacancies in the office of Members of the Board of Education shall be filled by appointment or election in the manner set forth in this section.

(a) Appointment. The Board of Education may fill a vacancy by appointing a person to hold the office for the portion of the unexpired term remaining until the next second Monday in December of an even-numbered year. If any portion of the term remains after that date, the Board shall also request the City of Los Angeles to call a special election or elections to fill the remainder of the term, and the Council shall consolidate the election with the primary nominating election and general municipal election next following the appointment. If a vacancy is filled by appointment after the first date fixed by law for filing a Declaration of Intention to become a candidate at the next primary nominating election, the person appointed shall hold the office for the remainder of the unexpired term.

(b) Special Election. The Board of Education may request the City of Los Angeles to call a special election or elections for the purpose of filling the vacancy for the remainder of the unexpired term. Within 30 days of the Board's request, the City Council shall adopt an ordinance calling a special election, and special runoff election, if necessary, for the purpose of filling the vacancy. The Council shall provide in the ordinance for the consolidation of the election with any other election and for the procedure for nominating candidates, including the amount of the filing fee, if any, to be paid by candidates and other matters pertaining to the election. The Los Angeles Unified School District shall pay for all costs incurred in conducting the special election or elections. The Board of Education also may appoint a person to hold the office temporarily until the vacancy election is conducted and the election results are certified and declared.

(c) Recall. Any person appointed or elected to fill a vacancy may be removed from office by the recall in the same manner as if he or she had otherwise been elected to office.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015; Charter Amendment E, approved November 6, 2018, effective December 14, 2018; Charter Amendment EE, approved November 6, 2018, effective December 14, 2018.

Sec. 411. Substantial Compliance with Election Requirements.

Substantial compliance with the provisions of this Article shall be sufficient for the holding of any election, and for the approval or rejection of any ordinance, order or resolution submitted to a vote of the electors of the City.

Sec. 412. City Election Code; Amendments.

All elections conducted by the City Clerk, unless otherwise provided in the Charter, shall be conducted and held in accordance with the provisions of the City Election Code. No amendment to the City Election Code shall affect any election, petition, or other election-related proceeding occurring within six months following the publication of the ordinance effecting the amendment.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015.

PRIMARY NOMINATING AND GENERAL MUNICIPAL ELECTIONS

Sec. 420. Candidate's Filing Fee.

The Council may by ordinance provide for a filing fee to be paid to the City Clerk by each candidate for elected office, provided that the ordinance also allows the requirement to be satisfied by a substitute means other than fee payment.

Sec. 421. Declaration of Intention.

(a) Form and Timing. Each candidate for nomination to any elected office shall sign and file with the City Clerk a sworn Declaration of Intention to become a candidate for the office designated in the Declaration. The Declaration of Intention must be made on a form furnished by the City Clerk, and shall include an affidavit by the candidate that he or she possesses all necessary legal qualifications to be a candidate for the designated office. The Declaration of Intention shall be filed not earlier than 120 days, nor later than 115 days prior to the primary nominating election.

(b) Restrictions; Withdrawal. A candidate may not file a Declaration of Intention to become a candidate for more than one office at the same primary nominating election. Prior to the issuance of a Nominating Petition, a candidate may withdraw the Declaration of Intention to become a candidate for the office designated therein by filing a written statement with the City Clerk. In that case, a candidate may file a new Declaration of

Intention to become a candidate for another office not later than 115 days prior to the primary nominating election.

(c) Statement of Economic Interests. Each candidate for Mayor, City Attorney, Controller and member of the City Council shall file a Statement of Economic Interests that itemizes investments, interests in real property and income, except for gifts, received in the previous 12 month period. The Statement shall be filed with the City Ethics Commission no later than the final filing date for filing the Declaration of Intention. A Declaration of Intention shall not be valid unless a Statement of Economic Interests has been submitted by the final filing date for the Declaration of Intention.

SECTION HISTORY

Amended by: Charter Amendment R § 3, approved March 5, 2002, effective April 12, 2002.

Sec. 422. Nominating Petition.

(a) Form and Requirements. The City Clerk shall prepare and furnish a Nominating Petition to each candidate who has filed a valid Declaration of Intention. The Nominating Petition shall specify the name of the office and the name of the candidate to be nominated, and shall otherwise comply with the requirements of the City Election Code. In order to qualify a candidate for placement on the primary nominating ballot, the Nominating Petition shall be signed by at least 500 registered voters of the City, in the case of nomination to an office elected at large, or of the Council district or Board district in the case of nomination to the City Council or Board of Education. Only signatures of registered voters living within the Council district or Board district, as the case may be, shall be counted in determining the sufficiency of those petitions. Voters may sign more than one petition for a candidate for the same office. A petition presented to the City Clerk shall not be valid if it contains blanks for more than one thousand signatures.

(b) Filing and Certification. Nominating Petitions shall be filed with the City Clerk not more than 115 days and not less than 90 days prior to the primary nominating election. No Nominating Petition shall be filed with the City Clerk until any filing fee requirement has been satisfied. The City Clerk shall examine the Nominating Petition, and determine whether it contains the requisite number of signatures of qualified registered voters, in

accordance with procedures contained in the City Election Code. When the City Clerk has completed the examination of the petition, the Clerk shall prepare a dated certificate showing the result of the examination.

(c) Supplementing the Petition. The City Election Code shall govern the process by which and circumstances under which an insufficient Nominating Petition may be supplemented. However, no supplement to a Petition shall be allowed after the expiration of the time for filing the Nominating Petition set forth in the Charter, and no signature may be withdrawn from a Nominating Petition after its presentation to the Clerk.

SECTION HISTORY

Amended by: Charter Amendment R § 4, approved March 5, 2002, effective April 12, 2002.

Sec. 423. Withdrawal of Nominating Petition.

Within three days after the expiration of the time for filing a Nominating Petition, any person for the nomination of whom a petition has been filed, may cause his or her name to be withdrawn from nomination by filing a request in writing with the City Clerk. No name so withdrawn shall be printed on the primary nominating election ballot. If after a withdrawal, or by the death or other disqualification of any person for the nomination of whom a petition has been filed, only one candidate remains for any given office, then other nominations for that office may be made by filing petitions within ten days after the expiration of the time for the filing of Nominating Petitions, but no supplement to any Petition shall be allowed.

Sec. 424. Primary Nominating Election Ballot.

The ballot for any primary nominating election conducted by the City Clerk shall be as follows:

(a) Order of Placement. The names of candidates who have qualified for placement on the ballot, except candidates who have withdrawn or died or otherwise been disqualified, together with any measures or propositions as ordered by the Council or otherwise required by law, shall appear on the ballot. The offices to be filled shall be arranged on the ballot as follows: Mayor, City Attorney, Controller, member of the Council, member of the Board of Education, followed by any other offices to be filled in the order determined by the Council. Measures and propositions shall appear on the ballot in the order determined by the Council.

(b) Nonpartisan Ballot. There shall be nothing on any ballot indicative of the party affiliation, source of candidacy or support of any candidate.

(c) Write-in Candidates. Each ballot shall provide an opportunity for voters to write-in, for each office on the ballot, the name of any person whose name does not appear on the ballot and for whom the voter wishes to vote.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015.

Sec. 425. Results of Primary Nominating Election.

(a) In the event that any candidate receives a majority of the votes cast for an office at the primary nominating election, that candidate shall be elected to the office.

(b) In the event no candidate receives a majority of the votes cast for an office, the two candidates receiving the highest number of votes for the office shall be the candidates, and the only candidates, for that office whose names shall appear on the ballots to be used at the general municipal election.

(c) In the event that two or more persons receive an equal number of votes as candidates for an office at the primary nominating election, so that the result of the election does not determine which of the persons are entitled to be nominated as candidates, the Council shall draw lots to determine which of the persons shall be the candidate or candidates for the office. The lots shall be drawn at the next regular Council meeting occurring later than five days after the declaration of the result of the election, in the manner the Council prescribes. However, if a recount of the ballots with respect to the office in question is timely requested, lots shall not be drawn until and unless the recount also fails to result in a determination of which persons are entitled to be nominated as candidates for the office.

Sec. 426. General Election Ballot.

The ballot for any general election conducted by the City Clerk shall be in the same general form as for the primary nominating election, so far as applicable, and without any indication as to the party affiliation, source of candidacy or support of any candidate.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015.

Sec. 427. Death or Disqualification of Candidate.

In the event of the death, resignation or other disqualification of any candidate nominated at a primary nominating election, the person who received the next highest number of votes for that office at the primary nominating election shall be deemed a candidate and, if practicable, his or her name shall be printed on the ballot to be used at the general municipal election.

RECALL

Sec. 430. Subject of Recall.

Any incumbent of an elected office, whether elected by vote of the people or appointed to fill a vacancy, may be removed from office by the registered voters of the City of Los Angeles, or the registered voters of the School District in the case of removal of a member of the Board of Education. The removal of the incumbent shall be known as the recall.

Sec. 431. Recall Petition.

A recall petition shall comply with the provisions of the Charter and the City Election Code. The following shall apply to all recall petitions:

(a) To qualify for presentation to the City Council, a recall petition shall be signed by registered voters equal in number to at least 15% of the registered voters eligible to vote for the office, the incumbent of which is sought to be removed. The 15% shall be computed upon the number of registered voters on the date of filing with the City Clerk of the Notice of Intention to circulate the petition described in subsection (b) of this section. If the recall petition concerns removal of a member of Council, or member of the Board of Education, the 15% shall be computed upon the total number of registered voters within the Council district or Board district from which the Council member, or member of the Board of Education was elected. Only signatures of registered voters living within the Council district or Board district, as the case may be, shall be counted in computing the 15%, and only voters residing within the district shall be entitled to vote at the election. All names signed to a petition must have been secured within the time period described in subsection (d), and any signature affixed outside of this time period shall not be counted in determining the sufficiency of the petition.

(b) Before submitting a recall petition for signatures, its proponents shall publish a Notice of Intention and a Statement of Reasons (Statement) for the proposed recall. No such notice shall be effective if published: (1) before the officer has held his or her current term of office for three months, or (2) within six months of the expiration of the current term of office, or (3) within six months after a recall election at which the officer was retained in office. The Statement shall be served on the officer to be recalled and on the City Clerk, and shall otherwise comply with requirements of the City Election Code. The sufficiency of the Statement shall not be subject to review by the Council; however, the petition, when circulated, shall have attached to it an affidavit of one or more of the proponents that all of the facts contained in the Statement are true.

(c) The officer whose recall is sought, or anyone acting upon his or her behalf, may publish an Answer to the Statement (Answer) in accordance with the requirements of the City Election Code. If an Answer is published, it shall be served on the proponent of the recall and on the City Clerk, and shall otherwise comply with requirements of the City Election Code. The Statement and Answer are intended solely for the information of the voters and no insufficiency in their form or substance shall affect in any manner the validity of the proceedings taken under the Charter.

(d) Within the time after the publication and service of the Statement as provided in the City Election Code, the petition demanding the recall of the officer may be circulated for signatures. The petition shall contain a copy of the Statement and any Answer, and shall otherwise be in a form prescribed by the City Election Code. Signatures shall be secured and the petition filed within 120 days from the first day to circulate.

(e) Except as otherwise provided, the provisions of this Article relating to the form and to the mode of signing initiative petitions, and to the filing, examining, certifying, supplementing, presenting to the Council and the retaining thereof, shall apply to any petition filed with the City Clerk under this section. The sufficiency or insufficiency of any recall petition shall not be subject to review by the Council.

Sec. 432. Action by Council on Recall Petition.

When a recall petition is presented to the Council by the City Clerk, the Council shall within 20 days, by order or ordinance, call for the holding of a special election, and if necessary a special runoff election, for the purpose of submitting to the voters of the City at

large, of the Council district, or of the Board district, as the case may be, the question of whether the officer shall be recalled, and if recalled, for the election of his or her successor. The special election shall be held not less than 88 days nor more than 125 days after the date of Council action on the petition; provided, however, that if any other election for any purpose at which all the qualified voters of the City, of the Council District, or of the Board District, as the case may be, are entitled to vote, is to occur during that time period, the Council shall order the holding of the recall election and the consolidation thereof with such other election.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015.

Sec. 433. Supporting and Opposing Arguments.

Any incumbent of an office whose removal is sought may file with the City Clerk an Argument Opposing the Recall, justifying the incumbent's course in office. The person filing the recall petition, or the person or organization on whose behalf a recall petition was filed, shall have the right to present to the City Clerk an Argument Supporting the Recall. Arguments supporting and opposing the recall shall be submitted to the City Clerk and distributed to the voters in compliance with the requirements of the City Election Code.

SECTION HISTORY

Amended by: Charter Amendment E, approved November 6, 2018, effective December 14, 2018; Charter Amendment EE, approved November 6, 2018, effective December 14, 2018.

Sec. 434. Prohibition on Reappointment.

No person who has been removed from an elected office by the recall, or who has resigned from office while recall proceedings were pending, shall be appointed to any office under the Charter for two years after that removal or resignation.

Sec. 435. Recall Ballot.

In addition to the question of whether the incumbent shall be removed from office, each recall ballot shall also list the names of all persons who have been nominated as candidates to succeed the person whose removal is sought. The name of the incumbent shall not appear on the ballot as a candidate for the office. If a majority of the registered voters voting on the matter vote in favor of the recall, then the incumbent shall be removed from office effective on the date the successor qualifies.

SECTION HISTORY

Amended by: Charter Amendment B, approved May 17, 2005, effective June 7, 2005.

Sec. 436. Nomination of Candidates to Replace Recalled Officer.

Any candidate to be voted for at a recall election, other than the incumbent sought to be removed, may be nominated by petition, which petition shall conform to the provisions of the Charter, so far as applicable, relating to nominating petitions at primary nominating elections. Nominating petitions may be circulated upon the City Clerk's certificate of sufficiency of the recall petition. Each nominating petition must be filed with the City Clerk within the time established in the ordinance calling the special election. The City Clerk shall ascertain whether or not the petition is signed by the requisite number of registered voters of the City, Council district, or Board district, as the case may be, in accordance with the requirements of the Charter and the City Election Code. The City Election Code shall govern the circumstances under which and process by which insufficient petitions may be supplemented.

Sec. 437. Election of Candidate to Succeed Recalled Officer.

If the vote at any recall election shall recall an officer of the City of Los Angeles, or a member of the Board of Education, then the candidate who receives a majority of the votes cast for candidates to succeed the officer removed shall be declared elected for the remainder of the term. If no candidate receives a majority of the votes cast, the two candidates receiving the highest number of votes at the recall election shall be candidates at a special runoff election, and whichever candidate receives the majority vote at that election shall be elected to succeed the recalled officer.

Sec. 438. Removal of Appointed Officers.

In addition to any other process for removal provided by law, the incumbent of any appointed office provided for in the Charter or created by ordinance under the authority thereof may be removed at any time after the expiration of three months from appointment by the registered voters of the City. The procedure to effect the removal of the incumbent of an appointive office shall be the same as that for the removal of the incumbent of an elected office by the recall, with the following exceptions:

(a) The petition for the removal of the incumbent of an appointed office shall be signed by registered voters equal in number to at least 20% of the entire vote cast for the office of Mayor at the last preceding general municipal election, or primary nominating election, at which a Mayor was elected.

(b) If a majority of the registered voters voting on the question vote in favor of the removal of the appointed officer, the officer shall be removed from office upon the declaration of the result of the election by the Council, and the office shall thereupon become vacant. The vacancy shall be filled by the appointing power in the same manner as other vacancies, but any appointed officer so removed shall not be eligible to any appointed or elected office under the Charter until the expiration of two years after removal.

Sec. 439. Resignation or Vacancy Pending Removal.

In the event that any appointed officer whose removal is sought resigns at any time after the filing of a removal petition with the City Clerk, or a vacancy from any other cause occurs in that office, at any time prior to two days before the election, the election shall be held, but the incumbent shall not be eligible to any appointed or elected office under the Charter until the expiration of two years from the date of resignation or removal.

Sec. 440. Removal of the City Clerk.

In the event that the City Clerk is the officer whose removal is sought by petition, all powers and duties prescribed in this Article for the City Clerk shall be performed by the City Attorney and not by the City Clerk.

INITIATIVE

Sec. 450. Subject of Initiative.

(a) Any proposed ordinance which the Council itself might adopt may be submitted to the Council by a petition filed with the City Clerk, requesting that the ordinance be adopted by the Council or be submitted to a vote of the electors of the City. Any proposed ordinance

amending or repealing an ordinance previously adopted by a vote of the electors may be submitted to the Council by a petition filed with the City Clerk requesting that the ordinance be submitted to a vote of the electors of the City.

(b) Petitions to amend the Charter shall be governed by provisions of the California Constitution and applicable provisions of state law concerning Charter amendments.

Sec. 451. Initiative Petition.

Any petition submitting a proposed ordinance to the Council as provided in this Article shall comply with the provisions of the Charter and the City Election Code. The following shall apply to all initiative petitions:

(a) Prior to the circulation of any initiative petition, the proponents of the petition shall submit a draft of the petition to the City Clerk, setting forth the proposed ordinance in full. In accordance with procedures contained in the City Election Code, the City Attorney shall prepare an official title and summary of the petition provisions of the proposed ordinance. The official title and summary shall be incorporated into and appear on all copies of the initiative petition circulated for signatures and filed with the City Clerk.

(b) All names signed to a petition must have been secured not more than 120 days prior to the date of filing. Any signature affixed outside of this time period shall not be counted in determining the sufficiency of the petition. To qualify for presentation to the Council, an initiative petition shall be signed by registered voters of the City in a number equal to 15% of the total number of votes cast for all candidates for the office of Mayor at the last general municipal election, or primary nominating election, at which a Mayor was elected prior to the date the City Clerk approves the petition for circulation. In order to be accepted for filing with the City Clerk, the petition must on its face purport to have the requisite number of signatures appended to it.

(c) The City Clerk shall examine the petition and determine whether it contains the requisite number of signatures of registered voters, in accordance with procedures contained in the City Election Code. When the City Clerk has completed the examination of the petition, the Clerk shall prepare a dated certificate showing the result of the

examination, and shall notify the sponsors of the petition of either the sufficiency or insufficiency of the petition without delay.

(d) The City Election Code shall govern the process by which and circumstances under which an insufficient petition may be supplemented, the process by which a certificate of insufficiency may be contested, and the process by which and circumstances under which the signer of a petition may withdraw his or her name.

(e) If, by the certificate of the City Clerk, the petition is shown to be sufficient, the City Clerk shall present the petition to the Council without delay. The sufficiency or insufficiency of the petition shall not be subject to review by the Council.

(f) No amendments, changes, alterations or corrections of any kind, clerical or otherwise, shall be permitted to be made in any petition after it has been filed with and approved by the City Clerk.

SECTION HISTORY

Amended by: Subsec. (b), Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 452. Action by Council on Initiative Petition Requesting Adoption of Ordinance.

(a) The proponents of an initiative petition may withdraw the petition in accordance with the procedures of the City Election Code.

(b) When an initiative petition requesting the adoption by the Council of a proposed ordinance is presented to the Council by the City Clerk, the Council must take one of the following actions within 20 days after the presentation, unless the petition is withdrawn by the proponents:

(1) adopt the proposed ordinance, without alteration;

(2) determine to submit the proposed ordinance, without alteration, to a vote of the electors of the City at either a special election, the next regular City election, or the next Statewide election, to be held more than 110 days from the date of Council action on the petition; or

(3) refer the proposed ordinance to a department or office for a report on its fiscal and other impacts on the City, provided however that the Council must take one of the actions described in Subdivisions (1) or (2) of this subsection within 30 days after referring the proposed ordinance for a report.

(c) Any ordinance proposed by initiative petition, adopted by the Council and approved by the Mayor, or adopted over the Mayor's veto, shall be subject to a referendary vote as provided in Section 460 in the same manner as other ordinances adopted by the Council.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Subsec. (a), Charter Amendment E, approved November 6, 2018, effective December 14, 2018; Subsec. (a), Charter Amendment EE, approved November 6, 2018, effective December 14, 2018; Subsec. (b), Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 453. Action by Council on Initiative Petition Requesting Amendment or Repeal of Ordinance.

When an initiative petition requesting the submission of a proposed ordinance amending or repealing an ordinance previously adopted by a vote of the electors is presented to the Council by the City Clerk, the Council must act within 20 days of presentation to submit the proposed ordinance to a vote of the electors of the City as provided in Section 452(b)(2) or (3), unless the petition is withdrawn by the proponents.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015.

Sec. 454. Supporting and Opposing Arguments.

Any person or persons filing an initiative petition or the person or organization on whose behalf the petition is filed, shall have the right to file with the City Clerk, within the time specified by ordinance, an argument favoring the proposed ordinance. The Council shall have the right to present, or permit to be presented and filed with the City Clerk within the same limit of time, an argument opposing the ordinance. Arguments supporting and opposing the ordinance proposed by initiative shall be submitted to the City Clerk and distributed to the voters in accordance with the requirements of the City Election Code.

SECTION HISTORY

Amended by: Charter Amendment E, approved November 6, 2018, effective December 14, 2018; Charter Amendment EE, approved November 6, 2018, effective December 14, 2018.

Sec. 455. Adoption of Ordinances by Initiative.

If a majority, or other percentage as required by law, of the voters voting on any ordinance proposed by initiative petition vote in favor, the ordinance shall become an ordinance of the City upon the declaration by the Council of the result of the election.

REFERENDUM

Sec. 460. Subject of Referendum.

Any ordinance adopted by the Council, except an ordinance taking effect upon its publication or passage as provided in Section 252, is subject to a referendary petition as set forth in this Article.

In addition, the Council is authorized to submit to a vote of the registered voters of the City, at any election for any purpose at which all the registered voters of the City are entitled to vote, any proposed ordinance, order or resolution, that the Council itself might adopt.

Sec. 461. Referendary Petition.

Any referendary petition shall comply with the provisions of the Charter and the City Election Code. The following shall apply to all referendary petitions:

(a) The referendary petition circulated for signature shall contain the full text of the subject ordinance. All names signed to a petition must have been secured within 30 days after publication of the ordinance. Any signature affixed outside of this time period shall not be counted in determining the sufficiency of the petition. To qualify for presentation to the Council, a referendary petition must be signed by registered voters of the City in an amount equal to 10% of the total number of votes cast for all candidates for the office of Mayor at the last general municipal election, or primary nominating election at which a Mayor was elected prior to the filing of the petition.

(b) The provisions of the Charter and the City Election Code relating to filing, examination, certification, supplementation and amendment of initiative petitions, the processing of supporting and opposing arguments, and the presentation of initiative petitions to the Council by the City Clerk, shall apply to referendary petitions.

(c) If a referendary petition is filed, and the City Clerk certifies that the petition is sufficient, the subject ordinance, order or resolution shall not take effect until adoption by a vote of the electors and declaration by the Council of the result of the election. If the City Clerk certifies that the petition is insufficient, the ordinance shall take effect upon the date of the certificate, but in no event earlier than 30 days from publication of the ordinance.

(d) If more than one petition is filed with respect to the same ordinance, all signatures on all those petitions shall be counted in determining the sufficiency of the petition, as though all the names had been appended to a single petition.

Sec. 462. Action by City Council on Referendary Petition.

(a) The proponents of a referendum petition may withdraw the petition in accordance with the procedures of the City Election Code.

(b) When a referendary petition is presented to the City Council by the City Clerk, the Council must take one of the following actions within 20 days of the presentation, unless the petition is withdrawn by the proponents:

(1) repeal the ordinance;

(2) determine to submit the ordinance to a vote of the qualified electors of the City for approval or rejection at either a special election, the next regular City election, or the next Statewide election, to be held more than 110 days from the date of certification of the petition; or

(3) refer the ordinance to a department or office for a report on its fiscal and other impacts on the City, provided however that the Council must take one of the actions described in Subdivisions (1) or (2) of this subsection within 30 days after referring the proposed ordinance for a report.

SECTION HISTORY

Amended by: Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 463. Conflict Between Measures.

If the provisions of two or more ordinances, orders or resolutions adopted at the same election by vote of the qualified electors of the City conflict, then the ordinance, order or resolution receiving the highest affirmative vote shall prevail.

Sec. 464. Amendment and Repeal of Ordinances Adopted by Initiative and Referendum.

(a) Initiative. Any ordinance adopted by a vote of the electors of the City pursuant to an initiative petition cannot be amended or repealed, except by an ordinance proposed either by petition or by the Council at its own instance and adopted by a vote of the electors, or by an amendment of the Charter superseding the ordinance.

(b) Referendum. Any ordinance, order or resolution adopted by referendum shall be subject to amendment or repeal as provided in subsection (a). In addition, any ordinance, order or resolution shall be subject to amendment or repeal by the Council at any time, but amendment or repeal shall not be made within six months after adoption, except by unanimous vote of the Council, and the amendment or repeal shall be subject to a referendary vote as provided in this Article.

CAMPAIGN FINANCE

Sec. 470. Limitations on Campaign Contributions in City Elections.

(a) Purpose. The purpose of this section is to encourage a broader participation in the political process and to avoid corruption or the appearance of corruption in city decision making, and protect the integrity of the City's procurement and contract processes by placing limits on the amount any person may contribute or otherwise cause to be available to candidates for election to the offices of Mayor, City Attorney, Controller and City Council and promote accountability to the public by requiring disclosure of campaign activities and imposing other campaign restrictions.

This section is intended to supplement the Political Reform Act of 1974.

(b) Definitions.

(1) The definitions set forth in the Political Reform Act of 1974 as amended (Government Code Sections 82000 through 82055) shall govern the interpretation of this section, unless otherwise specified herein.

(2) The term elected City office, as used herein, shall mean the offices of Mayor, City Attorney, Controller and member of the City Council.

(3) The term election shall include a primary nominating election, a general municipal election, a special election and a recall election.

(c) Campaign Contribution Limitations. In addition to the provisions of the Charter, the City may adopt additional restrictions by ordinance.

(1) No intended candidate for any elected City office, and no committee acting on behalf of such candidate, shall solicit or accept, or cause to be solicited or accepted, any contribution for use in any election for such office unless and until such candidate shall have filed a Declaration of Intent to Solicit and Receive Contributions in connection with candidacy for a specific elected City office. That declaration shall be filed with the City Ethics Commission on a form prescribed by the City Ethics Commission. Once the election takes place, the declaration is thereafter void. No person may file such declaration for more than one elected City office nor have more than one such declaration on file at the same time. A candidate may, however, file a form canceling one declaration and may thereafter file a new declaration.

(2) The candidate and the treasurers of the candidate's controlled committees shall file with the City Ethics Commission on a form prescribed by the City Ethics Commission a statement under oath that the candidate and the treasurers have read and understood Section 470. This statement shall be filed concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions.

(3) No person shall contribute a total of more than five hundred dollars ($500) to any candidate for City Council and to his or her controlled committee for a single election. A candidate for City Council and his or her controlled committee shall not accept any contribution or contributions totaling more than five hundred dollars ($500) from any person for a single election. Nothing in this section is intended to limit the amount a candidate may contribute to his or her campaign for City Council from his or her personal funds.

(4) No person shall contribute a total of more than one thousand dollars ($1,000) to any candidate for Mayor, City Attorney or Controller and to his or her controlled committee for a single election. A candidate for Mayor, City Attorney or Controller, and or his or her controlled committee, shall not accept any contribution or contributions totaling more than one thousand dollars ($1,000) from any person for a single election. Nothing in this section is intended to limit the amount a candidate can contribute to his or her candidacy for Mayor, City Attorney or Controller from his or her personal funds.

(5) [Repealed.]

(6) No person shall make a contribution in connection with a single election for an elected City office which would cause the aggregate amount of such contributions by that person to exceed a sum equal to five hundred dollars ($500) multiplied by the number of City Council offices appearing on the ballot at that election plus one thousand dollars ($1,000) multiplied by the number of City-wide offices appearing on the ballot at that election, but in no case less than one thousand dollars ($1,000), in connection with all candidates in that election seeking election to all elected City offices; provided, however, that a candidate shall not be limited by this subsection (6) in the amount he or she may contribute or expend in connection with his or her own campaign, subject to the provisions of subsection (c) (10) of this section.

(7) Contributions From Persons Other than Individuals.

(A) No candidate for City Council, together with the controlled committee of such candidate, shall accept more than a total of one hundred fifty thousand dollars ($150,000) in contributions from persons, other than individuals, in connection with any election.

(B) No candidate for City Attorney or Controller, together with the controlled committee of such candidate, shall accept more than a total of four hundred thousand dollars ($400,000) in contributions from persons, other than individuals, in connection with any election.

(C) No candidate for Mayor, together with the controlled committee of such candidate, shall accept more than a total of nine hundred thousand dollars ($900,000) in contributions from persons, other than individuals, in connection with any election.

(D) If a candidate for elected City office declines matching funds and receives contributions or spends an amount exceeding the applicable expenditure ceilings, this subsection shall not apply to any of the candidates for the same office.

(8) No person shall make, and no person or candidate shall solicit or accept any loan of more than five hundred dollars ($500) for use in connection with an election for City Council, or of more than one thousand dollars ($1,000) for use in connection with an election for Mayor, City Attorney or Controller. Further, no person shall make, and no person or candidate shall solicit or accept any loan for use in connection with an election for City office for a period of more than 30 days. Loans to a candidate or to a candidate's controlled committees shall be counted against the contribution limitations applicable to the candidate. A candidate is not prohibited from obtaining a personal loan of any amount

from a licensed financial lending institution in the regular course of business, unless the loan is made for political purposes. This subsection (8) shall not limit the amount or duration of loans from the candidate to his or her own campaign.

(9) Any contributions solicited or accepted pursuant to this section shall be expended only in connection with the candidacy for the office specified in the candidate's Declaration of Intent to Solicit and Receive Contributions. Contributions solicited or accepted pursuant to this section for one individual shall not be expended for the candidacy of any other individual seeking City office or in support of or in opposition to any City ballot measure. No candidate, committee controlled by a candidate, or elected City officer shall use contributed funds to make any contribution to any other candidate running for office or to any committee supporting or opposing a candidate for office. Provided, however, a candidate shall not be prohibited from making a contribution from his or her own personal funds to his or her own candidacy, to the candidacy of any other candidate for elected City office or in support of or in opposition to any City ballot measure.

(10) [Repealed.]

(11) No elective City officer or candidate for elective City office, nor any of his or her City controlled committees, shall solicit or accept any contribution to the officer or candidate, or to any of his or her City controlled committees, from any lobbyist or lobbying firm registered to lobby the City office for which the candidate is seeking election, or the current City office, commission, department, bureau or agency of the candidate or officer. No person required by ordinance to be registered as a lobbyist or lobbying firm shall make any contribution to an elective City officer or candidate for elective City office, or to any of his or her City controlled committees, if the lobbyist or lobbying firm is required by ordinance to be registered to lobby the City office for which the candidate is seeking election, or the current City office, commission, department, bureau or agency of the candidate or officer.

(12) (A) The following persons shall not make a campaign contribution to any elected City official, candidate for elected City office, or City committee controlled by an elected City official or candidate:

(i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least $100,000 and requires approval by the City Council;

(ii) Subcontractors that are expected to receive at least $100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and

(iii) Principals of persons defined in subparagraphs (i) and (ii).

(B) The following persons shall not make a campaign contribution to the Mayor, the City Attorney, the Controller, a City Council member, a candidate for any of those elected City offices, or a City committee controlled by a person who holds or seeks any of those elected City offices:

(i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least $100,000 and requires approval by the elected City office that is held or sought by the person to whom the contribution would be given;

(ii) Subcontractors that are expected to receive at least $100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and

(iii) Principals of persons defined in subparagraphs (i) and (ii).

(C) The following persons shall not engage in prohibited fundraising for any elected City official, candidate for elected City office, or City committee controlled by an elected City official or candidate as further provided by ordinance:

(i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least $100,000 and requires approval by the City Council;

(ii) Subcontractors that are expected to receive at least $100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and

(iii) Principals of persons defined in subparagraphs (i) and (ii).

(D) The following persons shall not engage in prohibited fundraising for an elected City official, candidate for the elected City office, or City committee controlled by a person who holds or seeks the elected City office as further provided by ordinance:

(i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least $100,000 and requires approval by the elected City office that is held or sought by the person for whom the fundraising would be conducted;

(ii) Subcontractors that are expected to receive at least $100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and

(iii) Principals of persons defined in subparagraphs (i) and (ii).

(E) The prohibitions in paragraphs (A) and (B) shall apply from the time the bid or proposal is submitted until the contract is signed, the bid or proposal is withdrawn by the bidder or proposer, or the City rejects all proposals for the contract, whichever is earlier. The prohibitions shall continue for 12 months after the contract is signed for the successful bidder or proposer, its principals, its subcontractors of at least $100,000, and the principals of those subcontractors.

(F) For purposes of this subdivision, a principal of a person who is a bidder, proposer, or subcontractor means the person's board chair, president, chief executive officer, chief operating officer, or the functional equivalent of those positions; any individual who holds an ownership interest in the person of 20 percent or more; and any individual authorized by the bid or proposal to represent the person before the City.

(G) This subdivision shall not apply to:

(i) Contributions to or fundraising on behalf of elected officials or candidates for elected City office where that official's approval is required only by section 262, 271(d), or 370 of the Charter other than contracts required to be approved by the City Council that have an

anticipated value of at least $100,000 and proprietary department contracts that have an anticipated value of at least $100,000;

(ii) Contributions to or fundraising on behalf of members of the City Council where the City Council's approval authority is only through Charter section 245 except as further restricted by ordinance;

(iii) Any contract governed by Charter section 609(e);

(iv) A governmental entity; and

(v) A candidate for elected City office who is a bidder, proposer, subcontractor or subcontractor's principals with regard to using personal funds or engaging in fundraising on the candidate's own behalf for the candidate's election for City office.

(H) Every contract solicitation regarding a contract subject to this provision shall include notice of the prohibitions of this subdivision. At the time of submitting a bid or proposal for a contract subject to this section, the bidder or proposer must complete a form identifying the names of its principals, subcontractors of at least $100,000, the principals of those subcontractors, and certify that the bidder or proposer will comply with and notify its principals and subcontractors of the prohibitions in this subdivision; and provide any other information determined necessary.

(I) In addition to any other penalties that may apply, any person found to have violated this section is subject to contract debarment as further provided by ordinance. If the determination is made to impose debarment, the minimum terms of debarment shall be one year for the first violation, two years for the second violation, three years for the third violation, and four years for the fourth violation.

(J) The City Council may adopt ordinances as necessary to carry out the purposes of this provision. Nothing contained in this subdivision (c)(12) shall be construed or applied to limit the authority of the City Council by ordinance to adopt additional regulations, including sanctions, for the conduct or activities that is the subject matter addressed herein.

(d) Cash Contributions. No person shall make, and no candidate or committee shall solicit or accept, any cash contribution in excess of twenty-five dollars ($25).

(e) Anonymous Contributions. Total anonymous contributions to a candidate or committee which exceed in the aggregate two hundred dollars ($200) with respect to a single election shall not be used by the candidate or committee for whom such contributions were intended, but instead, such excess shall be paid promptly to the City Treasurer for deposit in the General Fund of the City.

(f) Adjustment of Limits. The amounts specified in subsections (c) and (d) of this section may be modified from time to time by ordinance to reflect changes in the consumer price index for the Los Angeles-Long Beach metropolitan statistical area.

(g) Campaign Contribution Checking Account. No more than one campaign contribution checking account shall be established by each candidate for elected City office, and by each committee supporting or opposing such candidate. The account shall be established at an office of a bank or savings and loan institution located in the City of Los Angeles. Upon opening such account, the candidate shall file with the City Ethics Commission within ten days of opening the campaign bank account, the name of the bank or savings and loan institution and the account number. Funds shall only be disbursed from such account by checks signed by the candidate, treasurer or designated agent of the treasurer. A candidate, treasurer or designated agent of the treasurer shall deposit into the campaign checking account all contributions received in connection with a City election. A candidate, treasurer or designated agent of the treasurer shall pay all campaign expenditures for a City election with monies from this campaign checking account.

If a candidate has other controlled committees and such committees have checking accounts, the candidate shall notify the City Ethics Commission in writing of these committees and the names and addresses of the banks or savings and loan institutions and the account numbers of any such accounts. A candidate shall notify the City Ethics Commission of these committees, the banks or savings and loan institutions, and the account numbers concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions. If committees are thereafter formed or accounts thereafter opened, then the candidate shall notify the City Ethics Commission on the next regular business day on which the office is open. No contribution shall be commingled with the personal funds of the candidate or any other person.

This subsection shall not prohibit the establishment of savings accounts or certificates of deposit, provided that no campaign expenditures may be made therefrom.

(h) Treasurer. A candidate having campaign committees for elected City office shall appoint a treasurer of each committee. No expenditure shall be made by or on behalf of a committee without the authorization of the treasurer or that of his or her designated agents. No contribution or expenditure shall be accepted or made by or on behalf of a committee at a time when there is a vacancy in the office of treasurer. It shall be the duty of the candidate and the treasurer to approve and authorize such payments and to retain such authorizations, detailed accounts, records, bills and receipts.

(i) Accountability. The candidate and the treasurer shall maintain such detailed accounts, records, bills and receipts as are necessary to prepare campaign statements. The candidate and the treasurer shall retain the detailed accounts, records, bills and receipts for the periods specified in the Political Reform Act of 1974 as amended. Every candidate and committee shall make available on demand to any public officer having legal authority to enforce this section, details of checking and financial accounts of each committee controlled by the candidate and all records supporting such details.

(j) Petty Cash Fund. Subsection (g) notwithstanding, a candidate, campaign treasurer and other designated agents authorized to issue checks on a campaign contribution checking account may disburse to the candidate or committee establishing the checking account an amount not greater than fifty dollars ($50) per week to be used for petty cash purposes by the candidate or committee.

(k) Assumed Name Contributions. No contribution shall be made, directly or indirectly, by any person or combination of persons, acting jointly in a name other than the name by which they are identified for legal purposes, nor in the name of another person or combination of persons. No person shall make a contribution in his, her or its name of anything belonging to another person or received from another person on the condition that it be used as a contribution. In the event it is discovered by a candidate or committee treasurer that a contribution has been received in violation of this subsection, the candidate or treasurer shall promptly pay the amount received in violation of this subsection to the City Treasurer for deposit in the General Fund of the City.

(l) Campaign Expenditures – Uncontrolled by Candidate or Committee. Persons or organizations not subject to the control of a candidate or committee but who make independent expenditures for or against a candidate or committee shall comply with the applicable disclaimer requirements established by ordinance.

(m) Suppliers of Goods and Services – Disclosure of Records Required. No person who supplies goods or services or both goods and services to a candidate or committee for use in connection with the campaign for an elected City office shall knowingly refuse to divulge or disclose to the City Ethics Commission or to any public officer having legal authority to enforce this section, the details and the records supporting such details of any expenditures made by the candidate or committee in payment for such goods or services or both.

(n) Duties of City Ethics Commission. The City Ethics Commission shall administer the provisions of this section. In addition to other duties required under the terms of this section, the City Ethics Commission shall:

(1) Report apparent violations of this section and applicable state law to the City Attorney.

(2) Conduct audits and investigations of reports and statements filed by candidates and committees supporting or opposing candidates for City offices as required under both the Political Reform Act of 1974 as amended and this section. The City Ethics Commission shall employ investigators where necessary to fully investigate candidate spending and reporting.

(3) Enforce or cause to be enforced the provisions of this section pursuant to Section 90002(c) of the Government Code. The City Ethics Commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items necessary to the audit and investigation of candidates for election to City office.

(o) Enforcement.

(1) Criminal Enforcement – Any person who knowingly or willfully violates any provisions of this section is guilty of a misdemeanor. Any person who causes any other person to violate any provision of this section, or who aids and abets any other person in the violation of any provision of this section, shall be liable under the provisions of this section. Prosecution for violation of any provision of this section must be commenced within two years after the date on which the violation occurred.

(2) Civil Enforcement.

(A) Any person who intentionally or negligently violates any provision of this section shall be liable in a civil action brought by the City Attorney or by a person residing within the City. Where no specific civil penalty is provided, a person may be liable for an amount up to two thousand dollars ($2,000) for each violation.

(B) Any person who intentionally or negligently makes or receives a contribution, or makes an expenditure, in violation of any provision of this section shall be liable in a civil action brought by the City Attorney or by a person residing within the City for an amount up to three times the amount of the unlawful contribution or expenditure.

(C) If two or more persons are responsible for any violation, they shall be jointly and severally liable.

(D) Any person, before filing a civil action pursuant to this subsection, must first file with the City Attorney a written request for the City Attorney to commence the action. The request shall contain a statement of the grounds for believing a cause of action exists. The City Attorney shall respond within 40 days after receipt of the request, indicating whether the City Attorney intends to file a civil action. If the City Attorney indicates in the affirmative, and files suit within 40 days thereafter, no other action may be brought unless the action brought by the City Attorney is dismissed without prejudice.

(E) Not more than one judgment on the merits with respect to any violation may be obtained under this subsection. Actions brought for the same violation or violations shall have precedence for purposes of trial in the order of the time filed. Such actions shall be dismissed once judgment has been entered or a settlement approved by the court in a previously filed action. The court may dismiss a pending action without prejudice to any other action for failure of the plaintiff to proceed diligently and in good faith. The action may be so dismissed on motion by the City Attorney or any plaintiff in an action based on the same violation.

(F) In determining the amount of liability under this subsection, the court may take into account the seriousness of the violation and the degree of culpability of the defendant.

(i) No civil action alleging a violation of subsection (c) of this section, in connection with a contribution or expenditure shall be filed more than ~~four~~ five years after an audit could begin as set forth in the Political Reform Act of 1974 as amended.

(ii) No civil action alleging a violation of any provisions of this section other than subsection (c) of this section shall be filed more than ~~four~~ five years after the date of the violation.

(p) Effect of Violation on Outcome of Election.

(1) If a candidate is convicted of a misdemeanor violation of any provision of this section, the court shall make a determination as to whether the violation had a material effect on the outcome of the election. If the court finds such a material effect, then:

(A) if such conviction becomes final before the date of the election, the votes for such candidate shall not be counted, and the election shall be determined on the basis of the votes cast for the other candidates in that race;

(B) if such conviction becomes final after the date of the election, and if such candidate was declared to have been elected, then such candidate shall not assume office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter;

(C) if such conviction becomes final after the candidate has assumed office, then the candidate shall be removed from office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter; and

(D) the person so convicted shall be ineligible to hold any elected City office for a period of five years after the date of such conviction.

(2) The City Clerk shall not issue any certificate of nomination or election to any candidate until his or her pre-election campaign statements required by the Political Reform Act of 1974, as amended, or if no campaign statement is required, the written declaration permitted under Section 84205 of the Government Code, have been filed in the form and at the place required by the Political Reform Act of 1974.

(q) Verification. All declarations, reports and statements filed under this section shall be signed and verified by the filer under penalty of perjury. The candidate and any person

signing declarations, reports and statements under this provision shall read, know and understand the contents of all such declarations, reports and statements.

(r) Injunction. The City Attorney on behalf of the people of the City of Los Angeles or any person residing in the City of Los Angeles may sue for injunctive relief to enjoin violations or to compel compliance with the provisions of this section. The Court may award a plaintiff or defendant who prevails his or her costs of litigation, including reasonable attorney's fees; provided, however, that no such award may be granted against the City of Los Angeles.

(s) Severability. If any provision or portion of this section is for any reason held to be invalid or unconstitutional by the decision of any court, such decision shall not affect the remaining portions of this section.

Editor's note: Charter Amendment H, regarding Charter Section 470(c)(12), applies to contract solicitations issued or released on or after May 8, 2011. Charter Section 470(c)(12) applies to amendments when contract discussions with the awarding authority began on or after January 28, 2012.

SECTION HISTORY

Amended by: Subsec. (c)(11) added and Subsec. (l) amended, Charter Amendment, approved November 7, 2006, effective December 13, 2006; Subsec. (c)(12) added and Subsecs. (a) and (c) amended, Charter Amendment H §§ 1 - 3, approved March 8, 2011, effective April 8, 2011; Subsecs. (c)(5) and (c)(10) repealed, Charter Amendment N §§ 1 and 2, approved March 8, 2011, effective April 8, 2011.

Sec. 471. Public Matching Funds and Campaign Expenditure Limitations.

(a) Findings and Purposes.

(1) Monetary contributions to political campaigns are a legitimate form of participation in the American political process, but the financial strength of certain individuals or organizations should not permit them to exercise a disproportionate or controlling influence on the election of candidates.

(2) Therefore, this section is enacted to accomplish the following purposes:

(A) To assist serious candidates in raising enough money to communicate their views and positions adequately to the public without excessive expenditures or contributions, thereby promoting public discussion of the important issues involved in political campaigns.

(B) To limit overall expenditures in campaigns, thereby reducing the pressure on candidates to raise large campaign funds for defensive purposes, beyond the amount necessary to communicate reasonably with voters.

(C) To provide a source of campaign financing in the form of limited public matching funds.

(D) To substantially restrict fund-raising in non-election years.

(E) To increase the value to candidates of smaller contributions.

(F) To reduce the excessive fund-raising advantage of incumbents and thus encourage competition for elective office.

(G) To help restore public trust in governmental and electoral institutions.

(H) To avoid corruption or the appearance of corruption by providing an alternate source of funding for campaigns and reducing real or perceived ties between elected officials and special interests.

(b) Matching Funds and Expenditure Limitations Authorization. The City shall also adopt by ordinance limitations on campaign expenditures by candidates for elected City office who qualify for and accept public matching funds. The City shall adopt by ordinance regulations concerning the use of public funds to partially finance campaigns for elected City office through a system of matching public funds for qualifying campaign contributions. Such ordinances may be amended to further the purposes of this section of the Charter.

(c) Appropriation of Funds.

(1) The City Council shall appropriate two million dollars ($2,000,000) per fiscal year for public matching funds. The Council shall appropriate such funds for each following fiscal year. The amount of such appropriation shall be adjusted for cost of living changes based on the percentage increase or decrease in the Consumer Price Index (for all items other than housing) for the Los Angeles-Riverside-Orange County metropolitan statistical area using 1991 as the base year. The City Council, by a two-thirds vote, may reduce or eliminate the annual appropriation made during a fiscal year provided that: (a) the City Council has declared a fiscal emergency by resolution that is in effect for that fiscal year; (b) the trust fund balance is no less than eight million dollars ($8,000,000) in 1991 dollars adjusted to the Consumer Price Index at the time of the appropriation; and (c) the City Council has considered the City Ethics Commission's analysis regarding projected costs and estimated public funding needs for the next four years.

(2) All such funds shall be appropriated into a trust fund established by the Council by ordinance with interest accruing to the fund. In addition to the authority provided by Charter section 340, the City Council, by a two-thirds vote, may temporarily transfer funds from the trust fund to meet obligations of the City in any fiscal year, provided that: (a) the City Council has declared a fiscal emergency by resolution that is in effect for that fiscal year; (b) the City Council has considered the City Ethics Commission's analysis regarding projected costs and estimated public funding needs for the next four years; and (c) the funds transferred are limited to funds above a trust fund balance of eight million dollars ($8,000,000) in 1991 dollars adjusted to the Consumer Price Index. Any transferred funds shall be reimbursed to the trust fund by either (a) the date the City Ethics Commission determines the funds are needed for their intended purposes, or (b) before the end of the next fiscal year, whichever is earlier.

(3) If there are insufficient funds to provide the maximum matching funds available to a candidate in any election, as specified by ordinance, the limitations on total contributions from persons other than individuals imposed by Section 470 shall not apply to any of the candidates for the same office.

(4) The funds used to make payments for matching funds shall come exclusively from City sources of revenues.

SECTION HISTORY

Amended by: Subsecs. (a)(2) and (c), Charter Amendment H §§ 6 and 7, approved March 8, 2011, effective April 8, 2011.

CITY OF LOS ANGELES INDEPENDENT REDISTRICTING COMMISSION

Sec. 480. Commission Establishment and Purpose.

(a) There shall be in the City of Los Angeles an Independent Redistricting Commission (the "Commission") that shall have the powers, duties, and responsibilities set forth in the City Charter and by ordinance.

(b) The purpose of the Commission is to strengthen the governance of the City of Los Angeles by developing Council district boundaries through a fair, transparent, inclusive, and independent redistricting process that empowers public participation and public access to its proceedings.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 481. Commission Organization, Powers, and Duties.

(a) The Commission shall consist of 16 members and four alternate members.

(b) A new Commission shall be established every ten years after each federal decennial census. The members of the Commission shall be selected no later than April 1 of each year ending in the number zero.

(c) The term of office of each member of the Commission shall begin on the date of that commissioner's respective selection and shall expire upon the selection of the first member of the succeeding Commission.

(d) The Commission shall have the power and duty to:

(1) adopt the boundaries of the Council districts of the City of Los Angeles following each federal decennial census;

(2) comply with the redistricting criteria and process set forth in the Charter and by ordinance;

(3) act in an impartial manner that ensures the integrity and fairness of the redistricting process;

(4) educate and inform the public about redistricting, solicit and encourage public participation in the redistricting process, and hold public meetings and hearings that are accessible and provide the public the opportunity to participate and provide comment throughout the process;

(5) make recommendations to the Mayor, City Council, and City Ethics Commission regarding redistricting matters; and

(6) perform other redistricting functions as prescribed by ordinance.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 482. Commissioner Qualifications and Restrictions.

(a) Each Commission member shall be at least 18 years old and a resident of the City at the time of selection, and shall have resided in the City for at least five years immediately preceding the person's submission of an application. A Commissioner is not required to be a registered voter or a citizen of the United States.

(b) A person shall not be eligible to apply to or serve on the Commission if the person has been an employee of the City or a member of a City Commission at any time in the two years immediately preceding the person's submission of an application.

(c) A person shall not be eligible to apply to or serve on the Commission if the person or person's spouse or family has engaged in the prior political and lobbying activities described in the California Elections Code provisions regarding eligibility requirements for independent redistricting commissions. Additional eligibility requirements may be provided by ordinance.

(d) Applicants to the Commission shall demonstrate collaborative skills, experience in civic engagement, and the ability to analyze complex data.

(e) While serving on the Commission, a member of the Commission shall not endorse, work for, volunteer for, or make a campaign contribution to, any elected City officer or candidate for elective City office, or serve on a redistricting commission for any other governmental body.

(f) A member or former member of the Commission shall not do any of the following:

(1) Be a candidate for elective City office unless more than five years have elapsed from the commissioner's last date of service on the Commission or ten years have elapsed from the date of the commissioner's selection to the Commission, whichever is less.

(2) Be a candidate for City Council for any district for which the election will be conducted using district boundaries that were adopted by the Commission on which the member served.

(g) For a period of four years after the last date of service on the Commission or ten years after the date of selection to the Commission, whichever is less, a member or former member of the Commission shall not do any of the following:

(1) Accept appointment to another City Commission.

(2) Accept employment as a paid staff member of, or receive compensation as a consultant to, an elected City officer or candidate for elective City office.

(3) Receive a non-competitively bid contract with the City.

(4) Act as a registered City lobbyist.

(5) Accept appointment to a City office.

(h) Alternate members of the Commission shall be subject to the same eligibility requirements, standards of conduct, and restrictions as other Commission members.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 483. Commissioner Selection and Removal.

(a) An application process to identify prospective commissioners shall commence no later than April 1 of each year ending in the number nine.

(b) The City Clerk shall manage the Commission application process, with the City Ethics Commission providing oversight. The City Clerk and City Ethics Commission may delegate these responsibilities to their staff or consultants.

(c) The City Clerk shall conduct an outreach and education program to ensure that there is publication and awareness of the Commission application process, with efforts to reach underserved communities and with efforts conducted in multiple languages as identified by ordinance. The City Clerk shall monitor and make public the demographic data of application submissions and enhance outreach as reasonably needed to ensure that the applicant pool has a sufficient number of qualified applicants and reasonably reflects the City's diversity.

(d) An interested person meeting the eligibility requirements for service on the Commission may submit an application to the City Clerk. The City Clerk shall review the applications and establish an applicant pool consisting of those individuals who meet the objective eligibility requirements specified in subsections (a) through (c) of Section 482.

(e) The City Clerk shall post the names of individuals in the applicant pool for public review and establish a process by which the public may provide information regarding the eligibility of an individual in the applicant pool. The City Ethics Commission shall review the information provided by the public and determine whether any individual shall be removed from the applicant pool.

(f) Following the public review period, the City Ethics Commission shall evaluate the applications of the individuals in the applicant pool to identify individuals who satisfy the eligibility requirements specified in subsections (a) through (d) of Section 482 and who

shall be included in the Commission Selection Pool. After the establishment of the Commission Selection Pool, the City Ethics Commission shall have the authority to receive information from the public and make determinations regarding the continuing eligibility of individuals in the Commission Selection Pool.

(g) The City Clerk and City Ethics Commission, with assistance from the City Data Bureau and through a process that allows for public input, shall designate eight geographic regions of the City with generally equal population. The City Clerk shall conduct a random drawing at a public meeting to select one person from each of the eight geographic regions. The result of this selection process shall be the selection of eight members of the Commission, one from each of the eight geographic regions.

(h) The eight selected commissioners shall review the applications of all remaining applicants in the Commission Selection Pool to select eight additional members of the Commission. These selections shall be made at a public meeting by a two-thirds vote of the eight initial commissioners based on the applicant's relevant experiences and backgrounds, familiarity with the City's neighborhoods, ability to be impartial, and to ensure that the Commission reflects the City's diversity, including racial, ethnic, sex, gender, sexual orientation, age, income, professional, and geographic diversity. However, formulas or ratios shall not be applied for this purpose.

(i) After the 16 commissioners have been selected, the Commission shall select four persons from the remaining applicants in the Commission Selection Pool to serve as alternate commissioners. The selection of alternate commissioners shall be made in a manner that ensures geographic diversity among the alternate commissioners.

(j) The Commission may remove a commissioner for substantial neglect of duty, gross misconduct in office, inability to discharge the duties of office, failure to comply with the commissioner eligibility requirements and restrictions described in Section 482, unexcused absences, or failure to abide by transparency requirements. Removal under this provision requires a two-thirds vote of the Commission after providing the member notice of a public hearing and an opportunity to respond in writing and at the public hearing. The removed member may appeal the Commission's decision to the City Ethics Commission.

(k) The Commission may immediately remove a commissioner who has been charged with a felony offense, or who has been charged with a criminal misdemeanor related to a violation of official duties as described in Section 207(c). Removal under this provision requires a two-thirds vote of the Commission. The removed member may appeal the Commission's decision to the City Ethics Commission.

(l) The position of a member of the Commission shall become vacant if the member pleads guilty to or no contest to or is convicted of a felony.

(m) If a vacancy occurs on the Commission, the Chair of the Commission shall conduct a random drawing at a public meeting to select one of the alternate commissioners to serve as a commissioner.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 484. Redistricting Criteria.

(a) The Commission shall adopt Council district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965. Each district shall have a reasonably equal population with other districts, except where deviation is required to comply with the federal Voting Rights Act or as allowable by law.

(b) In addition to following the requirements of subsection (a), the Commission shall adopt Council district boundaries using the following criteria as set forth in the following order of priority:

(1) To the maximum extent practicable, districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the maximum extent practicable, and where it does not conflict with the preceding criterion in this subsection, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A

"community of interest" is a population that shares common social or economic interests that should be included within a single election district for purposes of its effective and fair representation. Characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services. Characteristics of communities of interest may also include, but are not limited to, cultural districts, shared socioeconomic characteristics, similar voter registration rates and participation rates, and shared histories. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the City. District boundaries should be easily identifiable and understandable by residents.

(4) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(c) The Commission shall not adopt district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party, and the place of residence of an incumbent or candidate shall not be considered in the development of district boundaries.

(d) Other additional criteria should be considered by the Commission when adopting district boundaries, including consideration of the community and cultural association with economic and cultural landmarks and resources. All decisions concerning additional criteria shall be considered and approved in public meetings. The Commission's consideration of additional criteria should be considered in compliance with and subordinate to the applicable requirements of subsections (a) through (c).

(e) After the Commission has adopted district boundaries, the Commission shall number each Council district such that, for as many residents as possible, the number of the Council district they reside in remains the same.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 485. Public Meetings, Outreach, and Accessibility.

(a) The Commission shall comply with the Ralph M. Brown Act and other applicable open meeting laws.

(b) The Commission shall take steps to encourage residents to participate in the redistricting process, including those in underrepresented communities and non-English speaking communities.

(c) The Commission shall hold public hearings and workshops in a manner that ensures that the public has the opportunity to participate and comment in each phase of the redistricting process.

(d) The Commission shall provide live translation of Commission meetings in English and Spanish and as further provided by ordinance. The Commission shall provide materials in the languages required by federal and state law and as provided by ordinance.

(e) The Commission shall develop and implement an Accessibility Plan to ensure that people with disabilities and seniors are able to access and fully participate in Commission meetings and hearings. The Commission shall develop this plan prior to the initiation of public hearings.

(f) For purposes of providing testimony, elected City officers shall be subject to the same public comment procedures as members of the public.

(g) Ex Parte Communications.

(1) A member of the Commission shall not communicate with any individual or organization regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with another commissioner, Commission staff, legal counsel, or consultants retained by the Commission. This provision does not prohibit communications with City staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(2) The Executive Director of the Commission, any mapping staff member or mapping consultant of the Commission, and other Commission staff as designated by the Commission shall not communicate with any elected City officer, candidate for elective City office, or staff of any such officer or candidate, either directly or through an agent, regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with City staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(3) A member or employee of the City Ethics Commission, City Clerk, or other City department involved in the process for selecting members of the Commission shall not communicate with any elected City officer, candidate for elective City office, or staff of any such officer or candidate, either directly or through an agent, regarding any matter related to the selection process outside of a public meeting before that process has been completed. This provision does not prohibit communications to the extent those communications are related to administrative matters, legal advice, or educational presentations made to the public.

(4) The Commission may adopt other rules regarding communications provided the rules comply with the Brown Act, do not conflict with the provisions in this subsection, and are adopted in a public meeting of the Commission.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 486. Commission Conduct of Business, Administration, and Personnel.

(a) Each member and alternate member of the Commission shall be a designated employee in the conflict of interest code for the Commission adopted pursuant to the California Political Reform Act, and shall file with the City Ethics Commission a statement of economic interests and other financial disclosure statements as required by law.

(b) The affirmative votes of a majority of the Commission shall be required for any official action, except the following actions which shall require the approval of two-thirds of the Commission:

(1) a vote for the final redistricting plan;

(2) a vote to remove a commissioner;

(3) a vote for the selection of the eight commissioners described in Section 483(h);

(4) a vote to hire the Executive Director, mapping consultant or mapping staff member, and any other position designated as key staff by the Commission; and

(5) a vote to authorize the delegation of hiring or contracting authority, to the extent such authority is delegable under state and City law.

(c) The alternate members of the Commission may fully participate in Commission deliberations but may not vote and may not be counted towards the establishment of a quorum.

(d) The Commission shall select one commissioner to serve as the Chair of the Commission. The Commission may designate other officers from its membership.

(e) Consideration of principles for the development of district boundaries for draft and final redistricting plans shall be conducted in a public meeting and approved by a vote of the Commission.

(f) The Commission shall post proposed map principles and any proposed final map on the Commission's website for a minimum of seven days before consideration at a Commission hearing or meeting.

(g) The Commission shall hire an Executive Director and redistricting, technology, and outreach staff, whose positions shall be exempt from the civil service provisions of the Charter.

(h) The Commission shall have the authority to hire consultants through a competitive process consistent with the contracting provisions of the Charter and as provided by ordinance.

(i) The City Clerk shall provide support to the Commission in accessing City resources, coordinating with City departments and personnel, and other administrative matters as needed.

(j) The Commission may utilize the City Attorney as legal counsel or may request the City Attorney to retain legal counsel for the Commission.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 487. Adoption of Final Redistricting Plan.

(a) The Commission shall adopt its final redistricting plan establishing new Council district boundaries no later than September 30 of each year ending in the number one.

(b) If the Commission does not adopt a final redistricting plan by the deadline in subsection (a), the City Attorney shall immediately petition the Superior Court for an order prescribing new Council district boundaries in accordance with the redistricting criteria

described in Section 484, and those boundaries shall apply to City elections until the Commission is able to adopt a final redistricting plan.

(c) The Commission shall issue, with the final plan, a report that explains the basis on which the Commission made its decisions in achieving compliance with the redistricting criteria described in Section 484.

(d) Upon adoption of a final redistricting plan, the Commission shall submit the plan, final report, and any other accompanying materials to the City Clerk and publish this material on the Commission's redistricting website.

(e) The City Clerk shall post the Commission's final redistricting plan and report on the City's website. The City Clerk shall publish the final plan and description of the new Council district boundaries in the same manner as an ordinance of the City.

(f) The final redistricting plan establishing new Council districts shall become effective 31 days from its publication as provided for ordinances in the Charter.

(g) The final redistricting plan shall be subject to referendum in the same manner as a City ordinance.

(h) No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Council prior to the expiration of the term of office for which the member was elected.

(i) District boundaries adopted by the Commission shall not be altered until after the next federal decennial census occurs except to settle a legal claim or in response to an order of a court.

(j) Any territory annexed to or consolidated with the City shall be added to an adjacent district or districts by the Commission. The addition shall be effective upon the completion of the annexation or consolidation proceedings.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 488. Commission Funding.

(a) The City Council and Mayor shall provide sufficient funds to meet the needs for the formation and operation of the Commission, including to compensate Commission staff, consultants and legal counsel, conduct outreach to solicit broad public participation in the redistricting process, and, if necessary, defend the actions of the Commission in any legal proceeding.

(b) The City Council and Mayor shall provide funds to all City departments involved with the formation of the Commission, providing support to the Commission, and maintaining the records of the Commission.

(c) Commissioners shall be compensated as provided by ordinance.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 489. Commission Recommendations.

(a) The Commission may recommend changes to the independent redistricting process described in the City Charter and Administrative Code by submitting a report to the City Ethics Commission with findings, analysis, and data that support the Commission's recommendations.

(b) The City Ethics Commission shall review the Commission's recommendations and may transmit a report to the City Council containing recommendations for amendments to the City Charter and Administrative Code regarding redistricting. To the extent the recommendations include amendments to the Administrative Code, the Ethics Commission shall also prepare and transmit, with the assistance of the City Attorney, any proposed ordinance that would be required to effectuate the recommended amendments.

(c) Administrative Code Amendments. Within 60 days of submission of an Ethics Commission report and accompanying proposed ordinance recommending amendments to the Administrative Code regarding redistricting, the City Council shall hold a public hearing concerning the matter and act to approve, without change, or disapprove the proposed ordinance. If the Council fails to disapprove within the 60-day period, the proposed ordinance shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or the Mayor fails to act, or approved by the Council on override of the Mayor's veto, the proposed ordinance shall be deemed approved.

(d) Charter Amendments. An Ethics Commission report recommending an amendment to the City Charter regarding redistricting shall be considered by the City Council in time to allow for submittal of the charter amendment to the voters at the next available election. An amendment to the City Charter requires the approval of the voters of the City.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 490. City Data Bureau.

There shall be established in the City a Data Bureau to prepare and manage demographic and geographic data for the Commission and other City departments as further provided by ordinance. Nothing in this section shall prohibit the Data Bureau from being placed within a City department or office.

SECTION HISTORY

Added by Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

ARTICLE V
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GENERAL PROVISIONS RELATED TO DEPARTMENTS

Department, Commissions, and Offices Interaction with Neighborhood Councils.

(a). Notice Requirement. All City departments, commissions, and offices that issue permits, approvals, or regulatory decisions following a public hearing (including but not limited to the City Planning Department, Department of Cannabis Regulation, and any

successor or related offices) and ministerial construction projects that bypass City Planning and go directly to the Department of Building and Safety must provide written and email notice of any scheduled public hearing or decision-making meeting to each certified Neighborhood Council whose boundaries include or are adjacent to the subject property or issue. Such notice shall be given no fewer than 30 calendar days prior to the existing deadline for public comment or meeting date.

(b) Input Opportunity. Neighborhood Councils receiving notice under subdivision (a) shall have the opportunity to provide formal, written recommendations and/or oral comments as part of the public record. City departments, Commissions, and Offices shall include all such Neighborhood Council input in administrative reports provided to decision-makers. Neighborhood Council input must be approved by the council according to its bylaws at a Brown Act compliant public meeting.

(c) Input Consideration Advisory Weight of Neighborhood Council Recommendations. Neighborhood Council recommendations submitted pursuant to this Article are advisory in nature and are intended to convey the views, concerns, and local conditions of the community they represent. Such recommendations shall not be required to conform to applicable federal or state law, the City Charter, ordinances, adopted plans, or established policy in order to be submitted or considered.

(d) Decision makers from City departments, commissions, and offices shall not be required to adopt or implement a Neighborhood Council recommendation that conflicts with governing law, adopted plans, or established policy. However, Neighborhood Council recommendations shall be afforded due weight as formal expressions of community input from the City's recognized neighborhood advisory bodies.

(e) A final decision that does not align with a Neighborhood Council recommendation shall not, by itself, constitute noncompliance with this Charter, provided that the administrative record demonstrates that the recommendation was received, considered, and addressed as part of the decision-making process.

(f) Neighborhood Council Non-participation. A Neighborhood Council may elect not to participate within the given 21 days. Lack of participation shall not be construed as being either approval or disapproval of the action. The departments, boards, and offices may continue their processes without the input if it is not given.

(h) Implementation Regulations. The Department of Neighborhood Empowerment with the participation of the Board of Neighborhood Commissioners shall adopt implementing regulations to support the requirements of this Section, consistent with the purpose of promoting early and meaningful community engagement.

Sec. 500. Creation and Management of Departments.

(a) There shall be the following departments each of which shall be under the control and management of a board of commissioners that shall be the head of the department:

Fire

Fire and Police Pensions

Library

Los Angeles City Employees' Retirement System

Police

Public Works

Recreation and Parks

(b) There shall be the following departments each of which shall be under the control and management of a chief administrative officer, who shall be the head of the department:

City Planning

Personnel

(c) The phrase "departments having control of their own special funds" and "departments which have control of definite revenue or funds" and other substantially equivalent terms used in the Charter shall mean the departments of Fire and Police Pensions, Los Angeles City Employees' Retirement System, Library, Recreation and Parks, and the Proprietary Departments.

Sec. 501. Boards of Commissioners.

(a) Creation. Each department created in the Charter shall have a board of commissioners consisting of five commissioners, unless some other number is provided in the Charter for a specific board.

Each board shall be known as the Board of (insert name of department) Commissioners, except that the Board of the Personnel Department shall be known as the Board of Civil Service Commissioners.

(b) Attendance Fees. The Council shall, by ordinance adopted by a two- thirds vote, establish the amount of attendance fees to be paid to commissioners. Attendance fee ordinances shall be adopted no more frequently than once a year.

(c) Term. A commissioner term shall be five years, beginning on July 1. The terms of the commissioners shall be designated so that as much as possible the terms of office are staggered. The period of the term of each commissioner shall be designated in the appointment. An appointment to fill an unexpired term on any board shall be for the period of the unexpired term.

(d) Qualifications.

(1) No person shall be appointed to a Charter created commission who is not a registered voter of the City. This requirement shall also apply to standing commissions created by ordinance that are advisory to, or manage, a department or office, or perform regulatory functions. This requirement does not apply to commissioners who are elected or who serve ex officio.

(2) No person who is required by ordinance to be registered as a lobbyist shall be appointed to a commission whose members are required to file financial disclosure statements pursuant to the California Political Reform Act.

(e) Diversity. Unless otherwise provided in the Charter, the Mayor, Council or other appointing authority shall strive to make his or her overall appointments to appointed boards, commissions or advisory bodies established by the Charter or ordinance reflect the diversity of the City, including, but not limited to, communities of interest, neighborhoods, ethnicity, race, gender, age and sexual orientation.

SECTION HISTORY

Amended by: Subsec. (d), Charter Amendment, approved November 7, 2006, effective December 13, 2006.

Sec. 502. Appointment and Removal of Commissioners.

(a) Appointment. Unless otherwise provided in the Charter, commissioners of Charter created boards and of standing commissions created by ordinance that are advisory to, or manage a department or appointed office, or perform regulatory functions, shall be appointed by the Mayor, subject to the approval of the Council. The Mayor shall appoint the commissioners of all other ordinance created commissions, unless otherwise provided in the ordinance.

Within 45 days of a vacancy created by the expiration of a term of office or otherwise, the Mayor shall submit to the Council for its approval the name of the Mayor's appointee to serve for the next ensuing term or remainder of the unexpired term created by the vacancy.

If the Council does not disapprove the appointment within 45 days after its submission to the Council, the appointment shall be deemed approved. If the Council disapproves an appointment, the Mayor shall make and submit to the Council a new appointment within 45 days of Council disapproval. Each subsequent Council disapproval of a mayoral appointment shall create a new 45 day period.

(b) Appointment by President of the Council. In the event the Mayor fails to submit an appointment to the Council within any of the 45 day periods provided in this section, the President of the Council shall, within an additional 45 days, submit an appointment for that office to the Council for its approval. If the Council does not disapprove the appointment made by the President of the Council within 45 days after submission, the appointment shall be deemed approved by the Council.

If the Council disapproves the appointment made by the President of the Council within the 45 day period, the President of the Council shall make a new appointment to the office

involved within 45 days of the disapproval of the previous appointment. Each subsequent disapproval of an appointment made by the President of the Council shall create a new 45 day period.

(c) Appointment by Council Resolution. Upon failure of the President of the Council to submit an appointment to the Council for its approval as provided in this section, that appointment shall be made by the Council, by resolution, within 45 days from the expiration of the 45 day period within which the President of the Council failed to act.

(d) Removal. Members of a board or commission, other than the City Ethics Commission and the Police Commission, who are appointed by the Mayor subject to approval by the Council, may be removed by the Mayor without Council confirmation. Members of the Police Commission may be removed by the Mayor, but a removed member may, within ten calendar days of the removal, appeal the action to the Council. Within ten Council meeting days of receipt of the appeal, the Council may reinstate the commissioner by a two-thirds vote of the Council. Failure of the Council to reinstate the commissioner during this time period shall constitute a denial of the appeal. Action on an appeal shall be by an action separate from the approval of the appointment of a successor to the removed member. Members of the City Ethics Commission may be removed in accordance with Section 700. Members of the Independent Redistricting Commission may be removed in accordance with Section 483.

(e) Financial Disclosures. Council shall not approve an appointee before the appointee's financial disclosure statements have been filed with the Ethics Commission and submitted to the Council. Notwithstanding Subsections (a) and (b), an appointee shall be deemed disapproved if the appointee's financial disclosure statements have not been filed with the Ethics Commission and submitted to the Council within 45 days after the submission of the appointment to the Council.

SECTION HISTORY

Amended by: Subsec. (d), Charter Amendment DD, approved November 5, 2024, effective January 8, 2025; Subsec. (e) added, Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 503. Organization of the Board.

(a) Officers. Each of the boards created in the Charter shall elect one of its members President and one Vice-President. Officers shall hold office for one year and until their successors are elected, unless their membership on the board expires sooner. Elections shall be held during its last meeting in July of each year, but the board may fill the unexpired term of any vacancy occurring in the office of President or Vice-President at any meeting.

(b) Meetings. Each board shall hold a regular meeting at least twice a month. All meetings shall be in a municipal or other facility open to the public.

(c) Action. Each board shall exercise the powers conferred upon it by the Charter by order or resolution adopted by a majority of its members. Action of the board shall be attested by the signatures of the President or Vice-President, or two members of the board, and by the signature of the secretary of the board.

Sec. 504. Secretary and Chief Accounting Employee.

(a) Secretary to the Board. The head of each department shall appoint an employee of the department other than a member of the board, to serve as secretary to the board. The secretary shall perform those duties imposed upon him or her by the Charter, ordinance or order of the board.

(b) Chief Accounting Employee. The head of each department shall appoint an employee of the department, other than a member of the board or the chief administrative officer, to serve as chief accounting employee. The chief accounting employee shall perform those duties imposed upon him or her by the Charter, by ordinance, or by the board.

(c) Appointment Subject to Civil Service. Appointments made under this section are subject to the civil service provisions of the Charter. The Council may provide by ordinance for combining the positions of secretary and chief accounting employee with other positions in the civil service.

Sec. 505. Approval by Chief Accounting Employee of Use of Funds.

The written approval of the chief accounting employee shall be required for the withdrawal of money from any fund of any department created by the Charter under the control and management of a board of commissioners. However, this requirement does not apply to withdrawals made for the purpose of purchases through a centralized City purchasing system.

Sec. 506. Powers of the Board and the Head of the Department.

Subject to the provisions of the Charter, and to any ordinances as are not in conflict with the grants of power made to each department in the Charter:

(a) Management. The head of each department shall have power to supervise, control, regulate and manage the department.

(b) Rules and Regulations. The head of each department shall have the power to make and enforce all rules and regulations necessary for the exercise of the powers conferred upon the department by the Charter. The board of each department under the control and management of a general manager shall have the power to make and enforce all rules and regulations necessary for the exercise of powers and the performance of the duties conferred upon that board by the Charter. Every order or resolution adopting a rule of general application to be followed by the public shall be published once in a daily newspaper and shall take effect upon publication. Those rules, when adopted by order of a general manager who is the head of a department, shall be subject to the approval of the Mayor.

(c) Acquisition of Real Property; Approval of Contracts. Subject to Section 373, any action by a department created in the Charter authorizing the acquisition or sale of real property, approving of contracts which obligate the City for a longer period of time than as

provided by ordinance, or which involve consideration reasonably valued in excess of such monetary limitation as provided by ordinance, shall be taken by the head of the department by order or resolution.

(d) Police Power. No grant of power by the Charter to any department or board of City government shall be construed to restrict the power of the Council to enact ordinances under the police power of the City, except as otherwise specifically provided in the Charter.

Sec. 507. Chief Administrative Officers.

Other than the elected offices, each department and office established by the Charter or created by ordinance, and each of the Public Works bureaus of Contract Administration, Engineering, Sanitation, Street Lighting, and Street Services shall have a chief administrative officer. In departments under the control and management of a board of commissioners, the chief administrative officer administers the affairs of the department. In departments and offices not under the control and management of a board of commissioners, the chief administrative officer has full charge and control of all work of the department or office. Elsewhere in the Charter and in the Los Angeles Administrative Code, chief administrative officers may have different position titles including general manager and director.

Sec. 508. Appointment and Removal of Chief Administrative Officers.

(a) Applicability. Subsections (a) through (e) of this section shall apply to all chief administrative officers, except the Chief of Police, the Executive Officer of the City Ethics Commission, the Executive Director of the Employee Relations Board, the general managers of the Fire and Police Pensions and the Los Angeles City Employees Retirement System, and the general managers of the Proprietary Departments. The following shall also be considered chief administrative officers for the purposes of this section: the Treasurer; the Executive Director of any City commission or agency created by ordinance that performs regulatory functions; and the executive director of all other ordinance created commissions or agencies unless the ordinance creating the commission or agency provides otherwise. The provisions of this section shall not apply to the Chief Legislative Analyst.

(b) Appointment. Each chief administrative officer to whom this section applies shall be appointed by the Mayor, subject to confirmation by the Council. If the Council does not disapprove the appointment within 45 days after its submission to the Council, the appointment shall be deemed approved. The Mayor may, but shall not be required to, use the assistance of the Personnel Department in the recruitment and selection of candidates for appointment. No chief administrative officer appointed under this section shall acquire any property interest in employment in that position.

(c) Temporary Appointments. The Mayor must fill any vacancy in the position of chief administrative officer within ten days of the vacancy. The Mayor may appoint a temporary chief administrative officer for six months, which period may be extended with the consent of Council for an additional six months. If no permanent appointment has been submitted to the Council during the initial or extended period, the temporary appointment shall be deemed submitted as a permanent appointment, and the time period for Council approval or disapproval shall commence as of that date.

(d) Annual Review. The Mayor shall evaluate each chief administrative officer annually. The Mayor shall set or adjust the amount of compensation for the chief administrative officer within the guidelines established by Council, after recommendations concerning those guidelines have been made to the Council by the City Administrative Officer.

(e) Removal. The Mayor may remove, by written notice, the City Clerk and the Treasurer, subject to approval by the Council. The Mayor may remove, by written notice, all other chief administrative officers to whom this section applies without Council confirmation. However, those removals may be appealed to the Council in accordance with this subsection. Within ten calendar days of the removal, the chief administrative officer may appeal the removal to the Council. Within 10 Council meeting days of receipt of the appeal, the Council may reinstate the chief administrative officer by a two-thirds vote of the Council. Failure of the Council to reinstate the chief administrative officer during this time period shall constitute a denial of the appeal.

(f) Chief Administrative Officers Appointed by a Commission. Any chief administrative officer or executive director that is appointed by a Commission pursuant to ordinance shall be annually reviewed by the appointing commission. That commission shall set or adjust the compensation for the chief administrative officer or executive director within the salary guidelines established by Council, after recommendations concerning those guidelines have been made to the Council by the City Administrative Officer. The commission shall forward a copy of the evaluation and salary determination to the Mayor and Council for information.

SECTION HISTORY

Amended by: Subsecs. (d) and (f), Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 509. Powers of Chief Administrative Officer of Department Under the Control of a Board of Commissioners.

Subject to the provisions of the Charter, the rules of the department and the instruction of his or her board, the chief administrative officer of a department or bureau under the control and management of a board of commissioners, except the Police Department, shall:

(a) administer the affairs of the department or bureau as its chief administrative officer;

(b) appoint, discharge, suspend, or transfer the employees of the department or bureau, other than the secretary of the board and the chief accounting employee of the department, all subject to the civil service provisions of the Charter;

(c) issue instructions to employees, in the line of their duties, all subject to the civil service provisions of the Charter;

(d) expend the funds of the department or bureau in accordance with the provisions of the budget appropriations or of appropriations made after adoption of the budget;

(e) recommend to the board of the department prior to the beginning of each fiscal year an annual departmental budget covering the anticipated revenues and expenditures of the department or bureau, conforming so far as practicable to the forms and dates provided in Article III in relation to the general City budget;

(f) certify all expenditures of the department or bureau to the chief accounting employee;

(g) file with the board and the Mayor a written report on the work of the department or bureau on a regular basis and as requested by the Mayor or board; and

(h) exercise any further powers in the administration of the department as may be conferred upon him or her by the board of the department.

Sec. 510. Powers of Chief Administrative Officer of Department Under the Management and Control of Chief Administrative Officer.

Each chief administrative officer who is the head of the department shall:

(a) have full charge and control of all work of the department;

(b) be responsible for the proper administration of its affairs;

(c) appoint, discharge, suspend or transfer all employees of the department, subject to the civil service provisions of the Charter;

(d) issue instructions to employees in the line of their duties, all subject to the civil service provisions of the Charter;

(e) as authorized by ordinance, assign employees of the department as are required for the carrying out of the powers and duties of the board of commissioners, if any;

(f) provide technical assistance and information as requested in writing by the board of commissioners of the department, if any;

(g) prior to the beginning of each fiscal year submit an annual budget covering the anticipated revenues and expenditures of the department, including, pursuant to the instructions of the board of commissioners, if any, the money required for the proper conduct of the board's affairs;

(h) expend the funds of the department in accordance with the provisions of the budget appropriations or of appropriations made after adoption of the budget, including those appropriated for the board of commissioners, if any;

(i) file with the board and the Mayor a written report on the work of the department on a regular basis and as requested by the Mayor or board; and

(j) exercise any further powers as may be conferred upon him or her.

Sec. 511. Responsibilities of Boards of Departments Controlling Their Own Funds.

In addition to the other powers and duties imposed upon them by the Charter, the board of each department having control over its own special funds shall:

(a) provide suitable quarters, equipment and supplies for the department, create the necessary positions in the department, authorize the necessary deputies, assistants and employees and fix their duties, and may require bonds of any or all the department's employees for the faithful performance of their duties; and

(b) prior to the beginning of each fiscal year, adopt an annual departmental budget and make an annual department budget appropriation, covering the anticipated revenues and expenditures of the department. The departmental budget shall conform as far as practicable, to the forms and times provided in Article III for the general City budget. Each departmental budget shall contain a sum to be known as the Unappropriated Balance, which sum shall be available for appropriation by the board later in the ensuing fiscal year to meet contingencies as they may arise. A copy of the budget when adopted, and of every resolution subsequently adopted making appropriation from the Unappropriated Balance

shall promptly be filed with the Mayor and Controller. No expenditure shall be made or financial obligations incurred by the department except as authorized by the annual departmental budget appropriation, or appropriations made after the adoption of the annual budget, or as otherwise provided in the Charter.

Sec. 512. Temporary Absence or Inability to Act.

Wherever the Charter provides for the discharge of specific duties by a specific appointee other than the Chief of Police, the appointing power may designate an employee in the same department to act in case of the appointee's temporary absence or other inability to act, or upon the written request of such appointee.

Sec. 513. Relationship of General Provisions to Specific Departmental Provisions.

The provisions of this Article shall be subject to any modifications specifically set forth in the sections of the Charter dealing with specific departments.

Sec. 514. Transfer of Powers.

(a) Charter Created Powers and Duties. The Mayor may propose the transfer of any of the powers, duties and functions of the departments, offices and boards of the City set forth in the Charter to another department, office or board created by the Charter or by ordinance. The transfer shall be effective if approved by ordinance adopted by a two-thirds vote of the Council, or if the Council fails to disapprove the matter within 45 days after submittal by the Mayor of all documents necessary to accomplish the transfer, including the proposed ordinance transferring powers, duties or functions, and any related ordinances or resolutions concerning personnel or funds affected by the transfer. The Council on its own initiative may, by ordinance, adopted by a two-thirds vote of the Council,

subject to the veto of the Mayor or by a three-fourths vote of the Council over the veto of the Mayor, make any such transfer.

(b) Exceptions. The power of the Mayor and Council to act as provided in this section shall not extend to:

(1) Elected Offices;

(2) Proprietary Departments;

(3) Los Angeles City Employees' Retirement System;

(4) Department of Fire and Police Pensions;

(5) City Ethics Commission;

(6) The disciplinary functions of the Fire Department and the Police Department as contained in Sections 1060 and 1070; and

(7) The Police Department and the Fire Department, if the transfer or consolidation would significantly alter or affect the primary purpose or character of the departments.

(8) Independent Redistricting Commission.

(c) Ordinance Created Powers and Duties. Powers, duties and functions established by ordinance may be transferred or eliminated by an ordinance proposed by the Mayor or Council. If the Mayor proposes a transfer or elimination, the action shall be effective if approved by ordinance adopted by a majority vote of the Council, or if the Council fails to disapprove the matter within 45 days after submittal by the Mayor of all documents necessary to accomplish the transfer or elimination, including the proposed ordinance transferring powers, duties or functions, and any related ordinances or resolutions concerning personnel or funds affected by the transfer or elimination.

SECTION HISTORY

Amended by: Subsec. (b)(8) added, Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

FIRE DEPARTMENT

Sec. 520. Powers and Duties of the Department.

The Fire Department shall have the power and duty to:

(a) control and extinguish injurious or dangerous fires and to remove that which is liable to cause those fires;

(b) enforce all ordinances and laws relating to the prevention or spread of fires, fire control and fire hazards within the City, and the waters under the jurisdiction of the City, and vessels or structures thereon, provided however that nothing herein shall require the Fire Department to provide services to, on, in, or for the benefit of any lands, waters, properties or waterfront under the control of the Harbor Department, except pursuant to an agreement by the Board of Harbor Commissioners to reimburse the General Fund for the costs of those services;

(c) conduct fire investigations; and

(d) protect lives and property in case of disaster or public calamity. The scope and extent of those emergency powers and duties and the manner of their exercise shall be prescribed by ordinance consistent with Section 231(i).

Sec. 521. Authority of Officers.

The officers of the Fire Department who are in charge at the scene of any fire or emergency shall have full power and authority to direct the operation of controlling and containing the fire or emergency. The officers may prohibit approach to the fire or emergency site and may remove any person, vehicle, vessel or thing not needed in controlling and containing the fire or emergency or preserving property in the vicinity.

This section shall not limit the authority of the master or officers of any vessel requiring Fire Department response, subject to the Fire Department's authority to control the operations in protection of the public interest.

Sec. 522. Fire Chief.

The chief administrative officer of the Fire Department shall be known as the Fire Chief and shall be appointed and removed as provided in Section 508.

Sec. 523. Independent Assessor.

The Independent Assessor shall report to the Board of Fire Commissioners and shall have the same access to Fire Department information as the Board of Fire Commissioners. The Independent Assessor shall have the power and duty to:

(a) under rules established by the Board of Fire Commissioners, audit, assess and review the Fire Department's handling of complaints of misconduct committed by employees, sworn or civilian, of the Fire Department;

(b) conduct any audit or assessment requested by majority vote of the board;

(c) initiate any assessment or audit of the Fire Department or any portion of the Fire Department with prior notice to the Board of Fire Commissioners, and subject to the authority of the board by majority vote to direct the Independent Assessor not to commence or continue an assessment or audit;

(d) keep the board informed of the status of all pending assessments and audits; and

(e) appoint, discharge, discipline, transfer and issue instructions to employees under his or her direction.

SECTION HISTORY

Added by Charter Amendment A, approved March 3, 2009, effective April 1, 2009.

Sec. 524. Appointment of Independent Assessor.

The Board of Fire Commissioners shall have the power to appoint and remove an Independent Assessor of The Fire Department subject to Section 245, whose position shall be exempt from the civil service provisions of Chapter X of the Charter and who shall not be a member of the Fire Department. This power shall be in addition to any other powers conferred upon the Board by the Charter.

SECTION HISTORY

Added by Charter Amendment A, approved March 3, 2009, effective April 1, 2009.

LIBRARY DEPARTMENT

Sec. 530. Powers and Duties of the Department.

The Library Department shall have the power and duty to:

(a) establish, manage, control, and operate a central library and branch libraries within the City, and to acquire and take by purchase, lease, condemnation, gift, in trust, or otherwise, and to hold for the City, any and all property necessary or convenient for those purposes; and

(b) design, construct, alter, and maintain all buildings, structures and grounds devoted to purposes of the department, from any funds under its control and available for those purposes, notwithstanding other provisions of the Charter.

Sec. 531. Financial Support.

(a) For the financial support of the Library Department, there shall be appropriated an annual sum equal to a percentage of assessed value of all property in the City as assessed for City taxes, as follows:

Fiscal Years Prior to 2011-2012: 0.0175%.

Fiscal Year 2011-2012: 0.0206%.

Fiscal Year 2012-2013: 0.0237%.

Fiscal Year 2013-2014: 0.0269%.

Fiscal Year 2014-2015 and thereafter: 0.0300%.

(b) Additional appropriations may be made from the General Fund.

(c) All money derived from (a) or (b) plus sums received by the Library Department from fines, sales, gifts or otherwise in connection with the operation of the library, shall be placed to the credit of the Library Department in a fund to be known as the Library Fund.

(d) Except as provided in Section 342 with regard to funds appropriated from the General Fund to the Library Fund pursuant to subsection (b), money in the Library Fund shall be used only for the financial support of the Library Department, its operations and its facilities, including all Library Department direct and indirect costs. For fiscal years 2011-12, 2012-13 and 2013-14, the Council shall, by ordinance, establish a minimum level of funding from the incremental increases in appropriations based on assessed property value for restoration of Library services and programs, and the remainder of those annual increases shall be used to pay for indirect costs. Provided, however, that in each of those fiscal years the amount of the increased appropriation dedicated for restoration of Library services and programs shall not be less than 45% of the increase in appropriation over the sum appropriated based on assessed property value in the base year of 2010-2011. Beginning in fiscal year 2014-15 and thereafter, the Library Department shall be responsible for payment of all of its direct and indirect costs, which shall include, but not be limited to, health, dental, pension, building services and utility costs.

SECTION HISTORY

Amended by: Charter Amendment L § 1, approved March 8, 2011, effective April 8, 2011.

Sec. 532. Board of Library Commissioners.

The Board of Library Commissioners shall control, appropriate and expend all money coming into the Library Fund for the purposes of the department. The board may authorize the Treasurer to invest any surplus funds under its control in accordance with Section 303(b).

Sec. 533. City Librarian.

The chief administrative officer of the Library Department shall be known as the City Librarian and shall be appointed and removed as provided in Section 508.

Sec. 534. Library Property.

Acquisition of real property by the City for library sites shall first be approved by the Board of Library Commissioners. The board shall have full control over all library sites and none of these sites shall be devoted to any other purpose in whole or in part without permission from the board.

Sec. 535. Subsurface Parking Structures.

The Board of Library Commissioners may lease subsurface property under its control in accordance with requirements and proceedings similar to Section 596. Any revenue from these leases shall be credited to the Library Fund. The board may design, construct and operate subsurface parking structures under lands within its control, subject to similar requirements as found in Section 596(a)(1) and (2).

PERSONNEL DEPARTMENT

Sec. 540. Powers and Duties of the Department.

The Personnel Department shall have the power and duty to administer the civil service system in accordance with the civil service provisions of Article X of the Charter and the civil service rules established by the Board of Civil Service Commissioners, and perform any other employment related duties as may be prescribed by ordinance.

Sec. 541. Board of Civil Service Commissioners.

The Board of Civil Service Commissioners shall have the power and duty to make and enforce the civil service rules and to establish and maintain the civil service system in accordance with the civil service provisions of Article X of the Charter.

Sec. 542. Chief Administrative Officer.

The chief administrative officer of the Personnel Department shall be the head of the department and have the powers and duties of general managers set forth in Section 510, except those expressly reserved to the Board of Civil Service Commissioners as provided in the civil service provisions of Article X of the Charter.

CITY PLANNING DEPARTMENT

Sec. 550. Powers and Duties of the Department.

The Department of City Planning shall have and exercise all the powers and duties provided for it in the Charter or by ordinance.

The Department of City Planning shall ensure that all documents related to a case before the Department, including ministerial projects that bypass the Department of City Planning and go directly to the Department of Building and Safety are made public and posted to the online case file.

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Sec. 551. City Planning Commission.

The Board of Commissioners of the City Planning Department shall be known as the City Planning Commission and shall consist of nine members. It shall:

(a) give advice and make recommendations to the Mayor, Council, Director of Planning, municipal departments and agencies with respect to City planning and related activities and legislation;

(b) make recommendations concerning amendment of the General Plan and proposed zoning ordinances in accordance with Sections 555 and 558;

(c) make reports and recommendations to the Council and to other governmental officers or agencies as may be necessary to implement and secure compliance with the General Plan; and

(d) perform other functions prescribed by the Charter or ordinance.

Sec. 552. Area Planning Commissions.

The Council shall adopt an ordinance creating not less than five separate bodies to be known as Area Planning Commissions. The ordinance shall establish the boundaries of the area to be served by each Area Planning Commission, which shall be drawn so that all areas of the City are served by an Area Planning Commission. Each Area Planning Commission shall consist of five members. Members shall be appointed and removed in the same manner as members of the City Planning Commission, except that residency in the area served by the Area Planning Commission shall be a qualification for appointment. Except as provided in subsection (d), Area Planning Commissions are quasi-judicial agencies.

Each Area Planning Commission, with respect to matters concerning property located in the area served by the Area Planning Commission, shall have and exercise the power to:

(a) hear and determine appeals where it is alleged there is error or abuse of discretion in any order, requirement, decision, interpretation or other determination made by a Zoning Administrator;

(b) hear and make determinations on any matter normally under the jurisdiction of a Zoning Administrator when that matter has been transferred to the jurisdiction of the Area Planning Commission because the Zoning Administrator has failed to act within the time limits prescribed by ordinance;

(c) hear and determine applications for, or appeals related to, conditional use permits and other similar quasi-judicial approvals, in accordance with procedures prescribed by ordinance;

(d) make recommendations with respect to zone changes or similar matters referred to it from the City Planning Commission pursuant to Section 562; and

(e) hear and determine other matters delegated to it by ordinance.

Sec. 553. Director of Planning.

(a) The chief administrative officer of the Department of City Planning shall be known as the Director of Planning and shall be appointed and removed as provided in Section 508. The Director shall be chosen on the basis of administrative and technical qualifications, with special reference to actual experience in and knowledge of accepted practice in the field of City planning.

(b) The Director of Planning or his or her designee shall:

(1) prepare the proposed General Plan of the City and proposed amendments to the General Plan;

(2) prepare all proposed zoning and other land use regulations and requirements, including maps of all proposed districts or zones;

(3) make investigations and act on the design and improvement of all proposed subdivisions of land as the advisory agency under the State Subdivision Map Act; and

(4) have those additional powers and duties provided by ordinance.

Sec. 554. General Plan – Purpose and Contents.

The General Plan shall be a comprehensive declaration of goals, objectives, policies and programs for the development of the City and shall include, where applicable, diagrams, maps and text setting forth those and other features.

(a) Purposes. The General Plan shall serve as a guide for:

(1) the physical development of the City;

(2) the development, correlation and coordination of official regulations, controls, programs and services; and

(3) the coordination of planning and administration by all agencies of the City government, other governmental bodies and private organizations and individuals involved in the development of the City.

(b) Content. The General Plan shall include those elements required by state law and any other elements determined to be appropriate by the Council, by resolution, after considering the recommendation of the City Planning Commission.

Sec. 555. General Plan - Procedures for Adoption.

Procedures pertaining to the preparation, consideration, adoption and amendment of the General Plan, or any of its elements or parts, shall be prescribed by ordinance, subject to the requirements of this section.

(a) Amendment in Whole or in Part. The General Plan may be amended in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has significant social, economic or physical identity.

(b) Initiation of Amendments. The Council, the City Planning Commission or the Director of Planning may propose amendments to the General Plan. The Director of Planning shall

make a report and recommendation on all proposed amendments. Prior to Council action, the proposed amendment shall be referred to the City Planning Commission for its recommendation and then to the Mayor for his or her recommendation.

(c) Commission and Mayoral Recommendations. The City Planning Commission shall hold a public hearing before making any recommendation on a proposed amendment to the General Plan and shall act within the time specified by ordinance. If the Commission recommends disapproval of an amendment initiated by the Commission, it shall report its decision to the Council and Mayor. After the Commission recommends approval of an amendment initiated by the Commission, or takes action concerning an amendment initiated by the Director or the Council, the Commission shall forward its recommendation to the Mayor. The Mayor shall have 30 days to forward his or her recommendation to the Council regarding the proposed amendment to the General Plan. If either the City Planning Commission or the Mayor does not act within the time specified, the Commission or Mayor shall be deemed to have recommended approval of the proposed amendment.

(d) Council Action. The Council shall conduct a public hearing before taking action on a proposed amendment to the General Plan.

If the Council proposes any modification to the amendment approved by the City Planning Commission, that proposed modification shall be referred to the City Planning Commission and the Mayor for their recommendations. The City Planning Commission and the Mayor shall review any modification made by the Council and shall make their recommendation on the modification to the Council in accordance with subsection (c) above.

If no modifications are proposed by the Council, or after receipt of the Mayor's and City Planning Commission's recommendations on any proposed modification, or the expiration of their time to act, the Council shall adopt or reject the proposed amendment by resolution within the time specified by ordinance.

(e) Votes Necessary for Adoption. If both the City Planning Commission and the Mayor recommend approval of a proposed amendment, the Council may adopt the amendment by a majority vote. If either the City Planning Commission or the Mayor recommends the disapproval of a proposed amendment, the Council may adopt the amendment only by a two-thirds vote. If both the City Planning Commission and the Mayor recommend the disapproval of a proposed amendment, the Council may adopt the amendment only by a three-fourths vote. If the Council proposes a modification of an amendment, the recommendations of the Commission and the Mayor on the modification shall affect only that modification.

Sec. 556. General Plan Compliance.

When approving any matter listed in Section 558, the City Planning Commission and the Council shall make findings showing that the action is in substantial conformance with the purposes, intent and provisions of the General Plan. If the Council does not adopt the City Planning Commission's findings and recommendations, the Council shall make its own findings.

Sec. 557. General Plan Areas.

For the purpose of reviewing or amending the General Plan, the City Planning Commission shall make its recommendations to the Council relative to the division of the entire City into areas and the Council, after considering the recommendations of the City Planning Commission, shall adopt a resolution providing for those General Plan areas. To the extent feasible, general plan areas shall be drawn to keep areas geographically compact, to keep neighborhoods and communities intact, and to utilize natural boundaries and street lines.

Sec. 558. Procedure for Adoption, Amendment or Repeal of Certain Ordinances, Orders and Resolutions.

(a) The requirements of this section shall apply to the adoption, amendment or repeal of ordinances, orders or resolutions by the Council concerning:

(1) the creation or change of any zones or districts for the purpose of regulating the use of land;

(2) zoning or other land use regulations concerning permissible uses, height, density, bulk, location or use of buildings or structures, size of yards, open space, setbacks, building line requirements, and other similar requirements, including specific plan ordinances;

(3) private street regulations;

(4) public projects; and

(5) the acquisition of, change of area or alignment to, abandonment of, or vacation of any public right of way, park, playground, airport, public building site or other public way, ground or open space, but not including easements for sewers, storm drains or slopes, nor the temporary transfer of jurisdiction over any portion of a street to another local agency.

(b) Procedures for the adoption, amendment or repeal of ordinances, orders or resolutions described in subsection (a) shall be prescribed by ordinance, subject to the following limitations:

(1) Initiation. An ordinance, order or resolution may be proposed by the Council, the City Planning Commission, or Director of Planning or by application of the owner of the affected property if authorized by ordinance.

(2) Recommendation of the City Planning Commission. After initiation, the proposed ordinance, order or resolution shall be referred to the City Planning Commission for its report and recommendation regarding the relation of the proposed ordinance, order or resolution to the General Plan and, in the case of proposed zoning regulations, whether adoption of the proposed ordinance, order or resolution will be in conformity with public necessity, convenience, general welfare and good zoning practice. The City Planning Commission shall act within the time specified by ordinance. After the City Planning Commission has made its report and recommendation, or after the time for it to act has expired, the Council may consider the matter. Failure to act within the time prescribed by ordinance shall be deemed to be a recommendation of approval by the City Planning Commission of the proposed ordinance, order or resolution.

(3) Action by the Council. Before adopting a proposed ordinance, order or resolution, the Council shall make the findings required in subsection(b)(2) of this section.

(A) Planning Commission Recommendation of Approval. If the City Planning Commission recommends approval of the proposed ordinance, order or resolution, the Council may adopt an ordinance, order or resolution conforming to the Commission recommendation by majority vote.

(B) Planning Commission Recommendation Against Approval. If the City Planning Commission recommends against approval of the proposed ordinance, order or resolution, and the matter has been initiated by the filing of an application, the City Planning Commission action shall be final, subject to appeal to the Council in accordance with procedures prescribed by ordinance. The Council shall review the action of the Commission appealed from and may adopt an ordinance, order or resolution contrary to the recommendation of the Commission only by a two-thirds vote. If the City Planning Commission recommends against approval of the proposed ordinance, order, or resolution, and the matter has been initiated by the Council, the Council may take action on the matter without an appeal. The Council may adopt the proposed ordinance, order or resolution only by a two-thirds vote.

(C) Failure of Planning Commission to Act. If the Commission fails to make any recommendation within the time specified by ordinance, an ordinance, order or resolution in conformity with that which was initiated by the Council or by application shall be prepared and presented to the Council, and may be adopted by majority vote.

Sec. 559. Delegation of Authority.

The City Planning Commission may authorize the Director of Planning to approve or disapprove for the Commission any ordinance, order or resolution or modification thereto which is subject to the provisions of Sections 555 or 558. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. An action of the Director under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.

Sec. 560. Hearings and Investigations.

The City Planning Commission and Area Planning Commissions may authorize the Director of Planning or his or her designee to conduct hearings on behalf of the commission. The Director of Planning shall make investigations relative to all matters provided for in Sections 555 and 558 as the City Planning Commission may direct and shall file reports with the City Planning Commission.

Sec. 561. Office of Zoning Administration.

There shall be a quasi-judicial agency known as the Office of Zoning Administration. The duties of this office shall be performed by one or more Zoning Administrators as authorized by the Council, who shall be appointed by the Director of Planning subject to the civil service provisions of the Charter. If more than one Zoning Administrator is authorized, a position of Chief Zoning Administrator shall be established, the appointment to which shall be made by the Director of Planning, and the others shall be Associate Zoning Administrators. Subject to rules and regulations as may be prescribed by ordinance, the Office of Zoning Administration shall investigate and determine all applications for variances from any of the regulations and requirements of the zoning ordinances, and shall have other powers and duties with respect to zoning and land use as prescribed by ordinance.

The Council shall by ordinance provide time limits within which a Zoning Administrator must act for each type of case under his or her jurisdiction. If no determination is made by a Zoning Administrator within the prescribed time, the applicant may request that the matter be transferred to the jurisdiction of an Area Planning Commission or other board as prescribed by ordinance.

The Chief Zoning Administrator may adopt rules necessary to carry out the requirements prescribed by ordinance and which are not in conflict or inconsistent with those ordinances. All rules and regulations shall be available for inspection in accordance with the requirements of the California Public Records Act.

SECTION HISTORY

Amended by: Third para., Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 562. Variances.

The Council shall prescribe by ordinance the procedures for the granting of variances subject to the following:

(a) Initial Hearing and Determination. All applications for variances shall be heard and determined by a Zoning Administrator except as otherwise provided in Section 564.

(b) Appeals Process. An aggrieved person may appeal a variance decision of the Zoning Administrator to the Area Planning Commission. The grant of a variance by the Area Planning Commission may be further appealed to the City Planning Commission or Council as prescribed by ordinance. There shall be no further appeal from the decision of the Area Planning Commission to deny a variance. However, that action of the Area Planning Commission is subject to Council review pursuant to Section 245.

(c) Findings for Granting a Variance. The following findings shall be made before a variance may be granted:

(1) that the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations;

(2) that there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity;

(3) that the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question;

(4) that the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located; and

(5) that the granting of the variance will not adversely affect any element of the General Plan.

The grant of a variance may include conditions that will remedy a disparity of privileges and that are necessary to protect the public health, safety or welfare and assure compliance with the objectives of the General Plan and the purpose and intent of the zoning ordinance. A variance shall not be used to grant a special privilege or to permit a use substantially inconsistent with the limitations upon other properties in the same zone and vicinity. The Zoning Administrator may deny a variance if the conditions creating the need for the variance were self-imposed.

Sec. 563. Conditional Use Permits and Other Approvals.

(a) Subdivisions. The procedure for the approval of parcel maps, subdivision maps and other approvals granted pursuant to the State Subdivision Map Act shall be prescribed by ordinance.

(b) Conditional Use Permits and Other Similar Quasi-Judicial Approvals. The Council shall prescribe by ordinance the procedure for the granting of conditional use permits and similar quasi-judicial approvals subject to the following:

(1) Initial Determination. Applications for conditional use permits and similar quasi-judicial land use approvals shall be heard and determined either by the Zoning Administrator or Area Planning Commission as provided by ordinance. However, the City

Planning Commission may adopt rules and regulations, subject to approval by ordinance, that identify classes or categories of quasi-judicial approvals that have citywide impact, and provide for those approvals to be heard and determined by the City Planning Commission instead of an Area Planning Commission.

(2) Appeals Process. An aggrieved person may appeal a decision of the Zoning Administrator with respect to a conditional use permit or similar quasi-judicial approval to the Area Planning Commission. Decisions of an Area Planning Commission, except those decisions made by the Area Planning Commission on appeal from a decision of the Zoning Administrator, may be appealed either to the City Planning Commission or Council, as provided by ordinance. However, the process for the approval of conditional use permits and similar quasi-judicial approvals may not include more than one level of appeal from the decision of a decision-making official or body. For purposes of this restriction:

(A) The use of hearing examiners or other methods by which recommendations are made to a decision-making official or body does not preclude an appeal from the decision of the decision-making official or body.

(B) If the Council is acting as the appellate body, the Council's action may be subject to Mayoral approval and Council override of Mayoral disapproval by a two-thirds vote of the Council, if so provided by ordinance.

(C) Council review of an action under Charter Section 245 shall not be considered an appeal for purposes of this section.

(D) The restrictions on appeals do not apply to any legislative actions.

Sec. 564. Projects Requiring Multiple Approvals.

If a project requires approvals by both the Zoning Administrator and either an Area Planning Commission or the City Planning Commission, those approvals that would otherwise be heard and determined by the Zoning Administrator shall be heard and determined by the Area Planning Commission or City Planning Commission, whichever has

jurisdiction over the other approvals required for the project. Approvals for a project that requires both quasi-judicial and legislative actions shall be heard and determined by the City Planning Commission, except as provided in Section 565.

Sec. 565. Delegation of Legislative Authority to Area Planning Commissions.

The City Planning Commission may adopt rules and regulations, subject to approval by ordinance, identifying classes or categories of legislative actions for projects determined not to have citywide impact, and provide for action on those projects to be taken by an Area Planning Commission in lieu of the City Planning Commission.

Sec. 566. Time Limits.

The Council shall by ordinance establish time limits by which action shall be taken on all requests for quasi-judicial approvals and proposed zone changes initiated by application of the affected property owner.

POLICE DEPARTMENT

Sec. 570. Powers and Duties of the Department.

The Police Department shall have the power and duty to enforce the penal provisions of the Charter, City ordinances and state and federal law. In the discharge of these powers and duties, the members of the department shall have the powers and duties of peace officers as defined by state law. The officers and employees of the Police Department shall have the power and duty to protect lives and property in case of disaster or public calamity. The scope and extent of those emergency powers and duties and the manner of their exercise shall be prescribed by ordinance consistent with Section 231(i).

Sec. 571. Board of Police Commissioners.

(a) Members of the Board of Police Commissioners shall serve for a maximum of two five-year terms, except that a member may serve up to two years of an unexpired term plus two terms of five years. A member of the Board of Police Commissioners shall be limited to two consecutive one-year terms as President of the Board of Police Commissioners.

(b) The Board of Police Commissioners shall have the power to:

(1) issue instructions to the Chief of Police concerning the exercise of the authority conferred on the Chief of Police by the Charter, other than the disciplinary authority conferred by Section 1070;

(2) evaluate the Chief of Police annually, set or adjust the compensation for the Chief of Police within the salary guidelines established by Council after recommendations concerning those guidelines have been made to the Council by the City Administrative Officer; and forward a copy of the evaluation and salary determination to the Mayor and Council for information;

(3) appoint and remove an Executive Director whose position shall be exempt from the civil service provisions of the Charter and who shall not be a member of the Police Department; and

(4) appoint and remove an Inspector General of the Police Department subject to Section 245, whose position shall be exempt from the civil service provisions of Article X of the Charter and who shall not be a member of the Police Department.

SECTION HISTORY

Amended by: Subsec. (b)(2), Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 572. Executive Director of the Board of Police Commissioners.

Subject to the provisions of the Charter, the rules of the Police Department, and the instruction of the Board of Police Commissioners, the Executive Director of the Board of Police Commissioners shall have the power and duty to:

(a) administer the affairs of the Board of Police Commissioners as its chief administrative officer;

(b) appoint, discharge, discipline, transfer and issue instructions to employees appointed as independent staff of the Board of Police Commissioners, except for employees under the direction of the Inspector General, all subject to the civil service provisions of Article X of the Charter;

(c) expend the funds designated by budgetary appropriations or appropriations made after adoption of the budget for expenditure by the Board of Police Commissioners or its staff, in accordance with the provisions of those appropriations;

(d) recommend to the Board of Police Commissioners prior to the beginning of each fiscal year a budget covering the anticipated revenues and expenditures of the board and its staff, conforming so far as practicable to the forms and dates provided in the Charter in relation to the general City budget;

(e) certify the expenditures of the Board of Police Commissioners and its staff to the chief accounting employee; and

(f) exercise further powers in the administration of the Board of Police Commissioners conferred upon the Executive Director by the board.

The authority of the Executive Director shall not extend to authority over the Chief of Police nor encroach upon the authority of the Chief of Police to administer the affairs of the Police Department as its general manager and chief administrative officer.

Sec. 573. Inspector General.

The Inspector General shall report to the Board of Police Commissioners and shall have the same access to Police Department information as the Board of Police Commissioners. The Inspector General shall have the power and duty to:

(a) under rules established by the Board of Police Commissioners, audit, investigate and oversee the Police Department's handling of complaints of misconduct by police officers and civilian employees and perform other duties as may be assigned by the board;

(b) conduct any audit or investigation requested by majority vote of the board;

(c) initiate any investigation or audit of the Police Department without prior authorization of the Board of Police Commissioners, subject to the authority of the board by majority vote to direct the Inspector General not to commence or continue an investigation or audit;

(d) keep the board informed of the status of all pending investigations and audits; and

(e) appoint, discharge, discipline, transfer and issue instructions to employees under his or her direction.

Sec. 574. Powers and Duties of the Chief of Police.

The chief administrative officer of the Police Department shall be known as the Chief of Police. Subject to the provisions of the Charter, the rules of the Police Department, and the instruction of the Board of Police Commissioners, the Chief of Police shall have the power and duty to:

(a) suppress all riots, disturbances and breaches of the peace, and to that end may call on any person for aid. The Chief may pursue and arrest, within the limits of the City, any person fleeing from justice, and shall without delay bring all persons arrested by the department before a judge of the proper court for trial or examination. The Chief may receive and execute any proper authority for the arrest and detention of criminals fleeing or escaping from places outside the City;

(b) administer the affairs of the department as its chief administrative officer, except as to matters under the control of the Executive Director of the Board of Police Commissioners;

(c) appoint, discharge, discipline, transfer and issue instructions to the employees of the department, other than the Secretary of the Board, the chief accounting employee of the department, the Inspector General of the Police Department and his or her staff, the Executive Director of the Board and his or her staff, all subject to the civil service provisions of the Charter;

(d) expend the funds of the department, except those funds under the control of the Executive Director, in accordance with the provisions of the budget appropriations or of appropriations made after adoption of the budget;

(e) recommend to the Board of Police Commissioners prior to the beginning of each fiscal year an annual departmental budget covering the anticipated revenues and

expenditures of the department, except the anticipated revenues and expenditures under the control of the Executive Director, and conforming so far as practicable to the forms and dates provided in the Charter for the general City budget;

(f) certify all expenditures of the department to the chief accounting employee, except those expenditures under the control of the Executive Director;

(g) exercise further powers in the administration of the department conferred upon the Chief of Police by the Board of Police Commissioners; and

(h) execute, personally or by deputy, and return all writs and processes issued by any court having jurisdiction of criminal cases arising upon violations of the provisions of the Charter or ordinance. The Chief's jurisdiction and that of his or her deputies in the service of process in all criminal cases, and in cases of violation of City ordinances, shall be co-extensive with that of the County of Los Angeles.

Sec. 575. Appointment and Removal of the Chief of Police.

The Chief of Police shall be appointed, shall serve, and shall be removed in accordance with the following provisions:

(a) Recruitment and Selection. The recruitment and selection of qualified candidates for the position of Chief of Police shall be administered by the general manager of the Personnel Department, in cooperation with the Board of Police Commissioners, through a system of open competition based on professionally accepted recruitment and selection standards. The general manager of the Personnel Department shall refer a group of at least six highly qualified candidates to the Board of Police Commissioners, which shall then provide a list of three recommended candidates, in ranked order, to the Mayor for review and for appointment of one of them to the Office of Chief of Police. At the request of the Mayor, the Board of Police Commissioners shall provide the Mayor with an additional list of three candidates, in ranked order, from the group of candidates previously provided by the general manager of the Personnel Department. The Mayor's appointee shall be subject to confirmation by the Council. Should the Council fail to confirm the appointee, and if any additional candidates remain, the Mayor may request and receive from the Board of Police Commissioners one additional candidate, who will be selected from the group of candidates

previously provided by the general manager of the Personnel Department. The Mayor may appoint that candidate or one of the candidates on the list or lists previously provided to the Mayor by the Board of Police Commissioners, subject to Council confirmation.

(b) Term. The Chief of Police shall serve a five-year term and may be appointed, in the manner described below, to a second five-year term. No person shall serve as Chief of Police for more than ten years altogether. Time accrued as Acting Chief of Police or as a temporary Chief of Police shall not be included in calculating the ten years.

(c) Reappointment. If the Chief of Police wishes to be considered for appointment to a second term, he or she shall apply to the Board of Police Commissioners for that appointment at least 180 days prior to the expiration of the first term. At least 90 days prior to the expiration of the first term, the Board of Police Commissioners shall, in its discretion, respond affirmatively or negatively to that application. If the Board of Police Commissioners acts, affirmatively or negatively, on the application for appointment, that action shall be subject to the provisions of Section 245 and the Council may assert its jurisdiction over the matter of the application for appointment. Should that jurisdiction be asserted, any affirmative or negative action on the appointment shall be final. If the Board of Police Commissioners fails to respond to the application within 90 days prior to the expiration of the first term, the Mayor shall, at least 60 days prior to the expiration of the first term, act in lieu of the Board. Should the Mayor so act, the Council, by two-thirds vote, may act within 30 days thereafter to override the Mayor's action. If the Council does not act within 30 days to override the Mayor's action, the action shall be final. If the request of the Chief of Police for appointment to a second term is not approved as provided in this section, there shall be no reappointment and a vacancy in the Office of the Chief of Police shall occur at the expiration of the first term.

(d) Removal by Board. The Chief of Police shall serve at the pleasure of the City, as set forth herein, and shall not attain any property interest in the position of Chief of Police. The Board of Police Commissioners may remove the Chief of Police from office at any time prior to the expiration of a first or second five-year term. Should the Board of Police Commissioners so act to remove the Chief of Police, it shall promptly notify the Mayor of its action. If the Council has not asserted its jurisdiction over the matter of the removal of the Chief of Police as permitted under Section 245, the Mayor shall have five days from the last date on which the Council could have asserted jurisdiction to reverse the action of the Board of Police Commissioners. Upon the Mayor's failure to act within that period, the removal shall become effective. By a letter received by the City Clerk within five days of the effective date of the removal, the removed Chief of Police may request a hearing on the removal before the Council which, by two-thirds vote, may override the removal and restore the Chief of Police to office. If the Council asserts jurisdiction over the matter of the removal of the Chief of Police and acts to retain the Chief, the action shall be final. If the action of the Council is to remove the Chief of Police, the removal shall be effective

immediately. Should the provision of an appeal from the removal be required by law, the Council shall, by ordinance, provide an appellate procedure in conformance with the law. The Chief of Police may request an appeal by letter to the City Clerk within five days of the effective date of the removal.

(e) Removal by Council. The Council may remove the Chief of Police from office in accordance with the following procedures. The Council, by two-thirds vote, may initiate removal proceedings by giving ten days written notice of a public hearing on the proposed removal to the Mayor, the Board of Police Commissioners and the Chief of Police. At the hearing, the Mayor and the Board of Police Commissioners shall appear to discuss with the Council whether the Chief of Police should be removed from office. The views of the Chief of Police shall be heard and considered at his or her request. Thereafter, the Council, by two-thirds vote, may act to remove the Chief of Police from office, and the removal shall be effective immediately. Should the provision of an appeal from the removal be required by law, the Council shall, by ordinance, provide an appellate procedure in conformance with the law. The Chief of Police may request an appeal by letter to the City Clerk within five days of the effective date of the removal.

Sec. 576. Acting and Temporary Chief of Police.

(a) The Chief of Police, by a letter to the Board of Police Commissioners, shall designate a person or persons who shall serve as Acting Chief of Police for those periods of time that the Chief of Police is out of the City or is temporarily unable to perform the duties of the office.

(b) The Board of Police Commissioners is authorized to appoint a temporary Chief of Police during a vacancy in the office and pending the regular appointment of a Chief of Police. The person appointed as temporary Chief of Police shall be entitled to compensation appropriate to the position of Chief of Police for the duration of the appointment. The length of the temporary appointment shall not exceed 12 months and shall terminate when a regular appointment is made. The appointment of a temporary Chief of Police shall terminate the authority of an Acting Chief of Police.

PUBLIC WORKS DEPARTMENT

Sec. 580. Public Works Department Powers and Duties.

The Department of Public Works shall have the following powers and duties:

(a) design, construct, excavate and maintain streets and public works improvements including but not limited to bridges, public parkways and rights-of-way, sanitary sewers and storm drains, water and sewer treatment facilities, landfills and public rights-of-way lighting facilities owned by the City;

(b) design and construct public buildings belonging to the City, except those under the jurisdiction of the Proprietary Departments and the Department of Recreation and Parks;

(c) dispose of solid waste; and

(d) perform other duties as may be assigned by ordinance, if not inconsistent with Section 514.

Sec. 581. Board of Public Works.

Members of the Board of Public Works shall devote their entire time to the duties of office. Subject to the Charter and applicable ordinances and law, the board shall have the power and duty to:

(a) set policy for and manage the Department of Public Works;

(b) establish procedures for the examination, consideration and preparation of requests for proposals or bids, and for the advertisement and establishment of the amount of the required bond, all as provided by Sections 370 through 378 and related ordinances, for any work or improvements;

(c) approve the award of contracts;

(d) fix the time when work shall be commenced and completed in accordance with applicable law;

(e) exercise the power of eminent domain, subject to Council authorization, and lease or purchase property on behalf of the City for the construction and maintenance of public works projects;

(f) exercise the powers and duties imposed by law or delegated by the Council relating to the award of contracts for work specified in Section 580 and the determination of benefits, damages and costs incident to a proposed change or improvement of any public place, right-of-way or property belonging to the City and the making and levying of assessments upon property to cover the damages and costs;

(g) conduct hearings and hear appeals as authorized by ordinance relating to the work of the department, including hearings pertaining to special assessments;

(h) on its own initiative or upon complaint, investigate departmental operations and acts of employees and report findings to the Director of Public Works, the Mayor and the Council;

(i) approve specifications for public works construction projects;

(j) accept completed public works projects, provided that the board may delegate to the Director of Public Works the authority to accept projects involving less than one hundred thousand dollars ($100,000) or such other amount prescribed by the board;

(k) make recommendations about short- and long-range public works plans and programs to the Mayor and Council; and

(l) annually present to the Council at its meeting in the second week of July, a report for the previous fiscal year stating the amount of proceeds from the sale of bonds, the purposes for which those proceeds have been expended, the amount expended, the balance in each bond fund and other information and suggestions as it deems appropriate.

The Board of Public Works shall have power to proceed with all such construction and maintenance, and to carry out any of the purposes herein mentioned from any funds under its control and available for such purposes; provided, that nothing in this section shall be construed to abridge the power of the Council to order any work or improvements and to provide the manner of paying therefor, such work or improvement, however, to be done under the superintendence and control of the Board of Public Works.

Sec. 582. Director of Public Works

There shall be a chief administrative officer of the Department of Public Works, known as the Director of Public Works, who shall be appointed and removed as provided in Section 508. Instead of those powers and duties set forth in Section 509, the director shall have the power and duty to:

(a) enforce all orders, rules and regulations adopted by the board;

(b) administer contracts;

(c) supervise and manage construction and maintenance work authorized by the board;

(d) approve those public works contracts within the authority delegated to the Director by the board or by ordinance;

(e) grant street encroachment and other permits necessary for the temporary use of City rights-of-way;

(f) make recommendations to the board about short- and long-range public works plans and programs;

(g) oversee the functions of departmental accounting and management-employee services including any bureaus charged with performing those functions, and issue instructions to, appoint, discharge, suspend and transfer the employees that perform those functions, all subject to the civil service provisions of the Charter;

(h) recommend to the board prior to the beginning of each fiscal year an annual departmental budget covering the anticipated revenues and expenditures of the department, conforming so far as practicable to the forms and dates provided in Article III in relation to the general City budget; and

(i) file with the board and the Mayor a written report on the work of the department on a regular basis as requested by the Mayor or board.

RECREATION AND PARKS DEPARTMENT

Sec. 590. Powers and Duties of the Department.

The Department of Recreation and Parks shall have the power and duty:

(a) to establish, construct, maintain, operate and control, wherever located:

(1) all parks of the City of Los Angeles;

(2) all recreational facilities, museums, observatories, municipal auditoriums, sports centers and all lands, waters, facilities or equipment set aside or dedicated for recreational purposes and public enjoyment; and

(3) all property acquired by it or assigned to its jurisdiction for public recreation.

(b) to design, construct and operate, lease, rent or sell concessions or privileges to be exercised for the benefit, education, amusement, convenience or enjoyment of the public, in connection with any function, site or facility under the jurisdiction of the department;

(c) to establish schedules of charges for special services;

(d) to promote public recreation and cooperate with other public agencies and organizations for that purpose; and

(e) to establish, maintain and operate playgrounds or other recreational facilities upon portions of public streets, under terms and conditions provided by ordinance.

Sec. 591. Board of Recreation and Park Commissioners.

The Board of Recreation and Park Commissioners shall have the power:

(a) to control all recreation and park sites;

(b) to control, appropriate and expend all money in the Recreation and Parks Fund and authorize the City Treasurer to invest any surplus funds under its control in accordance with Section 303(b); and

(c) to organize the work of the department into divisions and to appoint an administrative officer for each division or for any group of divisions.

Sec. 592. Chief Administrative Officer of Recreation and Parks.

The chief administrative officer of the Department of Recreation and Parks shall be appointed and removed as provided in Section 508.

Sec. 593. Financial Support.

(a) For the financial support of the Department of Recreation and Parks, there shall be appropriated an annual sum of not less than 0.0325% of assessed value of all property as assessed for City taxes.

(b) Additional appropriations may be made from the General Fund.

(c) All money derived from (a) or (b), plus all other sums received by the department shall be placed to the credit of the Recreation and Parks Fund.

Except as provided in Section 342 with regard to funds appropriated from the General Fund to the Recreation and Parks Fund, money in the Recreation and Parks Fund shall be used only for the financial support of the Department of Recreation and Parks.

Sec. 594. Control and Management of Recreation and Park Lands.

(a) Management and Control. The Department of Recreation and Parks shall operate, manage and control all property now or hereafter owned or controlled by the City for public recreation, including parks, and shall have power in the name of the City to acquire and take by purchase, lease, condemnation, gift, in trust or otherwise, any and all property necessary or convenient for recreation, including park purposes.

(b) Acquisition of Property. No real property shall be acquired by the City for recreation sites, including parks, unless first approved by the Board of Recreation and Park Commissioners.

(c) Restrictions on Transfer of Dedicated Parks. All lands heretofore or hereafter set apart or dedicated as a public park shall forever remain for the use of the public inviolate; but the board may authorize use of the lands for any park purpose, and for:

(1) Easements or rights-of-way for any work, improvement or structure necessary and convenient for giving service to the City or its inhabitants in connection with any public utility owned by the City. Under similar circumstances, similar permission may be given to any private public utility holding a franchise, and limited to the life of the franchise. These easements or rights-of-way shall be subject to regulation by ordinance.

(2) Leases to the County of Los Angeles, the Los Angeles Unified School District, the State of California, or the United States for a period not to exceed 50 years, of a site in any public park for the erection and maintenance of public buildings consistent with public park purposes.

(3) Taking and disposal of molding sand, or other natural resources under terms as the board may prescribe and in a manner as to work no substantial impairment of public use and enjoyment of the premises.

(4) Opening, establishment and maintenance of streets or other public ways in and through the park lands controlled by the board.

(d) Transfer to Purposes other than Recreation and Park Purposes. No sites under the management and control of the department shall be devoted or transferred to any other purpose in whole or in part, except in compliance with all of the following:

(1) Procedure. Any transfer shall require a resolution of the board, approved by the Council by ordinance, incorporating the prescribed terms and conditions to be observed by the permittee. However, Council approval shall not be required for the granting of leases of property not immediately needed for the purposes of the department for a term not to exceed three years.

(2) Restrictions on Transfer. No transfer shall be permitted if it would violate the provisions of subsection (c) of this section, or in any case where the proposed use violates a specific trust or dedication upon which the property was acquired.

(3) Requirement of Equivalent Property or Funds. If property to be transferred to another use has been acquired from funds specifically provided for the Department of Recreation and Parks or its predecessors, the department shall be assigned the equivalent in property or funds as a condition of transfer of the property from its control, when required by the board.

(e) Remaining Land Unsuitable for Park Use. Where lands forming a portion of an existing public park have been removed from the jurisdiction of the board by reason of their dedication or use for public purposes incompatible with park use, the remaining lands, or any portion thereof, within the park shall not be subject to the provisions of subsection (c) of this section in the event that:

(1) the board and Council find and determine that the remaining lands, or specific portion thereof, are unsuitable for further use as a public park; and

(2) lands of an area at least equal to the lands found to be unsuitable for further use as a public park are acquired in the same portion of the City and set apart or dedicated as a public park.

SECTION HISTORY

Amended by: Subsec. (c), Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 595. Lease of Facilities.

The Board of Recreation and Park Commissioners may lease for recreational purposes any municipal auditoriums, arenas, sports centers or related facilities subject to the following conditions:

(a) The term of the lease shall not exceed 35 years. Leases in excess of five years shall be approved by the Council by ordinance.

(b) The public must be entitled to use and enjoy the property or facility for the purposes for which it was acquired, constructed or completed and any lease shall require the lessee to operate the property or facility so as to furnish the public with that use and enjoyment.

(c) The board may enter into the lease without inviting bids and may prescribe other terms and conditions as it deems appropriate.

Sec. 596. Leasing of Subsurface Space.

(a) Notwithstanding the provisions of Section 595, the Board of Recreation and Park Commissioners may lease, to the highest responsive and responsible bidder in accordance with Section 371, subsurface space under any public park or public grounds under its control subject to the following conditions:

(1) The use will not breach the conditions under which the land has been deeded to the City.

(2) The board finds that the works to be constructed will not result in material detriment to the purpose for which the land was dedicated or set aside by the City. The board's finding will become final and conclusive upon Council approval by ordinance.

(3) The lease shall not exceed a term of 50 years.

(4) The lease is for the construction and operation of a public parking structure, subway or subway station. The operation of a public parking structure shall include related incidental facilities and functions. The retail sale of gasoline, oil and accessories and the provision of service to private vehicles shall be prohibited except at the Pershing Square subterranean parking structure. This prohibition shall apply to the department and its lessees, sub-lessees, partners and franchisees.

(5) The board shall prescribe the terms and conditions of the lease, and the proceeds shall be paid into the Recreation and Parks Fund.

(6) The lease shall be approved by the Council by ordinance.

(b) The board may design, construct and operate subsurface parking structures under lands within its control, subject to subsection (a)(1) and (2) of this section. The revenue derived from the operation of the parking structures shall be paid into the Recreation and Parks Fund.

Sec. 597. Location of Police Training Facility.

Notwithstanding any other provisions of the Charter or ordinance, jurisdiction over that portion of Elysian Park described in Council File 70-5114 and supplements, containing approximately 21.464 acres which was used as of July 1, 1972, primarily as a police training facility, is transferred to the Department of Public Works for use as public

buildings and grounds, including use as police training facilities and related purposes. Such portion shall, upon abandonment of the site as a police training facility, be transferred to the Department of Recreation and Parks and shall be dedicated as a public park.

Sec. 598. El Pueblo de Los Angeles Historical Monument and the Los Angeles Zoo.

(a) All real property that was controlled and operated previously by the Department of Recreation and Parks, that was dedicated as a public park, and that was set aside for use as a zoo, shall forever remain for the use of the public inviolate. Such property may be operated, managed, maintained, and controlled by a department other than the Department of Recreation and Parks, as may be designated by ordinance, and such department shall have the same powers and duties over such property as the Board of Recreation and Park Commissioners has over Department of Recreation and Parks' property.

(b) All real property that was controlled and operated previously by the Department of Recreation and Parks, that was dedicated as a public park, and that comprises the El Pueblo de Los Angeles Historical Monument, shall forever remain for the use of the public inviolate. Such property may be operated, managed, maintained, and controlled by a department other than the Department of Recreation and Parks, as may be designated by ordinance, and such department shall have the same powers and duties over such property as the Board of Recreation and Park Commissioners has over Department of Recreation and Parks' property.

Sec. 599. Department of Neighborhood Empowerment

The Department of Neighborhood Empowerment's primary mission is to support, educate, and empower Neighborhood Councils. Neighborhood Councils are Charter-created advisory bodies, not subordinate committees of DONE.

(a) The Department of Neighborhood Empowerment shall have the duties and responsibilities set forth in this Section and elsewhere in the Charter to implement and oversee the ordinances and regulations for the system of Neighborhood Councils enacted pursuant to Section 599 (d). Duties and responsibilities shall include:

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(1) maintain a 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 has an opportunity to form a Neighborhood Council (Plan);

(2) assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that do not divide communities, and organizing themselves, in accordance with the Plan;

(3) arrange Congress of Neighborhood meetings if requested to do so by recognized Neighborhood Councils;

(4) assist Neighborhood Councils with the election or selection of their officers;

(5) arrange training for Neighborhood Councils' officers and staff;

(6) assist Neighborhood Councils to share resources, including offices, equipment, and other forms of support for them to communicate with constituents, other Neighborhood Councils and with government officials;

(7) maintain a database that is publicly available of answers to procedural questions from Neighborhood Councils and DONE employees; and

(8) perform other duties as provided by ordinance.

(b) DONE shall not

(1) Substitute its judgment for that of elected Neighborhood Council boards

(2) use its resources to request Neighborhood Councils advocate for any legislative position

(3) Create or enforce policies, directives, or interpretations that function as de facto regulations without public process and oversight

(c). Board of Neighborhood Commissioners.

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(1) There shall be a board of nine commissioners to be known as the Board of Neighborhood Commissioners (BONC). Seven commissioners shall be appointed by the Mayor and shall be from diverse geographic areas, as further specified by ordinance. Two commissioners shall be appointed by the Neighborhood Councils. The terms of all nine commissioners are the same length of time. Appointment and removal of commissioners shall otherwise be in accordance with Section 502.

(2) Subject to the Charter and applicable ordinances and law, the Board of Neighborhood Commissioners shall have the power and duty to:

(i) policy setting for the Department of Neighborhood Empowerment and Neighborhood Councils, including the approval of contracts and leases and the promulgation of rules and regulations.

(ii) oversight of the Department of Neighborhood Empowerment

(iii) an appeals body for Neighborhood Councils and Neighborhood Council board members who seek redress for actions from the Department of Neighborhood Empowerment and/or the City Clerk

(iv) approve the award of contracts

(d). General Manager.

(1) There shall be a General Manager of the Department of Neighborhood Empowerment

(i) The General Manager shall be appointed by the Mayor, subject to confirmation by the Council, and may be removed as provided in Section 508.

(ii) Candidates for General Manager shall have previous career experience in public administration

(iii) The candidate search team shall solicit candidates for the position from within the Neighborhood Council system before looking outside the system

3) The Neighborhood Councils shall have the opportunity to submit questions to be considered during the interview process.

(2) The general manager shall have those powers and duties set forth in Section 510.

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(3) The general manager shall appoint, discharge and prescribe the duties of staff, consistent with the civil service provisions of the Charter.

(e). The Neighborhood Council Plan.

(1) The Department of Neighborhood Empowerment shall maintain the Plan for a citywide system of Neighborhood Councils, in conformance with the following:

(i) The Department of Neighborhood Empowerment shall seek public input in the changes to the Plan.

(ii) 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 (Regulations) which, if adopted by ordinance, would be sufficient to implement the Plan.

(iii) The Regulations shall establish the method by which boundaries of Neighborhood Councils will be determined. The system for determining boundaries shall maintain neighborhood boundaries to the maximum extent feasible, and may consider community planning district boundaries where appropriate.

(iv) The Regulations must ensure that all areas of the City are given an equal opportunity to form Neighborhood Councils.

(v) The Regulations shall establish the procedure and criteria for recognition or certification of Neighborhood Councils.

(vi) 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.

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(vii) The Regulations shall require that Neighborhood Councils adopt fair and open procedures for the conduct of their business.

(f). Appropriation.

(1) The Mayor and Council shall appropriate funds for the Department of Neighborhood Empowerment. Funds shall be appropriated into a special fund to be established by ordinance. The Mayor and Council shall thereafter appropriate funds for the department and Neighborhood Councils at least one year in advance of each subsequent fiscal year.

(g). BONC and Department Outreach to Neighborhood Councils on New Regulations

(1) The Board of Neighborhood Commissioners and Department of Neighborhood Empowerment shall conduct outreach to all Neighborhood Councils about new and changed rules under consideration.

(2) The Board of Neighborhood Commissioners and Department of Neighborhood Empowerment shall provide a period of public comment for all rule changes for no less than two months before the planned date the rule may take effect.

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SECTION HISTORY

Added by Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

ARTICLE VI
PROPRIETARY DEPARTMENTS

Section

General Provisions for Proprietary Departments

600 Creation of Proprietary Departments and Boards.
601 Departmental Purposes.
602 Possession, Management and Control of Assets.
603 Control of Departmental Funds.
604 General Managers.
605 Power to Grant Franchises, Concessions, Permits and Licenses and Enter into Leases.
606 Process for Granting Franchises, Permits, Licenses and Entering into Leases.
607 Limitations on Franchises, Concessions, Permits, Licenses and Leases.
608 Harbor and Airport Regulation of Public Service and Public Utilities.
609 Revenue Bonds and Other Obligations.
610 Debt Accountability and Capital Improvement Plan.

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GENERAL PROVISIONS FOR PROPRIETARY DEPARTMENTS

Sec. 600. Creation of Proprietary Departments and Boards.

(a) Departments Created. The following departments, which shall be known as the Proprietary Departments, are created:

Airports

Harbor

Water and Power

(b) Head of Department. Each Proprietary Department shall be under the control and management of a board of commissioners that shall be the head of the department.

(c) Applicability. Each Proprietary Department shall be governed by the following:

(1) provisions specific to each department set forth in this Article;

(2) these General Provisions for Proprietary Departments;

(3) the General Provisions for Departments contained in Article V, to the extent not inconsistent with this Article; and

(4) other provisions of the Charter applicable to departments and boards to the extent not inconsistent with this Article.

Sec. 601. Departmental Purposes.

The boards and general managers shall operate the Proprietary Departments for the following purposes, which shall be known as the Departmental Purposes:

Airports: In connection with, or for the promotion and accommodation of air commerce and air navigation.

Harbor: In connection with, or for the promotion and accommodation of maritime commerce, navigation, and fishery.

Water and Power: In connection with, or for the production and delivery of water and electric power, and for the promotion of the conservation of water and power resources.

Sec. 602. Possession, Management and Control of Assets.

The board of each Proprietary Department shall have possession, management and control of all property and rights of every kind whatsoever:

(a) conferred upon the department by the Charter;

(b) purchased with funds under its control; or

(c) received through ordinance, or with approval of the board, through other action of the Council or from any other source, if consistent with Departmental Purposes.

Sec. 603. Control of Departmental Funds.

(a) Special Funds. Each Proprietary Department shall have one or more special funds including accounts or subaccounts for the purpose of segregating its revenues from other money of the City.

(b) Expenditures. The board of each Proprietary Department shall have control over its special funds, consistent with other provisions of the Charter. For Departmental Purposes, a board shall have the power to appropriate and expend all money in the department's special revenue funds and of all money derived from the sale of bonds of the department.

Sec. 604. General Managers.

(a) Appointing Authority. The board of each Proprietary Department shall appoint the general manager subject to confirmation by the Mayor and Council, and shall remove the general manager subject to confirmation by the Mayor. A general manager removed pursuant to the provisions of this section may appeal the removal to the Council in the manner provided in Section 508(e).

(b) Annual Review. The board of each Proprietary Department shall evaluate its general manager at least annually and shall set or adjust the compensation of the general manager within guidelines established by Council, after recommendations concerning those guidelines have been made to the Council by the City Administrative Officer. The board shall forward a copy of its performance evaluation and salary determination to the Mayor and Council.

(c) Powers and Duties. The powers and duties of general managers contained in Section 509 shall apply to general managers of the Proprietary Departments. Additionally, the board of each Proprietary Department may authorize its general manager to contract on behalf of the department where the contract does not involve payment or receipt of money or consideration reasonably valued in excess of a monetary limit provided by ordinance.

(d) Alternate Title. The board of each Proprietary Department may designate an alternate title for the general manager, including but not limited to chief executive officer or executive director.

SECTION HISTORY

Amended by: Subsec. (b) amended and Subsection (d) added, Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 605. Power to Grant Franchises, Concessions, Permits and Licenses and Enter Into Leases.

(a) For Departmental Purposes. Subject to any limitations imposed upon a specific proprietary board in this Article, each board shall have the power to grant and set the terms and conditions for any franchise, concession, permit, license, or lease concerning any property under its control that will further Departmental Purposes or anything incidental to those purposes and, with respect to the Harbor Department, will not be inconsistent with any trust upon lands held by the City.

(b) For Non-Departmental Purposes. The board of each Proprietary Department shall have the power to grant a license or to enter into a lease concerning property under its control for purposes other than Departmental Purposes, if the board finds in writing that:

(1) the property to be licensed or leased is not presently needed for Departmental Purposes;

(2) the grant of the license or lease will not interfere with Departmental Purposes; and

(3) with respect to the Harbor Department, the license or lease is not inconsistent with any trust upon lands held by the City.

Sec. 606. Process for Granting Franchises, Permits, Licenses and Entering Into Leases.

Board action granting franchises, concessions, permits and licenses or approving leases shall be taken by order or resolution. If the board's order or resolution grants a franchise, permit or license or approves a lease for a term greater than five years, it shall be submitted to Council for its approval or disapproval. The Council may, by ordinance, further define what constitutes a term of more than five years. Unless Council takes action disapproving the franchise, permit, license or lease within 30 days after submission of it to Council, the franchise, permit, license or lease shall be deemed approved. If Council does not approve the franchise, permit, license or lease, Council shall return it to the originating board for reconsideration and resubmission. Any order or resolution granting a franchise for a term of more than five years shall be published once in the same manner as ordinances of the City and shall take effect 30 days after publication.

Sec. 607. Limitations on Franchises, Concessions, Permits, Licenses and Leases.

Franchises, concessions, permits, licenses and leases shall be subject to further limitations specified in this Article for each Proprietary Department and the following:

(a) Length. The term shall not exceed 30 years or the term specified by applicable federal or state law, whichever is less. If Council makes a finding that a term longer than 30 years would be in the best interest of the City, Council may, by a two-thirds vote, subject to Mayoral veto, or three-fourths vote over the veto of the Mayor, authorize a term up to 50 years for the Airports Department and Department of Water and Power and a term up to 66 years for the Harbor Department, or the maximum period allowed by any federal or state law, whichever is less.

(b) Compensation Adjustments. Every franchise, concession, permit, license, or lease shall include a procedure to adjust the compensation periodically but in no case shall the period between adjustments exceed five years.

SECTION HISTORY

Amended by: Charter Amendment P § 1, approved March 7, 2017, effective April 13, 2017.

Sec. 608. Harbor and Airport Regulation of Public Service and Public Utilities.

To the extent not preempted by federal or state law, the Board of Airport Commissioners and Board of Harbor Commissioners have the power to:

(a) regulate and control all public service and public utilities operated in connection with Departmental Purposes;

(b) to fix the proper franchise or license fees to be paid to the department by any public service or utility; and

(c) to fix and regulate the rates, tolls and charges to be charged and collected for services furnished by any public service or utility.

The board shall have the right to have reasonable access to and to examine all records showing the transactions, and financial condition of the operators of a public service or utility and to require reports from the operators as the board may prescribe. The amounts of the franchise or license fees to be paid to the department by any operator of a public service or utility, and the rates, tolls and charges to be charged and collected for services furnished or supplied by a public service or utility shall be fixed by the board by order, subject to approval or modification by the Council by ordinance.

Sec. 609. Revenue Bonds and Other Obligations.

(a) Power to Issue Debt. Each Proprietary Department shall have the power to borrow money and to issue bonds, refunding bonds, notes and other evidences of indebtedness (collectively referred to in this section as "Revenue Bonds") for any lawful purpose relating to the department payable from the revenues of the department and from any other money lawfully available to the department or under its control, in the form and manner approved by the board of the department. The Council shall adopt procedural ordinance(s) (each a "Procedural Ordinance") which shall set forth the procedures under which Revenue Bonds may be issued. The Procedural Ordinance(s) shall require that a resolution of the board authorizing the issuance of Revenue Bonds be transmitted to the Council and Mayor for their approval or disapproval in the manner set forth in the Procedural Ordinance(s).

(b) No Obligation of the General Revenues of the City. No Revenue Bond issued or incurred by any department under this section shall constitute or evidence an indebtedness of the City or a lien or charge on any property or the general revenues of the City, but shall constitute and evidence an obligation of the applicable department payable only from the specified revenues and other money of the applicable department and the face of each Revenue Bond shall contain a legend to this effect.

(c) Payment of Revenue Bonds. As long as any Revenue Bonds issued or incurred under this section and payable out of all or a portion of the revenue of a department shall be outstanding and unpaid, the board of the department shall fix rates for service from the municipal works to which that revenue pertains. It shall collect charges to provide revenue which, together with the other available funds of the department, shall be at least sufficient to pay, as the same shall become due, the principal and interest on all Revenue Bonds so outstanding payable out of revenue, including premiums, if any, due upon the redemption of any of the Revenue Bonds, in addition to paying, as it shall become due, the necessary expenses of operating and maintaining the works, and all other obligations and indebtedness payable out of the revenue of the department. If at any time during the life of Revenue Bonds issued under this section, the Council is required to review any rates adopted by a board, the Council shall approve rates in an amount sufficient to meet all the revenue requirements of this section.

(d) Competitive Bidding or Private Sale. Revenue Bonds shall be sold pursuant to a competitive bidding process; however, Revenue Bonds may be sold by private sale or in any other manner acceptable to the department and the Council as authorized by a Procedural Ordinance, subject to the following conditions:

(1) The board of a department has authorized the sale of Revenue Bonds pursuant to private sale after written recommendation of the chief financial officer of the department stating the reasons why a private sale will benefit the department.

(2) Council, after receiving a report of the City Administrative Officer, has approved the private sale.

(3) Council has been provided an opportunity, as set forth in a Procedural Ordinance, to disapprove the selection by a department of the underwriting firm(s) for the private sale of Revenue Bonds.

(e) Prohibition of Underwriters Gifts and Political Contributions.

(1) No underwriting firm which, within the prior 12 months, made one or more gifts totaling fifty dollars ($50) or more, or one or more political contributions totaling one hundred dollars ($100) or more, to any City elected official, any member of the board of the department whose bonds are the subject of the sale, or any other City official having the authority to make or participate in making decisions concerning the sale, shall be selected by the Council or by a department as the underwriter for a sale of Revenue Bonds where the selection of the underwriting firm is made on a basis other than by competitive bidding (referred to hereafter as "noncompetitive sale"). In addition, no underwriting firm, its principals, subcontractors and subcontractor's principals shall make any contribution to or engage in prohibited fundraising on behalf of elected City officials or candidates for City office as further provided by ordinance. An underwriting firm seeking selection shall cause one of its officers to certify under oath that no such gifts or contributions were made and will comply with and notify its principals and subcontractors of the prohibitions in this subsection and disclose the name of its principals, subcontractors of at least $100,000 and those subcontractor's principals and any other information determined necessary by ordinance. That certification shall be filed prior to the date on which a selection is made. If the selected underwriting firm made any of the gifts, fundraising or contributions specified above, but the certification was nevertheless made, the underwriting firm and any other person responsible for the error in the certification shall be subject to the penalties provided for violation of Section 470.

(2) No underwriting firm selected as the underwriter for a noncompetitive sale of Revenue Bonds including its principals and subcontractors and subcontractor's principals shall make one or more gifts totaling fifty dollars ($50) or more or lower amount set by ordinance, or any political contributions to any official referenced in subsection (e)(1) or candidate for such office during the 12 months after the contract is signed. In addition, no selected underwriting firm, its principals, subcontractors and subcontractor's principals shall engage in prohibited fundraising on behalf of those officials or candidates as further provided by ordinance. Any person violating the provisions of this subsection shall be subject to the penalties provided for violations of Section 470 and 470(c)(12).

(3) A gift or contribution shall be considered as having been made by an underwriting firm if that gift or contribution was made by the firm itself; by any other business entity related to the firm as a parent, subsidiary or other related business entity; by any political action committee controlled or primarily financed by the firm or by a business entity related to the firm as a parent, subsidiary or other related business entity; by the president, chairperson of the board, chief executive officer, or chief operating officer of the firm; by any vice president, assistant vice president or managing director employed in the public finance unit of the firm; by any other individual who communicates with one or more City officers or employees for the purpose of influencing the City's selection of an underwriter for a particular bond issue; or by any person owning a 20% or greater investment in the firm. These persons are also the underwriter's principals. A subcontractor that is expected to receive at least $100,000 as a result of performing a portion of the contract obligations of the underwriter and its principals shall be subject to the limitation described above. A subcontractor's principals shall include the firm or individual itself; the subcontractor's board chair, president, chief executive officer, chief operating officer, or the functional equivalent of those positions; any individual who holds an ownership interest in the subcontractor of 20 percent or more; and any individual who communicates with one or more City officers or employees for the purpose of influencing the City's selection of an underwriter for a particular bond issue.

(4) A contribution and prohibited fundraising shall be considered as having been made to or on behalf of any of the officials referenced in subsection (e)(1) if it is made to the official or to any City controlled committee of the officer or candidate for that office.

(5) Any term used herein which is defined in the California Political Reform Act of 1974, as amended, or in the regulations of the California Fair Political Practices Commission, as amended, shall have the meaning set forth in those provisions unless otherwise provided by ordinance.

(6) No provision of subsection (e) shall require any person to do or refrain from doing any act which would violate federal law.

(f) Investment of Proceeds. Proceeds of the Revenue Bonds may be invested in those obligations set forth in the applicable financing documents, if those obligations are authorized for the investment of money of the City, as provided in a Procedural Ordinance.

(g) Effect of Section on Issuance of Bonds.

(1) Complete Authority to Issue Bonds. This section and the Procedural Ordinance shall be complete authority for the issuance of Proprietary Department Revenue Bonds. No action or proceeding other than those required by this section or the Procedural Ordinance shall be necessary for the valid authorization and issuance of the Revenue Bonds.

(2) No Council Veto. After the Council and Mayor approve the issuance of Revenue Bonds for a department as described in subsection (a), and subject to Council disapproval of a department's selected underwriter for a noncompetitive sale as provided in subsection (d), the issuance of Revenue Bonds for a Proprietary Department shall not be subject to any further Council review including the veto provided in Section 245.

(3) Validity of Revenue Bonds. The validity of Revenue Bonds reciting that they have been issued pursuant to this section shall not be affected by any provision or limitation contained in any other section of the Charter. Any required signatures to the Revenue Bonds issued pursuant to this section may be by facsimile, by autograph, or by electronic signature. Charter Sections 146, 146.1, 229, 229.1 and 239 existing on June 1, 1996 shall remain in full force and effect after the adoption of this section until the Council has adopted the Procedural Ordinance(s) provided for in this section.

(4) Section Applies Only to Proprietary Revenue Bonds. The provisions of this section apply only to Revenue Bonds issued by Proprietary Departments under authority of this section.

SECTION HISTORY

Amended by: Subsec. (e), Charter Amendment H § 4, approved March 8, 2011, effective April 8, 2011; Subsecs. (d) and (g)(3), Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 610. Debt Accountability and Capital Improvement Plan.

Every two years, in conjunction with submittal of its annual budget, each Proprietary Department shall submit a debt accountability and major capital improvement plan to the Mayor, Council and Controller.

DEPARTMENT OF AIRPORTS

Sec. 630. Board Composition.

The Board of Airport Commissioners shall consist of seven members appointed and removed as provided in Section 502. At least one member shall reside within the area surrounding Los Angeles International Airport and at least one member shall reside within the area surrounding Van Nuys Airport, as those areas are defined by ordinance.

Sec. 631. Possession, Management and Control of Airport Assets.

The Board of Airport Commissioners shall have the possession, management and control of all airports, airport sites and all equipment, accommodations and facilities for aerial navigation, flight, instruction and commerce belonging to the City. The lands, property, facilities, and interests therein, under the management, supervision and control of the board shall be known as the Airport Assets.

Sec. 632. Powers and Duties of the Board.

The board shall have the power and duty to:

(a) Rates and Charges. Fix and collect rates and charges for the use of the Airport Assets and any other service provided by the department, including the establishment of fees for the use of and access to airport property by commercial and private operators for aeronautical and ground transportation purposes.

(b) Rules and Regulations. Subject to the powers of the United States respecting commerce, make and enforce all necessary rules and regulations governing the use and control of City owned or controlled airports located inside and outside of the City and the use of airways and waterways proximate to these airports incident to aerial navigation. Regulations adopted by the board shall be approved by ordinance that shall prescribe the penalties for the violation of these rules and regulations. These rules and regulations may include, but are not limited to, the following subjects:

(1) the ascent, landing, mooring, movement, maintenance, operation or use of all apparatus for aerial navigation and flight, or convenient or necessary in connection with those operations;

(2) the design, construction, maintenance, use, condition and operation of any utility, machine, building, structure or improvement on any airport, and control of excavation, obstructions and traffic on or in the airports; and

(3) the management and regulation of ground transportation on airport property, including access by commercial transportation service providers.

(c) Development of the Airports. Purchase, lease, acquire, condemn, design, erect, maintain, improve, repair and operate all property, improvements, utilities, equipment, supplies or facilities as it may deem necessary or convenient for Departmental Purposes. The power of condemnation shall only be exercised with approval of the Council.

SECTION HISTORY

Amended by: Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

Sec. 633. Powers and Duties of the General Manager.

In addition to those powers and duties prescribed in Section 604, the general manager of the Department of Airports shall have the power and duty to:

(a) enforce all orders, rules and regulations adopted by the board;

(b) supervise and manage the design, construction, maintenance and operation of all work or improvements authorized or ordered by the board;

(c) designate and assign space for the use of aircraft at the established rates or charges and subject to the rules and regulations of the department;

(d) designate and assign space in any warehouse, shop, field, runway, hangar or like facility at the established rates or charges and subject to the rules and regulations of the department;

(e) revoke any assignment made under subsection (c) or (d) of this section, in accordance with Section 634(b); and

(f) carry out all powers and duties of the department delegated by the board.

Sec. 634. Limitations upon Permits and Licenses.

In addition to the limitations set forth in Section 607, permits or licenses shall be subject to the following:

(a) Reservation for Departmental Purposes. Every assignment of space shall reserve to the department the right to use the space or facility for Departmental Purposes when the space is not required for the use of the grantee.

(b) Revocation Upon Notice. Every assignment of space shall be revocable without compensation to the grantee, upon notice.

(c) Common Use Requirement. Every assignment of space shall include a provision that use of airport facilities shall be in common with others, but only to the extent necessary to exercise the rights granted by the permit or license.

Sec. 635. Airport Revenue Fund.

(a) Creation of Fund. All fees, charges, rentals and revenue from every source collected by the Department of Airports in connection with its possession, management and control of the Airport Assets shall be deposited in the City Treasury to the credit of the Airport Revenue Fund. However, there shall be excluded from the Airport Revenue Fund any revenues received or to be received for the payment of any special purpose indebtedness of the Department payable solely out of the monies received or collected by the Department for the use or operation of special purpose facilities. This fund shall be exempt from the end of year transfer provisions of Section 344.

The Board may create for each airport, heliport and related facility operated by the Department, one or more separate revenue and expense accounts within the Airport Revenue Fund. The Board may place in said account all or a portion of the revenues, income and expenses derived from or allocated to one or more airports owned, operated or controlled by the Department. If separate accounts are created in the Airport Revenue Fund, the Board may create corresponding separate accounts in the Maintenance and Operation Reserve Fund. With respect to one or more airports, the Board may choose to fund Maintenance and Operation Reserve Fund and to pay debt service and maintenance and operations expenses attributable to said airport or airports solely from the monies placed in a specified account or accounts in the Airport Revenue Fund or may choose to pay

such amounts and expenses from any monies held in the Airport Revenue Fund or in any account or subaccount thereof, all in such manner as the Board shall determine. Notwithstanding anything to the contrary herein, if separate accounts are created in the Airport Revenue Fund and/or Maintenance and Operation Reserve Fund, the Board shall have the power to direct that such monies can be used solely for a specified purpose related to the airport, heliport and related facility from which such monies are derived or to which such monies have been allocated. The implementation or subsequent modification of any of the foregoing provisions of this paragraph shall be subject to approval by ordinance.

(b) Use of Funds. The money in the Airport Revenue Fund may not be appropriated or expended for any purpose except the following:

(1) Operation and Maintenance. For the necessary expenses of operating the Department of Airports, including the operation, promotion and maintenance of the Airport Assets for Departmental Purposes.

(2) Development of Assets. For the acquisition, construction, completion and maintenance of airport improvements, works, utilities, facilities, services and aircraft for Departmental Purposes, and for the acquisition or taking by purchase, lease, condemnation or otherwise of any property, real or personal, or other interest necessary or convenient for Departmental Purposes.

(3) Payment of Debt. For the payment of the principal and interest of bonds issued by the department or by the City for Departmental Purposes.

(4) Pension Contributions. For defraying the expenses of any pension or retirement system applicable to the employees of the department.

(5) Reimbursements. For reimbursement to another department or office of the City on account of services rendered, or materials, supplies or equipment furnished to support Departmental Purposes.

(6) Discretionary Transfer to General Fund. For transfer to the General Fund of money determined by the board to be surplus, but only to the extent not inconsistent with federal or state law, regulation or contractual obligations.

Sec. 636. Airport Police.

The Airport Police shall remain under the independent and autonomous control of the Department of Airports.

Sec. 637. Department Name.

The Department of Airports also may be referred to and known as the Los Angeles World Airports.

SECTION HISTORY

Added by Charter Amendment II, approved November 5, 2024, effective January 8, 2025.

HARBOR DEPARTMENT

Sec. 650. Board Composition.

The Board of Harbor Commissioners shall consist of five members appointed and removed as provided in Section 502. The board shall include at least one member who resides within San Pedro and one member who resides within Wilmington, as those areas are defined by ordinance.

SECTION HISTORY

Amended by: Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 651. Possession, Management and Control of the Harbor Assets.

(a) The Board of Harbor Commissioners shall have the possession, management and control of all navigable waters and all tidelands and submerged lands, whether filled or unfilled, situated below the line of mean high tide northerly and easterly of the United States government breakwater at Los Angeles Harbor and within the limits of the City of Los Angeles; and all harbor and port improvements, works, utilities, facilities and watercraft owned, controlled or operated by the department, as well as those properties referred to in Section 602(b) and (c).

The lands and waters, and interests therein, under the possession, management and control of the Board of Harbor Commissioners shall be known as the Harbor District. The Harbor District and all harbor and port improvements, works, utilities, facilities and watercraft owned, controlled, or operated by the department shall be known as the Harbor Assets.

(b) Prohibition of Sale. The City of Los Angeles and the Harbor Department shall not grant, sell, convey, alienate, transfer or otherwise dispose of any of the right, title or interest of the City in and to the tidelands and submerged lands of the Harbor District, or any part thereof; except that grants of these lands may be made to the State of California or to the United States for public purposes, when approved by a majority vote of the registered voters of the City voting upon the question.

(c) Public Use of Water Frontage.

(1) Reserved Space. Not less than ten thousand feet of the water frontage of Los Angeles Harbor, linear measurement, measured along the United States harbor lines, together with the necessary coterminous and adjacent tidelands and submerged lands as may be determined by the board and approved by the Council by ordinance, owned or controlled by the City, are hereby forever reserved for public use to be improved, controlled, maintained and operated by the City.

(2) Included Public Uses. The following uses are considered consistent with the public use requirement of subsection (c)(1) above:

(A) The assignment of berths or landings for the use of vessels at any wharf located in the reserved portion of the Harbor District if the assignment reserves to the City the right to use the wharf or other facility when the assigned space is not required for the use of the permittee or licensee.

(B) The assignment of space in any warehouse, elevator, or like facility operated by the City, located in the Harbor District at the established rates for the use of these facilities.

Sec. 652. Powers and Duties of the Board.

The board shall have the power and duty to:

(a) Rules and Regulations. Make and enforce all necessary rules and regulations governing the maintenance, operation and use of the Harbor District, and enforce penalties for the violation of those rules and regulations.

(b) Harbor Traffic. Regulate and control the piloting, anchoring, mooring, towing and docking of all vessels and watercraft in the Harbor District.

(c) Control Over Harbor Facilities. Regulate and control the construction, maintenance, operation and use of any railroad, wharf, warehouse or other facility, utility, structure or improvement used in connection with the Harbor District.

(d) Dredging. Regulate and control all dredging, filling and excavating in the Harbor District.

(e) Rates. Fix and collect rates and charges for the use of the Harbor Assets, pilotage and towage, and any other service provided by the department.

(f) Development of the Harbor District. Acquire, provide for, construct, maintain and operate all improvements, utilities, structures, watercraft, facilities and services for Departmental Purposes and to acquire and take, by purchase, lease, condemnation or otherwise, in the name of the City, any property, real or personal, or any interest therein, and to designate the site for any public buildings, structures or facilities in the Harbor District. The power of condemnation shall only be exercised with the approval of Council.

Sec. 653. Rates, Rules and Regulations.

(a) Council Approval. The board, by order, shall make and enforce rules and regulations of general application, and fix, regulate and collect rates and charges. These orders must be approved by the Council by ordinance before they become effective.

(b) Temporary Rules or Rates. Notwithstanding subsection (a), the board shall have the power to enact, suspend or modify any rule, regulation, rate or charge, without Council approval, for a period not to exceed 90 days.

(c) Penalties. The Council shall, by ordinance, prescribe penalties for violation of the provisions of a rule or regulation adopted under this section. The Council may provide that violation constitutes a misdemeanor, and may declare penalties that include a fine not to exceed the maximum amount provided by the general laws of the state or imprisonment not exceeding six months or both.

Sec. 654. Limitations on Franchises, Permits, Licenses or Leases.

In addition to the limitations set forth in Section 607, franchises, permits, licenses or leases shall be subject to the following:

(a) Maximum Use of Water Frontage.

(1) Board Approval Required. Unless approved by a four-fifths vote of the board and approved by a two-thirds vote of Council, no franchise, permit, license or lease shall be made to any one person, firm or corporation to use in excess of 3,000 feet of the water frontage, linear measurement, measured along United States harbor lines of the Harbor District.

(2) Automatic Termination for Violation. No assignment, transfer, gift, hypothecation, or grant of control of a franchise, permit, license, or lease shall be valid for any purpose unless first approved by the board. Any franchise, permit, license or lease shall be terminated by operation of law if the holder of it attempts to assign, transfer, sublease, give, hypothecate or grant it and the result would be any usage by another person, firm or corporation of more than the 3,000 foot limitation described in subsection (a)(1).

(b) Prohibition on Leasing Harbor Property as Excess. No wharf, dock, pier, mole or transit shed owned or controlled by the City shall ever be leased for non-departmental purposes under Section 605(b).

(c) Revocation Upon Notice. Every assignment of a berth or landing, or of space in any warehouse, elevator or like facility operated by the City, or grant of a revocable permit shall be revocable by the general manager, without compensation to the grantee or lessee, upon notice.

Sec. 655. Powers and Duties of the General Manager.

In addition to those powers and duties described in Section 604, the general manager of the Harbor Department shall have the power and duty to:

(a) enforce all orders, rules and regulations adopted by the board relating to regulation, operation or control of the Harbor District;

(b) supervise and manage the design, construction, maintenance and operation of all work or improvements authorized or ordered by the board;

(c) designate and assign berths or landings for the use of vessels at any wharf or like facility at the established rates or charges, subject to the rules and regulations of the department;

(d) designate and assign space in any warehouse, elevator or similar facility at the established rates or charges and subject to the rules and regulations of the department;

(e) subject to approval of the board, grant revocable permits to use the lands and waters, or interests therein in the Harbor District, or any structure or appurtenance thereto, for any and all purposes which shall not interfere with commerce or navigation, and are not inconsistent with any trusts upon which the land may be held by the City;

(f) revoke any assignment made under subsection (c), (d), or (e) of this section in accordance with Section 654(c); and

(g) carry out all powers and duties of the department delegated by the board.

Sec. 656. Harbor Revenue Fund.

(a) Creation of Fund. All fees, charges, rentals and revenue from every source collected by the Harbor Department in connection with its possession, management and control of the Harbor District and Harbor Assets, shall be deposited in the City Treasury to the credit of the Harbor Revenue Fund.

(b) Use of Funds. The money in the Harbor Revenue Fund shall not be appropriated or used for any purposes except the following:

(1) Operation and Maintenance. For the necessary expenses of operating the Harbor Department, including the operation, promotion and maintenance of the Harbor Assets for Departmental Purposes.

(2) Development of Assets. For the acquisition, construction, completion and maintenance of Harbor Assets for Departmental Purposes, and for the acquisition or taking by purchase, lease, condemnation or otherwise of property, real or personal, or other interest necessary or convenient for Departmental Purposes.

(3) Payment of Bonds. For the payment of the principal and interest of bonds issued by the department or by the City for Departmental Purposes.

(4) Pension Contributions. For defraying the expenses of any pension or retirement system applicable to the employees of the department.

(5) Reimbursements. For reimbursements to another department or office of the City on account of services rendered, or materials, supplies or equipment furnished to support Departmental Purposes.

Sec. 657. Port Police.

The Los Angeles Port Police shall remain under the independent and autonomous control of the Harbor Department.

DEPARTMENT OF WATER AND POWER

Sec. 670. Board Composition.

The Board of Water and Power Commissioners shall consist of five members appointed and removed as provided in Section 502.

Sec. 671. The Los Angeles River.

The City of Los Angeles shall continue in the ownership and enjoyment of all the rights to the water of the Los Angeles River, vested in it and its predecessors, including the Pueblo of Los Angeles, and is hereby declared to have the full, free and exclusive right to all the water flowing in the river and also the exclusive ownership of, and the exclusive right to develop, economize, control, use and utilize all the water flowing beneath the surface in the bed of the river at any point from its sources to the intersection of the river with the southern boundary of the City.

Sec. 672. Possession, Management and Control of Water and Power Assets.

The Board of Water and Power Commissioners shall have the possession, management and control of:

(a) Water and Water Rights, Lands, and Facilities. Whether situated inside or outside of the City or the State of California, all the water and water rights of the Los Angeles River, all other water or water rights of every nature and kind owned or controlled by the City, and all the lands, rights-of-way, sites, facilities and property used for the capture, transportation, distribution and delivery of water for the benefit of the City, its inhabitants and its customers. The water and water rights, lands, rights-of-way, sites, facilities and other interests of the City related to its water business under the possession, management and control of the board shall be known as the Water Assets.

(b) Electric Energy Rights, Lands and Facilities. All the electric energy rights, lands, rights-of-way, sites, facilities and property used for the generation, transportation, distribution and delivery of power for the benefit of the City, its inhabitants and its customers. The electric energy rights, lands, facilities and all other interests of the City related to its energy business under the possession, management and control of the board shall be known as the Power Assets.

Sec. 673. Water and Water Rights.

(a) Los Angeles River. The City shall not sell, lease or otherwise dispose of the City's rights in the waters of the Los Angeles River, in whole or in part.

(b) Other Water and Water Rights. Except as provided in this Article, no other water or water rights owned or controlled by the City shall ever be sold, leased or disposed of, in whole or in part, without the assent of two-thirds of the registered voters of the City voting on the proposition, and no water shall ever be sold, supplied or distributed to any person or corporation other than to municipalities for resale, rental or disposal to consumers for their own use.

(c) Exceptions. To the extent authorized in Section 677, the prohibitions in subsection (b) shall not apply to the ordinary sale and distribution of water or reclaimed water to City inhabitants for their own use, the supply or distribution by the City of surplus water or reclaimed water outside the City, or the exchange of water with any public agency.

Sec. 674. Power Contracts.

(a) Subject to approval by ordinance, the board shall have the power to contract with the United States or any of its agencies, any state or state agency, and any corporation, public or private, located inside or outside of the City or State of California:

(1) For the construction, ownership, operation, and maintenance of facilities for the generation, transformation, and transmission of electric energy, subject to the following:

(A) Any contract entered into under this subsection may provide for a sharing of the use and benefits and of the capital charges and other obligations associated with the facilities.

(B) The term of any contract entered into under this subsection is not subject to the term limitations specified in Section 607(a) and may extend over the useful life of the facilities constructed, purchased or developed.

(2) For the sale, purchase, exchange or pooling of electric energy or electric generating capacity.

(b) The board may renew, without Council approval, any contract with the United States existing as of December 12, 1940 concerning the delivery of electric energy to the City and the customers of the department from the Hoover Dam electric generating facility.

Sec. 675. Powers and Duties of the Board.

(a) Rules and Regulations. The board shall have the power and duty to make and enforce all necessary rules and regulations governing the construction, maintenance, operation, connection to and use of the Water and Power Assets for Departmental Purposes.

(b) Rates and Charges. The board shall have the power and duty to:

(1) regulate and control the use, sale and distribution of water, reclaimed water, surplus water, electric energy and surplus electric energy owned or controlled by the City;

(2) grant permits for connections with the water or electric works of the City and fix the charges for these connections;

(3) fix the rates to be charged for water, reclaimed water, surplus water, electric energy or surplus electric energy for use inside or outside the City in accordance with Section 676; and

(4) prescribe the time and the manner of payment for the collection of the rates and charges for water and electric energy.

(c) Development of the Water and Power Assets. The board shall have the power and duty to acquire, provide for, construct, extend, maintain and operate all improvements, utilities, structures, facilities and services as it may deem necessary or convenient for Departmental Purposes.

(d) Real Estate Interests.

(1) The board shall have the power and duty to acquire and take, by purchase, lease, condemnation or otherwise, in the name of the City, any and all property, real or personal, or any interest therein, situated inside or outside the City or State of California, that may be necessary or convenient for Departmental Purposes. The power of condemnation shall only be exercised with the approval of Council.

(2) Subject to the water and water rights of the City set forth in Section 673, no real property or any rights or interests in real property held by the board shall be sold, leased or otherwise disposed of, or in any manner withdrawn from its control, unless by written instrument authorized by the board, and approved by the Council.

(e) Incidental Authority. The board also shall also have the power to:

(1) enter into agreements with department customers to engage in co-generation projects;

(2) finance the sale and use of systems, equipment, devices or materials designed to conserve the use of water or electric energy;

(3) purchase, sell or exchange by-products of electrical power generation such as steam, hot water, chilled water or other thermal energy products;

(4) advertise its products and services to increase any of its businesses; and

(5) dispose, from time to time, of personal property, that is no longer necessary or suitable for the use of the Department.

Sec. 676. Rate Setting.

(a) Rate Setting Procedure. Subject to approval by ordinance, rates for water, reclaimed water, surplus water, electric energy and surplus energy shall be fixed by the board from time to time as necessary. Except as otherwise provided in the Charter, rates shall be of uniform operation for customers of similar circumstances throughout the City, as near as may be, and shall be fair and reasonable, taking into consideration, among other things:

(1) the nature of the uses;

(2) the quantity supplied; and

(3) the value of the service.

The rates inside the City may be less, but not greater, than the rates outside the City for the same or similar uses.

(b) Individual Power Contracts. Rates for electric energy may be negotiated with individual customers, provided that these rates are established by binding contract, contribute to the financial stability of the electric works and are consistent with procedures established by ordinance.

Sec. 677. Sale or Exchange of Water and Power.

The board shall have the power:

(a) Surplus Water. To supply and distribute any surplus water owned or controlled by the City and not required for the use of consumers served by the City within its limits:

(1) to consumers outside the City for their own use; and

(2) to municipalities outside the City for municipal uses, or for resale, disposal or distribution to consumers within those municipalities, subject to the following:

(A) Any contract for the supply or distribution of surplus water shall be subject to the paramount right of the City, at any time, to discontinue the contract, in whole or in part, and to take, hold and distribute, the surplus water for the use of the City and its inhabitants.

(B) Contracts for supplying surplus water by the City to other municipalities outside the City may be made by the board for periods not exceeding 15 years, and upon terms and conditions set by the board and approved by ordinance. Any contract shall include the right to terminate the contract upon three years written notice to the municipality that the water supplied under the contract is required for the City and its inhabitants.

(C) Prior to execution, the contract must be assented to by a majority of the registered voters of the City voting on the question at a regular or special election.

(b) Exchange of Water. To enter into contracts with any public agency for the exchange of water as long as the water exchanged is replaced in full to the City within a reasonable period set by the board.

(c) Reclaimed Water. To supply and distribute reclaimed water to consumers served by the City within its limits, to consumers outside the City for their use, and to public agencies outside of the City for public uses and for resale, disposal or distribution to consumers within the public agency's jurisdiction.

(d) Surplus Energy. To supply and distribute or exchange any surplus electric energy, owned or controlled by the City and not required for the use of consumers served by the City within its limits, to any person or entity whether located inside or outside of the City.

Sec. 678. Powers and Duties of the General Manager.

In addition to the powers described in Section 604, the general manager of the department shall have the power and duty to:

(a) enforce all orders, rules and regulations adopted by the board;

(b) supervise and manage the design, construction, maintenance and operation of all work or improvements authorized or ordered by the board; and

(c) carry out all powers and duties of the department delegated by the board.

Sec. 679. Water and Power Revenue Funds.

(a) Water Revenue Fund. All revenue from every source collected by the department in connection with its possession, management and control of the Water Assets of the City shall be deposited in the City Treasury to the credit of the Water Revenue Fund.

(b) Power Revenue Fund. All revenue from every source collected by the department in connection with its possession, management and control of the Power Assets of the City shall be deposited in the City Treasury to the credit of the Power Revenue Fund.

(c) Use of Funds. The money in the Water Revenue Fund and Power Revenue Fund may not be appropriated, transferred or expended for any purposes except the following:

(1) Operation and Maintenance. For the necessary expenses of operating the department, including the operation, promotion and maintenance of the Water and Power Assets for Departmental Purposes.

(2) Retirement of Indebtedness. For the payment of the principal and interest, due or coming due during the fiscal year in which the revenues are received, or are to be received, upon outstanding notes, certificates or other evidences of indebtedness issued against revenues from the Water or Power Assets or bonds or other evidences of indebtedness of the department.

(3) Development of Assets. For the necessary expenses of constructing, extending and improving the Water or Power Assets, including the purchase or condemnation of lands, water rights and other property for Departmental Purposes.

(4) Reimbursements. For reimbursement to another department or office of the City on account of services rendered, or materials, supplies or equipment furnished to support Departmental Purposes.

(5) Promotion of Business. For the promotion of any of its products or services.

(6) Promotion of Conservation. For the development, or promotion or use of systems, equipment, devices or materials by department customers that conserve utilization of water, electric energy and related departmental services.

(7) Employee Benefits. For defraying the expenses of any pension or retirement system and health or other benefits applicable to the employees of the department.

(8) Bond Reserve Funds. For establishing and maintaining a reserve fund to insure the payment at maturity of the principal and interest on all bonds now outstanding or hereafter issued for Departmental Purposes and the money set aside and placed in these funds shall remain in the funds until expended and shall not be transferred to the Reserve Fund of the City.

(9) General Fund Transfers. To be transferred to the City General Fund as provided in Section 344.

Sec. 680. Other Enterprises.

(a) Entry into Any Other Business. Notwithstanding any provision in the Charter to the contrary, the Council, upon making a finding that it is in the best interests of the City, may by ordinance authorize the department to engage in any lawful business enterprise that is in the best interests of the City's inhabitants and that will not interfere with the department's role as a provider of water and power to the City's inhabitants.

(b) Entry into Public Utility Competition. Without limiting the provisions of subsection (a), the Council may by ordinance adopted by a two-thirds vote and approved by the Mayor, or passed by three-fourths vote of the Council over the veto of the Mayor, authorize the department to provide electricity service or any other service, which may be provided by another utility or direct competitor to any person or entity, whether situated inside or outside of the City or the State of California.

(c) Prohibition of Entry into Water Service Outside Service Area. Water service or products that would be provided outside the department's retail service area are specifically excluded from the provisions of this section.

(d) No Limitation on Department. Nothing in this section limits any right, power or authority granted to the department or to the board elsewhere in the Charter.

Sec. 681. Division of Departmental Functions.

(a) Division. Notwithstanding any provision in the Charter to the contrary, the board shall have the power to divide the functions of the department into two divisions. A Division of Water Services shall carry out the Departmental Purposes associated with water and a Division of Electric Services shall carry out the Departmental Purposes associated with electric energy. Each division shall be directed by a general manager appointed, removed and evaluated, and vested with the same powers and duties provided in Sections 604 and 678.

(b) Consolidation. Upon the division of departmental functions provided in subsection (a), the board shall have the power to discontinue the divisions and consolidate the functions of the department under the direction of a single general manager.

Sec. 682. Health Benefits.

The Board of Water and Power Commissioners may provide by order or resolution for health insurance and similar benefits to active employees and department retirees. The board shall determine eligibility and required contributions and other terms and conditions in its order or resolution establishing or modifying these benefits.

Sec. 683. Office of Public Accountability.

(a) The role of the Office of Public Accountability (OPA) shall be to provide public independent analysis of department actions as they relate to water and electricity rates.

(b) The OPA shall be headed by an Executive Director, who shall be exempt from civil service. The Executive Director shall be appointed by a citizens committee to a five-year term, subject in appointment to confirmation by the Council and Mayor. The Council shall by ordinance provide for the removal of the Executive Director in a procedure similar to that set forth in City Charter Section 575(e), and only for the reasons provided by ordinance. The Council by ordinance shall prescribe the composition and manner of selection of the citizens committee.

The citizens committee shall fill any vacancy in the position of the Executive Director by appointment, subject to confirmation by the Council and Mayor. The Mayor may appoint a temporary Executive Director to serve until the vacancy is filled, subject to confirmation by the Council, provided however that no temporary Executive Director shall serve for longer than six months without the approval of the citizens committee.

(c) The Executive Director shall (1) report directly to, but shall not be instructed by, the board; (2) have full charge and control of all work of the OPA; (3) be responsible for the proper administration of its affairs; (4) appoint, discharge, suspend, or transfer all of its employees, subject to the civil service provisions of the Charter; (5) issue instructions to OPA employees in the line of their duties, subject to the civil service provisions of the Charter; (6) prior to the beginning of each fiscal year and in accordance with a schedule prescribed by ordinance, submit to the City Administrative Officer a proposed annual budget covering the anticipated expenditures of the OPA; (7) expend the funds of the OPA (including, without limitation, awarding contracts) in accordance with the provisions of the budget appropriations or of appropriations made after adoption of the budget; and (8) perform such other duties as may be prescribed by ordinance.

(d) The City Council shall by ordinance establish provisions for the administration and operation of the OPA, which provisions shall include at a minimum: (1) reporting requirements and schedules and (2) consumer protection and complaint procedures.

(e) The OPA shall have access to information to fulfill its responsibilities.

(f) The employees of the OPA shall include a Ratepayer Advocate and additional positions as prescribed by ordinance. The OPA shall periodically issue public reports.

(g) The department shall include a budget for the OPA as shall be set by ordinance at a level not less than 0.025 percent of department annual revenues from the sale of water and electric energy for the previous fiscal year.

(h) Nothing contained in this section shall reduce or otherwise affect the authority of the City Controller to conduct fiscal and performance audits of the department.

(i) This Section shall be operative on July 1, 2011.

SECTION HISTORY

Added by Charter Amendment I § 1, approved March 8, 2011, effective April 8, 2011; Subsec. (b), Charter Amendment HH, approved November 5, 2024, effective January 8, 2025.

Sec. 684. Submission of Budget to the City Council for Informational Purposes.

The Board of Water and Power Commissioners shall submit a preliminary budget for the upcoming fiscal year to the City Council for informational purposes by no later than March 31 of each year and shall by May 31 of that year update the preliminary budget based on additional information received after March 31, including without limitation, additional information about revenue and expense projections. This Section shall be operative on July 1, 2011.

SECTION HISTORY

Added by Charter Amendment J § 1, approved March 8, 2011, effective April 8, 2011.

ARTICLE VII
CITY ETHICS COMMISSION; SPECIAL PROSECUTOR

Section

700 City Ethics Commission.

701 Executive Director, Commission Staff and Delegation of Authority.

702 Duties and Responsibilities of the Ethics Commission.

703 Rules, Regulations and Proposals.

704 Additional Duties.

705 Requests for and Issuances of Opinions; Advice.

706 Investigations and Enforcement Proceedings.

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712 Authority; Conflict with Other Charter Provisions.

Sec. 700. City Ethics Commission.

(a) Establishment. There shall be a City Ethics Commission that shall have the powers, duties and responsibilities set forth in this Article and elsewhere in the Charter. The

commission shall have ~~five~~seven members, each of whom shall be a part-time commissioner.

(b) Appointment. The Mayor, the City Attorney, the Controller, the President of the Counci,l ~~and~~ the President Pro Tempore of the Council, the Neighborhood Councils organized through their at-large appointments to the Board of Neighborhood Commissioners, and the Ethics Commission shall each appoint one member to the commission. All appointments other than the ones made by the Ethics Commission and the Neighborhood Councils shall be subject to confirmation by a majority vote of the Council. An appointing authority shall not appoint their relative or the relative of any other elected City officer, a campaign consultant, or a major donor. For purposes of this provision: a relative includes a spouse, domestic partner, child, parent, sibling, or in-law; a campaign consultant includes an individual who has provided compensated advice or services to a political campaign or to a committee controlled by a City officeholder in the prior 12 months; and a major donor includes an individual who has qualified as a major donor under the Political Reform Act in the prior 12 months. A President and Vice President of the commission shall be selected by the commission and shall serve in those capacities as set forth in Section 503.

(c) Terms of Office. The members of the commission, including the president, shall serve staggered five-year terms beginning on July 1 and ending on June 30. No member who has served a complete five-year term shall be eligible for reappointment.

(d) Qualifications. Each member of the commission shall be a registered voter of the City. Neither a member of the commission nor its Executive Director shall seek election to any City office or Los Angeles Unified School District Board of Education office concerning which the commission has made a decision during the term of the commissioner or Executive Director unless the election for that office is to be held at least two years following the expiration of the term of office of the commissioner or Executive Director. During their tenure, neither a member of the commission nor its Executive Director shall:

(1) hold any other public office;

(2) participate in or contribute to a City election campaign;

(3) participate in or contribute to an election campaign for a member of the Los Angeles Unified School District Board of Education;

(4) participate in or contribute to a City official or member of the Los Angeles Unified School District Board of Education running for any elective office;

(5) employ or be employed as a person required to register as a lobbyist with the City of Los Angeles;

(6) have an ownership interest in a business (other than stock in a publicly traded company) that contracts with or seeks discretionary approvals from the City; or personally provide compensated services to the City under a contract;

(7) provide compensated advice or services to a political campaign or to a committee controlled by a City officeholder; or

(8) contribute to committees such that the individual qualifies as a major donor as provided under the Political Reform Act.

(e) Removal. A member of the commission may be removed by the member's appointing authority, with the concurrence of the Council by majority vote, or by a two-thirds vote of the Council for substantial neglect of duty, gross misconduct in office, inability to discharge the powers and duties of office, or violation of this Article, after written notice of the grounds on which removal is sought and an opportunity for a reply.

(f) Vacancies. Appointments to fill a vacancy on the commission shall be made within 90 days by the same appointing authority who appointed the prior holder of the position. An appointment to fill a vacancy shall be for the unexpired term of the member whom the appointee succeeds. A vacancy or vacancies shall not impair the right of the remaining members to exercise the powers of the Commission.

(g) Quorum. Three members shall constitute a quorum, and the concurring vote of at least three members shall be required to take any action.

(h) Compensation; Expenses. Members of the commission shall be compensated in the same manner and at the same rate as provided by Section 501. The members of the

commission shall be reimbursed for expenses incurred in the performance of their official duties.

SECTION HISTORY

Amended by: Subsec. (d), Charter Amendment L, approved March 6, 2007, effective April 4, 2007; Subsecs. (b), (d), (e) and (f), Charter Amendment ER, approved November 5, 2024, effective January 8, 2025.

Sec. 701. Executive Director, Commission Staff and Delegation of Authority.

(a) The commission shall appoint and has the authority to discharge an Executive Director, who shall act in accordance with commission policies and regulations and with applicable law. The Executive Director shall serve at the will of the commission, shall not be subject to civil service provisions, and shall have no property interest in the Executive Director's employment. The commission shall establish a salary range for the Executive Director consistent with other City general managers, considering similar duties and responsibilities, and shall annually set or adjust the salary for the Executive Director from within that range. The Executive Director shall not serve in that capacity for more than ten years.

(b) The Executive Director shall appoint and has the authority to discharge commission staff members and prescribe their duties. Personnel of the commission shall serve at the will of the Executive Director, shall not be subject to civil service provisions, and shall have no property interest in their employment.

(c) The commission may delegate authority to the Executive Director to act on behalf of the commission between meetings of the commission, except that rules, regulations and adjudicatory decisions can only be acted upon by the commission.

SECTION HISTORY

Amended by: Subsecs. (a) and (b), Charter Amendment ER, approved November 5, 2024, effective January 8, 2025.

Sec. 702. Duties and Responsibilities of the Ethics Commission.

The commission shall have responsibility for the impartial and effective administration and implementation of the provisions of the Charter, statutes and ordinances concerning campaign financing, lobbying, conflicts of interest and governmental ethics.

The City Ethics Commission shall have the following duties and responsibilities:

(a) to receive documents required to be filed pursuant to, and to otherwise administer, the provisions of Section 470 and to conduct audits as otherwise set forth in that Section;

(b) to receive documents required to be filed pursuant to, and to otherwise administer, the provisions of the City's municipal lobbying ordinance;

(c) to act as the filing officer and to otherwise receive documents in any instance where the City Clerk would otherwise be authorized to do so pursuant to Chapters 4 and 7 of the California Political Reform Act of 1974 (Government Code Section 81000, et seq.), as amended;

(d) to audit disclosure statements and other relevant documents and investigate alleged violations of state law, the Charter and City ordinances relating to limitations on campaign contributions and expenditures, lobbying, governmental ethics and conflicts of interest and to report the findings to the City Attorney and other appropriate enforcement authorities. Audits shall be conducted of every candidate receiving public matching funds and may be conducted of other candidates and committees involved in City elections;

(e) to provide assistance to agencies and public officials in administering the provisions of the Charter and other laws relating to campaign finance, conflicts of interest and governmental ethics;

(f) to make recommendations to the Mayor and the Council concerning campaign finance reform, lobbying, governmental ethics and conflicts of interest and to report to the Council every three years concerning the effectiveness of these laws;

(g) to maintain a whistle-blower hot line;

(h) to annually adjust the limitation and disclosure thresholds required by City law to reflect any increases or decreases in the Consumer Price Index. Adjustments shall be rounded off to the nearest hundred dollars for the limitations on contributions and the nearest thousand dollars for the limitations on expenditures and the matching funds provisions of relevant ordinances;

(i) to assist departments in developing their conflict-of-interest codes as required by state law;

(j) to advocate understanding of the Charter, City ordinances and the roles of elected and other public officials, City institutions and the City electoral process;

(k) to have full charge and control of its office, to be responsible for its proper administration, to submit annually a proposed budget and to expend the funds of the office, all as otherwise prescribed by law; and

(l) to receive grants, gifts and appropriations, subject to the approval of the Council.

(m) to perform duties related to the Independent Redistricting Commission as provided in the Charter and by ordinance.

SECTION HISTORY

Amended by: Subsec. (m) added, Charter Amendment DD, approved November 5, 2024, effective January 8, 2025.

Sec. 703. Rules, Regulations and Proposals.

(a) The commission may adopt, amend and rescind rules and regulations, subject to Council approval without modification, to carry out the purposes and provisions of the Charter and ordinances of the City relating to campaign finance, conflicts of interest, lobbying, and governmental ethics and to govern procedures of the commission.

(b) Within 60 days after a rule or regulation is adopted by the commission, the Council shall hold a public hearing concerning the matter and act to approve or disapprove the rule or regulation in the form approved by the commission by ordinance. If the Council fails to disapprove within the 60 day period, the rule or regulation shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or the Mayor fails to act, or approved by the Council on override of the Mayor's veto, the rule or regulation shall have the force of law. Violation of the rule or regulation shall be subject to those penalties and remedies as may be provided.

(c) Within 180 days after the commission transmits a policy proposal within its jurisdiction to the Council, the Council shall hold a public hearing on the proposal. If the Council does not hold a hearing within the 180-day period, the City Clerk shall schedule the proposal at the next regular meeting of the City Council.

(d) The Ethics Commission shall have the ability to send items within its purview directly to the ballot when the City Council does not advance the recommendation to a completed ordinance or Charter update or the City Council heavily amends the recommendation on a Commission vote of five Commissioners out of the seven Commissioners.

SECTION HISTORY

Amended by: Title amended and Subsec. (c) added, Charter Amendment ER, approved November 5, 2024, effective January 8, 2025.

Sec. 704. Additional Duties.

The commission shall have the following additional duties, which may be exercised by motion or order:

(a) Prescribe forms for reports, statements, notices and other documents required by the Charter, ordinances or other laws relating to campaign financing, conflicts of interest, lobbying or governmental ethics.

(b) Prepare and publish manuals and instructions setting forth methods of bookkeeping, preservation of records to facilitate compliance with and enforcement of the above laws, and explaining applicable duties of persons and committees.

(c) Develop an educational program consisting of the following components:

(1) seminars, when deemed appropriate, to familiarize newly elected and appointed officers and employees, candidates for elective office and their campaign treasurers, and lobbyists with City, state and federal ethics laws and the importance of ethics to the public's confidence in municipal government.

(2) annual seminars for top-level officials, including elected officers and commissioners, to reinforce the importance of compliance with and to inform them of any changes in the law relating to conflicts of interest and governmental ethics.

(3) a manual that summarizes, in simple, non-technical language, ethics laws and reporting requirements applicable to City officers and employees, instructions for completing required forms, questions and answers regarding common problems and situations, and information regarding sources of assistance in resolving questions. The manual shall be updated when necessary to reflect changes in applicable City, state and federal laws governing the ethical conduct of City employees.

Sec. 705. Requests for and Issuances of Opinions; Advice.

(a) Any person may request the commission to issue a written opinion with respect to his or her duties under provisions of the Charter or any ordinance relating to campaign finance, conflicts of interest, lobbying or governmental ethics. The commission shall, within 14 days, either issue a written opinion or advise the person who made the request whether an opinion will be issued. No person who acts in good faith on a written opinion issued to him or her by the commission shall be subject to criminal or civil penalties for so acting, provided that the material facts are as stated in the opinion request. The commission's opinions shall be public records and may from time to time be published.

(b) Any person may request the commission to provide written advice with respect to the person's duties under provisions of the Charter or any ordinance relating to campaign finance, conflicts of interest, lobbying, or governmental ethics. Advice shall be provided within 21 working days of the commission's actual receipt of the request, except that the time may be extended by the commission for good cause. Reliance on the advice, or the failure of the Commission to provide the advice within 21 working days of its receipt of the request, or within the extended time for response, shall be a complete defense in any enforcement proceeding initiated by the commission, and evidence of good faith conduct in any other civil or criminal proceeding if the requester, at least 21 working days prior to the alleged violation, requested written advice from the commission in good faith, disclosed truthfully all the material facts, and committed the acts complained of either in reliance on the advice or because of the failure of the commission to provide advice within 21 days of the request or such later extended time.

Sec. 706. Investigations and Enforcement Proceedings.

The commission shall conduct investigations of alleged violations of state law, the Charter and City ordinances relating to campaign financing, lobbying and conflicts of interest and governmental ethics.

Any person who violates any provision of the Charter or of a City ordinance relating to campaign financing, lobbying, conflicts of interest or governmental ethics, or who causes any other person to violate any provision, or who aids and abets any other person in a violation, shall be liable under the provisions of this Article.

(a) Investigations.

(1) If the commission, upon the sworn complaint of any person or on its own initiative, first determines that there is sufficient cause to conduct an investigation, it shall investigate alleged violations of state law, the Charter or City ordinances relating to campaign financing, lobbying, conflicts of interest and governmental ethics. The commission shall not be required to investigate a complaint filed with it unless the complaint identifies the specific alleged violation which forms the basis for the complaint and contains sufficient facts to warrant an investigation.

(2) The investigation shall be conducted in a confidential manner. Records of any investigation shall be considered confidential information pursuant to Section 18362 of Title 2 of the California Code of Regulations, as amended, or any successor provision. Any member or employee of the commission or other person who, prior to a determination by the Executive Director whether or not to proceed with an administrative or other enforcement action, discloses information about any preliminary investigation, except as necessary to conduct the investigation, shall be liable pursuant to this Article. The unauthorized release of confidential information shall be sufficient grounds for the termination of the employee or removal of the commissioner responsible for the release. The termination of clerical employees only shall be subject to applicable civil service provisions.

(3) The commission and any special prosecutor may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the commission's duties or exercise of its powers.

(b) Findings of Probable Cause; Administrative Enforcement. If the Executive Director of the commission or the Executive Director's designee determines that there is probable cause to believe that a provision of the Charter or City ordinances relating to campaign financing, lobbying, conflicts of interest or governmental ethics has been violated, the Executive Director or the Executive Director's designee shall cause an administrative enforcement accusation to be issued and served. No finding of probable cause shall be made by the Executive Director or Executive Director's designee unless, at least 21 days prior to the Executive Director or the Executive Director's designee's consideration of the alleged violation, the person alleged to have committed the violation is notified of the alleged violation by service of process or registered mail with return receipt requested, is provided with a summary of the evidence, and is informed of their right to be present in person and represented by counsel at any proceeding held for the purpose of considering whether probable cause exists for believing the person committed the violation. Notice to

the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or, if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private unless the alleged violator files with the commission a written request that the proceeding is public.

(c) Administrative Hearings, Orders and Penalties. After an accusation is issued and served, the commission shall cause a public evidentiary hearing to be held to determine if a violation has occurred. When the commission determines on the basis of substantial evidence presented at the hearing that a violation has occurred, it shall issue an order which may require the violator to:

(1) cease and desist the violation;

(2) file any reports, statements or other documents or information required by law; and/or

(3) pay a monetary penalty to the General Fund of the City of up to fifteen thousand dollars ($15,000) for each violation, adjusted annually to reflect changes to the Consumer Price Index, or three times the amount which the person failed to report properly or unlawfully contributed, expended, gave or received, whichever is greater. When the commission determines that no violation has occurred, it shall publish a declaration so stating.

(d) Referrals Between Agencies. Regardless of whether the Executive Director or designee makes a formal determination concerning probable cause, the matter may be referred to another appropriate agency for purposes of enforcement.

SECTION HISTORY

Amended by: Subsecs. (b), (c) and (d), Charter Amendment ER, approved November 5, 2024, effective January 8, 2025.

Sec. 707. Divestiture.

In the event a member of a City board or commission is disqualified during any 365 day period from acting on (1) three or more agenda matters by reason of the same investment in a business entity, the same interest in real property or the same source of income, or (2) 1% or more of the matters pending before the board or commission by reason of any investments in business entities, any interests in real property or any sources of income, the commission shall examine the nature and extent of the conflicts and shall determine whether the member has a significant and continuing conflict of interest. If the commission so determines, it shall order divestment of the conflicting investment, interest or source of income. The Council may, by ordinance, impose additional requirements to assure that continuing conflicts of interest by members of boards and commissions are adequately monitored and avoided.

Sec. 708. Legal Services.

The City Attorney shall provide legal services to the commission, except that, notwithstanding Section 275, the commission may retain its own legal counsel to provide advice to the commission and to take such action as the commission may direct when necessary under the two circumstances described in this Section. First, independent of the City Attorney, the commission may employ or contract for staff counsel to give advice to the commission and to take such action as the commission may direct on matters that directly involve the conduct of the City Attorney, the City Attorney's office, or the City Attorney's election campaign. Second, the commission may retain its own legal counsel for legal services in carrying out the commission's responsibilities and duties under Section 706 on a specific investigative or enforcement matter. In this second circumstance, the commission and the City Attorney shall approve a panel of law firms or attorneys from which the commission may select legal counsel for these services.

SECTION HISTORY

Amended by: Charter Amendment ER, approved November 5, 2024, effective January 8, 2025.

Sec. 709. Judicial Review.

Any interested person may seek judicial review of any action of the commission.

Sec. 710. Appointment of Special Prosecutor.

(a) Notwithstanding Section 275, when the City Attorney determines that the City Attorney's office has a possible conflict of interest and that the office should not investigate or prosecute an alleged violation of the Charter, City ordinance or regulation, or statute relating to campaign financing, lobbying, conflicts of interest or governmental ethics, the City Attorney shall notify the City Ethics Commission, which by a four-fifths vote of all of its members may determine to appoint a special prosecutor to conduct the investigation. A special prosecutor shall not be appointed when it appears from a preliminary investigation that an alleged violation will warrant only an action for civil damages or administrative penalties.

(b) The commission's appointment of a special prosecutor shall be made from a list of special prosecutors approved by the commission at the beginning of each odd-numbered year. The special prosecutor, upon appointment, shall have the authority to file and prosecute criminal and civil actions in the name of the People.

(c) Each fiscal year the budget of the City Ethics Commission shall include the sum of five hundred thousand dollars ($500,000) for expenditure to support any special prosecutor appointed pursuant to this section. In the event that all of these funds have been or are likely to be expended before the end of any fiscal year, the commission may request an additional appropriation from the Council. Under no circumstance shall the amount appropriated or provided under contract for a special prosecutor exceed five hundred thousand dollars ($500,000) in any fiscal year without Council approval. The Council shall have 30 days (excluding weekends and holidays) following its receipt to accept, reject, or modify a request for additional funds from the commission. If Council does not act within that time period, the request is deemed approved. The Mayor shall act on the Council's action or inaction if the request is deemed approved within five days (excluding weekends and holidays). If the Mayor vetoes the Council's action, the Council shall have five days (excluding weekends and holidays) to override the veto by a two-thirds vote.

(d) A special prosecutor appointed pursuant to this section may be removed from office only by the action of the commission, and only for good cause, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the special prosecutor's duties.

SECTION HISTORY

Amended by: Subsecs. (a), (b) and (c), Charter Amendment ER, approved November 5, 2024, effective January 8, 2025.

Sec. 711. Appropriation and Expenditures.

(a) Starting with the 2025-2026 fiscal year budget, the Council shall appropriate a minimum of ~~seven~~nine million ($~~9~~7,000,000) dollars for each fiscal year for the commission's annual operating budget. The appropriation amount shall be adjusted each fiscal year based on the change to City's revenues in the prior year. However, adjustment to the commission's annual budget based on the change to City's revenues in the prior year is not required in the event of a declared fiscal emergency.~~if the Council finds that exigent circumstances exist such that an adjustment should not be made for that fiscal year~~.

(b) The expenditures of the commission shall not require prior approval of City offices or personnel where the expenditures are within the Commission's budget, unless Council makes a finding of exigent circumstances. The commission shall comply with applicable City requirements, procedures, and laws relating to the expenditures.

(c) The commission is not subject to hiring freezes when it operates within its budget, unless the Council makes a finding of exigent circumstances.

SECTION HISTORY

Amended by: Title and Section, Charter Amendment ER, approved November 5, 2024, effective January 8, 2025.

Sec. 712. Authority; Conflict with other Charter Provisions.

This Article is adopted pursuant to and under the authority of Article XI, Section 5 of the California Constitution, and California Government Code Section 81013. In the event any provision of this Article conflicts with other provisions of the Charter, this Article shall prevail.

ARTICLE VIII
BOARD OF EDUCATION

Section

800 Authority.

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Los Angeles Unified School District Independent Redistricting Commission

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816 Commission Conduct of Business, Administration, and Personnel.

817 Adoption of Final Redistricting Plan.

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Sec. 800. Authority.

The provisions of this Article are adopted pursuant to the City's authority under California Constitution Article XI, Section 5, and Article IX, Section 16.

Sec. 801. Board of Education.

The Board of Education of the Los Angeles Unified School District shall consist of seven members, elected by districts.

Sec. 802. Board of Education Redistricting.

SECTION HISTORY

Amended by: Subsec. (g), Charter Amendment L, approved March 6, 2007, effective April 4, 2007; Charter Amendment 1, approved March 3, 2015, effective April 2, 2015; Charter Amendment 2, approved March 3, 2015, effective April 2, 2015; Subsec. (c), Charter Amendment E, approved November 6, 2018, effective December 14, 2018; Subsec. (c), Charter Amendment EE, approved November 6, 2018, effective December 14, 2018.

Repealed by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

Sec. 803. Election of Board Members.

The election of Members of the Board of Education of the Los Angeles Unified School District shall be conducted in accordance with Sections 400 through 440 of the Charter and applicable ordinances consistent with the Charter. In order to encourage a broader participation in the political process by placing limits on the amount any person may contribute or otherwise cause to be available to candidates for election to the Board of Education, the following campaign finance provisions apply to elections of the members of the Board of Education. This section is intended to supplement the Political Reform Act of 1974.

(a) Definitions.

(1) "Behested" means and will be treated in the following manner for purposes of this section:

(A) An expenditure behested by a candidate or candidate's controlled committee is not an independent expenditure and shall be treated as a contribution to the candidate or committee that behests the expenditure. A payment is behested if it is made:

(i) at the request or suggestion of the candidate, committee, or the candidate or committee's agent;

(ii) in concert with, with the cooperation of, or in consultation with, the candidate, committee, or the candidate or committee's agent; or

(iii) under any arrangement, coordination, or direction between the candidate, committee, or the candidate or committee's agent.

(B) An expenditure is behested without limitation under the following circumstances:

(i) active involvement or participation by a candidate in the creation or design of a communication financed by the spender, including consultation between the spender and the candidate about content;

(ii) solicitation by the spender and/or provision by the candidate of materials specifically for use in the communication or procuring the candidate's consent to include specific materials in the communication; or

(iii) arranging with the candidate for preparation of any materials used in the communication.

(C) There is a rebuttable presumption that an expenditure is behested, and therefore not independent, if:

(i) it is made by or through any agent of the affected candidate or member of the candidate's controlled committee in the course of his/her involvement in the current campaign;

(ii) in the election cycle during which the expenditure is made, both the spender or the spender's agent and the candidate on whose behalf the expenditure is made retain the same individual or entity to provide non-ministerial, campaign related professional services (non-ministerial, campaign related professional services include, but are not limited to: polling or other campaign research, media consulting or production, direct mail consultation, and fundraising);

(iii) the expenditure finances a communication that replicates, reproduces, republishes, distributes, or disseminates, in whole or substantial part, a broadcast, written, graphic, or other form of campaign material designed, produced, paid for, or distributed by the affected candidate, his or her committee, or agent;

(iv) the expenditure is based on information about a candidate's campaign plans, projects, or needs not generally available to the public; or information provided directly or indirectly by that candidate, committee, or their agents to the spender or spender's agent, with an express or tacit understanding that the expenditure was being considered;

(v) the spender or spender's agent discusses or negotiates the content, timing, location, mode, intended audience, volume of distribution, or frequency of placement of a communication financed by the spender with the candidate whose election or nomination is advocated by the spender or whose opponent's defeat is advocated by the spender;

(vi) in the election cycle during which the expenditure is made, the spender or spender's agent is serving or has served in a formal executive, policy-making, or advisory position with the candidate's campaign or has participated in strategic or policy-making discussions with the candidate's campaign relating to that candidate's pursuit of nomination or election to office, and the candidate is pursuing the same office as a candidate whose nomination or election the expenditure is intended to influence;

(vii) the expenditure is made after a request to the spender or spender's agent by the candidate, the candidate's controlled committee, or their agents for an expenditure on the candidate's behalf; or

(viii) the expenditure is made in connection with or as a consequence of fundraising events or campaign activities co-sponsored by the candidate and the spender or the spender's agent.

(D) An expenditure will not be deemed behested merely when:

(i) a spender or spender's agent interviews a candidate on legislative or policy positions or issues affecting the spender or discusses campaign-related issues with the candidate, such as platforms, polling information, which organizations support the candidate and which support his/her opponent, or the identity of the consultants the candidate plans to hire, provided that prior to making a subsequent expenditure based on that information, the spender or his agent has not communicated with the candidate, candidate's controlled committee, or their agents concerning the expenditure;

(ii) the spender solicits and/or obtains a photograph, biography, position paper, press release, or similar material from the candidate, candidate's controlled committee, or their agents and, without the prior knowledge, control, or involvement of the candidate, candidate's controlled committee, or their agents, subsequently utilizes or incorporates that information to create a communication in support of the candidate or in opposition to his or her opponent;

(iii) the spender made prior contributions to the candidate;

(iv) the spender communicates to the candidate, the candidate's controlled committee, or the agent of either, the intent to make an independent expenditure without discussing any of the items mentioned in Subparagraph (C)(v) of this section;

(v) a member of an organization that makes an expenditure renders volunteer personal services to or works for the affected candidate's campaign, unless the volunteer or campaign worker was also involved in the activities of the spender-organization's political action committee or makes payments on behalf of the spender-organization, or is serving or has served the affected candidate's campaign in one of the capacities described in Subparagraph (C)(vi) of this section;

(vi) the expenditure was made in response to an unsolicited request from political party leaders or their agents that the committee "support" the candidate or make an expenditure relating to the candidate;

(vii) the expenditure finances the cost of preparing or disseminating candidate evaluations to voters or conducting a political survey; or

(viii) the spender employs or is under contract with a political consultant or pollster who rendered services to a candidate in prior years.

(2) "Board of Education office" means the office of a member of the Board of Education of the Los Angeles Unified School District.

(3) "Candidate or Committee Agent" means any person who has express or implied authority to make or to authorize the making of expenditures on behalf of the candidate.

There shall be a rebuttable presumption that the following have that authority: current or former officers of the candidate-controlled committee, employees of the campaign, persons who have received compensation or reimbursement from the campaign, or any person who has been placed in a position within the campaign organization where it would reasonably appear that in the ordinary course of campaign-related activities he or she may authorize expenditures. A candidate's agent is also any person who is serving or has served in an advisory, decision-making, or strategic role with a candidate's campaign, with or without compensation, where that person's duties and/or actions reflect or require direct knowledge of the candidate's campaign strategy, plans, or needs.

(4) "Election" means any primary nominating election, a general election, a special election and a recall election.

(5) "Independent expenditure" means an expenditure made by any person in connection with a communication that expressly advocates the election or defeat of a clearly identified candidate; or, taken as a whole and in context, unambiguously urges a particular result in an election, but which is not made to or at the behest of the affected candidate or committee.

(6) "Loan" means and will be treated in the following manner for purposes of this section:

(A) A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to the contribution limitations of this section.

(B) The proceeds of a loan made to a candidate by a commercial lending institution in the regular course of business on the same terms available to members of the public and which is secured or guaranteed shall not be considered to be a contribution within the meaning of the contribution limitations of this section.

(C) Extensions of credit (other than loans referred to in Subdivision (6)(B)) for a period of more than 30 days are subject to the contribution limitations of this article.

(7) "Member communications" means payments made pursuant to Government Code Section 85312.

(A) For purposes of this article, payments for member communications that are behested by candidates, with the exception of payments for a regularly published newsletter or periodical limited solely to individual members not exceeding the amount of payments regularly made to publish a regular newsletter or periodical, shall be considered contributions to that candidate or candidate controlled committee for purposes of the contribution limits reporting requirements contained in this article.

(B) For purposes of this article, member communications that are not behested by a candidate, a candidate's controlled committee, or an agent of a candidate or a candidate's controlled committee are not considered contributions to a candidate.

(C) Member communications that are not behested by a candidate, a candidate's controlled committee, or an agent of a candidate or a candidate's controlled committee and are not payments for a regularly published newsletter or periodical limited solely to individual members and do not exceed the amount of payments regularly made to publish a regular newsletter or periodical, are considered expenditures and are required to be reported pursuant to Subsection (s).

(8) "Non-Candidate Spending" means any combination of independent expenditures and/or member communications that are not behested by a candidate.

(b) Campaign Contribution Limitations.

(1) No intended candidate for the Board of Education, and no committee acting on behalf of such candidate, shall solicit or accept, or cause to be solicited or accepted, any contribution for use in any election for such office unless and until such candidate shall have filed a Declaration of Intent to Solicit and Receive Contributions in connection with candidacy for a specific Board of Education office. That declaration shall be filed with the City Ethics Commission on a form prescribed by the City Ethics Commission. Once the election takes place, the declaration is thereafter void. No person may have on file at the same time more than one declaration for any single election. A candidate may, however, file a form canceling one declaration and may thereafter file a new declaration.

(2) The candidate and the treasurers of the candidate's controlled committees shall file with the City Ethics Commission on a form prescribed by the City Ethics Commission a statement under oath that the candidate and the treasurers have read and understood Section 803. This statement shall be filed concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions.

(3) No person shall contribute a total of more than $1,000 to any candidate for the Board of Education and to his or her controlled committee for a single election. A candidate for the Board of Education shall not accept any contribution or contributions totaling more than $1,000 from any person for a single election. Nothing in this section is intended to limit the amount a candidate can contribute to his or her candidacy for the Board of Education from his or her personal funds.

(4) [Repealed.]

(5) No person shall make a contribution in connection with a single election for a Board of Education office, which would cause the aggregate amount of such contributions by that person to exceed a sum equal to $1,000 multiplied by the number of Board of Education offices appearing on the ballot at that election, but in no case less than $2,000, in connection with all candidates in that election seeking election to all Board of Education offices; provided, however, that a candidate shall not be limited by this Subdivision (5) in the amount he or she may contribute or expend in connection with his or her own campaign.

(6) No person shall make, and no person or candidate shall solicit or accept any loan of more than $1,000 for use in connection with an election for the Board of Education. Further, no person shall make, and no person or candidate shall solicit or accept any loan for use in connection with an election for a Board of Education office for a period of more than 30 days. Loans to a candidate or to a candidate's controlled committees shall be counted against the contribution limitations applicable to the candidate. A candidate is not prohibited from obtaining a personal loan of any amount from a licensed financial lending institution in the regular course of business, unless the loan is made for political purposes. Every loan to a candidate or the candidate's controlled committee shall be by written agreement, which shall be filed with the candidate's or committee's campaign statement on which the loan is first reported. This Subdivision (6) shall not limit the amount or duration of loans from the candidate to his or her own campaign.

(7) Any contributions solicited or accepted pursuant to this section shall be expended only in connection with the candidacy for the office specified in the candidate's Declaration of Intent to Solicit and Receive Contributions. Contributions solicited or accepted pursuant to this section for one individual shall not be expended for the candidacy of any other individual seeking another Board of Education office or in support of or in opposition to any Los Angeles Unified School District ballot measure. No candidate, committee controlled by a candidate, or elected member of the Board of Education shall use contributed funds to make any contribution to any other candidate running for office or to any committee supporting or opposing a candidate for office. Provided, however, a candidate shall not be

prohibited from making a contribution from his or her own personal funds to his or her own candidacy, to the candidacy of any other candidate or in support of or in opposition to any Los Angeles Unified School District ballot measure.

(c) Adjustment of Limits. Every four years, the City Ethics Commission shall review whether the contribution limitations contained in this section should be adjusted to reflect changes in the Consumer Price Index (CPI) for the Los Angeles-Long Beach Metropolitan Statistical Area. The first review shall begin at the end of the calendar year 2011. If the contribution limitations are not adjusted during any review period, the limitations may be adjusted in a subsequent four-year review period, up to the overall increase in the CPI since the last adjustment. Any change to the contribution limitations shall be effective for any subsequent election for which the fundraising period has not yet opened as provided in Subsection (q). The City Ethics Commission shall forward a report with its findings to the Council by March 1, following each review. Within 60 days after the City Ethics Commission forwards its report to the Council, the Council shall hold a public hearing concerning the matter and act to approve or disapprove the report. If the Council fails to disapprove within the 60 day period, the report shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or if the Mayor fails to act, or if approved by the Council on override of the Mayor's veto, the amount specified in the report shall have the force of law as the contribution limitations applicable to this section, subject to all penalties and remedies in this section.

(d) Cash Contributions and Anonymous Contributions. No person shall make, and no candidate or committee shall solicit or accept, any cash contribution in excess of $25. Total anonymous contributions to a candidate or committee which exceed in the aggregate $200 with respect to a single election shall not be used by the candidate or committee for whom such contributions were intended, but instead, such excess shall be paid promptly to the City Treasurer for deposit in the General Fund of the City.

(e) Campaign Contribution Checking Account. No more than one campaign contribution checking account shall be established by each candidate for a Board of Education office, and by each committee supporting or opposing such candidate. The account shall be established at an office of a bank or savings and loan institution located in the City of Los Angeles. Upon opening such account, the candidate shall file with the City Ethics Commission within ten days of opening the campaign bank account, the name of the bank or savings and loan institution and the account number. Funds shall only be disbursed from such account by checks signed by the candidate, treasurer or designated agent of the treasurer. A candidate, treasurer or designated agent of the treasurer shall deposit into the campaign checking account all contributions received in connection with a Board of Education election. A candidate, treasurer or designated agent of the treasurer shall pay all campaign expenditures for a Board of Education election with monies from this campaign checking account.

If a candidate has other controlled committees and such committees have checking accounts, the candidate shall notify the City Ethics Commission in writing of these committees and the names and addresses of the banks or savings and loan institutions and the account numbers of any such accounts. A candidate shall notify the City Ethics Commission of these committees, the banks or savings and loan institutions, and the account numbers concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions. If committees are thereafter formed or accounts thereafter opened, then the candidate shall notify the City Ethics Commission on the next regular business day on which the City Ethics Commission office is open. No contribution shall be commingled with the personal funds of the candidate or any other person.

This subsection shall not prohibit the establishment of savings accounts or certificates of deposit, provided that no campaign expenditures may be made therefrom.

(f) Treasurer. A candidate having campaign committees for election to the Board of Education shall appoint a treasurer of each committee. No expenditure shall be made by or on behalf of a committee without the authorization of the treasurer or that of his or her designated agents. No contribution or expenditure shall be accepted or made by or on behalf of a committee at a time when there is a vacancy in the office of treasurer. It shall be the duty of the candidate and the treasurer to approve and authorize such payments and to retain such authorizations, detailed accounts, records, bills and receipts.

(g) Training for Candidates and Treasurers. Every candidate for the Board of Education, and every treasurer of such candidate's controlled committee, shall attend a training program conducted or sponsored by the City Ethics Commission prior to the election at which the candidate's name will appear on the ballot.

(h) Accountability. The candidate and the treasurer shall maintain such detailed accounts, records, bills and receipts as are necessary to prepare campaign statements. The candidate and the treasurer shall retain the detailed accounts, records, bills and receipts for the periods specified in the Political Reform Act of 1974 as amended. Every candidate and committee shall make available on demand to any public officer having legal authority to enforce this section, details of checking and financial accounts of each committee controlled by the candidate and all records supporting such details.

(i) Petty Cash Fund. Subsection (e) notwithstanding, a candidate, campaign treasurer and other designated agents authorized to issue checks on a campaign contribution checking account may disburse to the candidate or committee establishing the checking

account an amount not greater than $50 per week to be used for petty cash purposes by the candidate or committee.

(j) Assumed Name Contributions. No contribution shall be made, directly or indirectly, by any person or combination of persons, acting jointly in a name other than the name by which they are identified for legal purposes, nor in the name of another person or combination of persons. No person shall make a contribution in his, her or its name of anything belonging to another person or received from another person on the condition that it be used as a contribution. In the event it is discovered by a candidate or committee treasurer that a contribution has been received in violation of this subsection, the candidate or treasurer shall promptly pay the amount received in violation of this subsection to the City Treasurer for deposit in the General Fund of the City.

(k) Campaign Expenditures - Uncontrolled by Candidate or Committee. Persons or organizations not subject to the control of a candidate or committee but who make independent expenditures for or against a candidate or committee shall indicate clearly on any material published, displayed or broadcast that it was not authorized by a candidate or a committee controlled by a candidate.

(l) Recall Petition. In the event a recall petition is filed, the committee or individual filing the petition shall be subject to the same campaign disclosure provisions as are applicable to candidates for the Board of Education.

(m) Suppliers of Goods and Services - Disclosure of Records Required. No person who supplies goods or services or both goods and services to a candidate or committee for use in connection with the campaign for a Board of Education office shall knowingly refuse to divulge or disclose to the City Ethics Commission or to any public officer having legal authority to enforce this section, the details and the records supporting such details of any expenditures made by the candidate or committee in payment for such goods or services or both.

(n) Aggregation of Payments. For the purposes of the contribution limitations contained in this section, contributions and/or expenditures from two or more persons will be aggregated and considered to be made by a single person for the purposes of the contribution limitations and reporting provisions contained in this section, if any of the circumstances listed below is applicable:

(1) Contributions and/or expenditures from a person will be aggregated with contributions and/or expenditures from any other person that controls his, her, or its contribution or expenditure activity;

(2) Contributions and/or expenditures from a sponsored committee, as defined in Government Code Section 82048.7, shall be aggregated with contributions and/or expenditures from its sponsoring organization;

(3) Contributions and/or expenditures from an entity shall be aggregated with contributions and/or expenditures from any other entity that has the same individuals constituting a majority of the members of each entity's board of directors;

(4) Contributions and/or expenditures from an entity shall be aggregated with contributions and/or expenditures from any other entity that has the same officers or with whom it shares a majority of officers. For the purposes of this subdivision, an officer does not include an individual who serves only as a member of the entity's board of directors;

(5) Contributions and/or expenditures from a corporation or limited liability company shall be aggregated with contributions and/or expenditures from any other corporation or limited liability company that has the same majority shareholder and/or member or that holds a majority of voting rights in that corporation or limited liability company;

(6) Contributions and/or expenditures from a corporation shall be aggregated with contributions and/or expenditures from any parent or subsidiary corporation, provided that at least one of the corporations is not publicly traded;

(7) Contributions and/or expenditures from an individual shall be aggregated with contributions and/or expenditures from any corporation, limited liability company, firm, joint venture, syndicate, business trust, company or other business entity not described in Subdivisions (8) or (9) below, in which the individual owns an investment of 50% or more or holds a majority of voting rights;

(8) Contributions and/or expenditures from an individual shall be aggregated with contributions and/or expenditures from any sole proprietorship the individual owns; or

(9) Contributions and/or expenditures from a general partner shall be aggregated with contributions and/or expenditures from any general or limited partnership in which the general partner owns an investment of 50% or more or in which the general partner holds a majority of voting rights.

(o) Family Contributions. Contributions by a husband and wife shall be treated as separate contributions. Contributions by children under eighteen years of age shall be treated as contributions by their parents and attributed proportionately to each parent (one-half to each parent or the total amount to a single custodial parent).

(p) Return of Contributions. A contribution shall not be considered to be received if it is not negotiated, deposited, or utilized, and is returned to the donor within 14 days of receipt.

(q) Restrictions on When Contributions May Be Received. No candidate for the Board of Education, or the controlled committee of that candidate, shall solicit or accept or cause to be solicited or accepted any contribution more than 18 months before the date of the election at which the candidate seeks office. No candidate for the Board of Education, or his or her controlled committee, shall solicit or receive or cause to be solicited or received a contribution to his or her own campaign committee from any person later than nine months after the date of the election. Contributions solicited or received or caused to be solicited or received by a candidate for the Board of Education, or his or her controlled committee, following his or her election shall be used to retire campaign debt.

(r) Campaign Disclosure, Reporting and Recordkeeping.

(1) In addition to the campaign statements required to be filed pursuant to the Political Reform Act, commencing with Government Code Section 81000, as amended, candidates for the Board of Education, their controlled committees and committees primarily formed to support or oppose these candidates shall file a pre-election statement on the Friday before the election. This statement shall have a closing date of the Wednesday before the election and shall cover activity and payments occurring through that day. Candidates for the Board of Education, their controlled committees and committees primarily formed to support or oppose these candidates shall also file campaign statements as follows in connection with a primary nominating election held in March:

(A) For the period ending September 30 of the year prior to the election, a statement shall be filed no later than October 10, for the period from July 1 through September 30.

(B) For the period ending December 31 of the year prior to the election, a statement shall be filed no later than January 10, of the year of the election for the period from October 1 through December 31.

(2) No contribution shall be deposited into a campaign checking account of a candidate for the Board of Education unless the name, address, occupation and employer of the contributor is on file in the records of the recipient of the contribution.

(3) Each candidate, and each committee making independent expenditures or member communications in support of or opposition to a candidate, who sends a mailing or distributes more than 200 substantially similar pieces of campaign literature, shall send a copy of the mailing or other literature to the City Ethics Commission at the same time the mailing or other literature is given to the post office or otherwise distributed. During the election campaign, the Commission shall merely serve as a repository for this literature and shall not judge or comment on the contents of the literature.

(4) Any candidate for the Board of Education and the candidate's controlled committee required to file campaign statements with the City Ethics Commission shall file those campaign statements online, using the Commission's Electronic Filing System (EFS), after the candidate and/or committee has received contributions or made expenditures of $25,000 or more in connection with election to a Board of Education office.

(A) Once a candidate or committee is required to file campaign statements online, that candidate or committee shall continue to file statements online until the committee has officially terminated. Committees and other persons not required to file online by this subsection may do so voluntarily.

(B) A person required to file online shall continue to file a paper copy of each campaign statement, as required by the California Political Reform Act and this article, until the person is no longer required to file campaign statements with the City Ethics Commission. The paper copy shall continue to be the original campaign statement for audit and other legal purposes.

(C) In addition to any late filing penalties that may be imposed for a late filing of a paper copy pursuant to the California Political Reform Act or this article, any person who fails to comply with the online filing requirement of this subsection will, in addition, be subject to

an additional late filing penalty of $25 per day after the deadline for the late filing of the online copy.

(D) The information contained on a campaign statement filed online shall be the same as that contained on the paper copy of the same statement that is filed with the City Ethics Commission.

(s) Disclosure of Payments for Independent Expenditures and Non-Behested Member Communications.

(1) Any person, including any committee, who makes or incurs independent expenditures of $1,000 or more in support of or in opposition to any candidate for the Board of Education, or one or more payments for member communications as defined by this section, totaling $1,000 or more in support of or in opposition to a candidate for the Board of Education, shall notify the City Ethics Commission within 24 hours by certified mail or fax or e-mail each time one or more payments, which meet this threshold, are made.

(2) The notification shall consist of a declaration specifying each candidate supported or opposed by the expenditure, the amount spent to support or oppose each candidate, whether the candidate was supported or opposed, and that the expenditure was not behested by the candidate or candidates who benefited from the expenditure. This declaration shall be made under penalty of perjury and signed by the person or officer and the treasurer of the group making the expenditure. In addition, the date and amount of the payment, a description of the type of communication for which the payment was made or incurred, the name and address of the person making the payment, the name and address of the payee, and a copy of the mailing or advertisement, or a copy of the script or recording of the call, transmission, or advertisement, shall also be provided to the City Ethics Commission. The notification also shall include disclosure of contributions of $100 or more received by the committee since the day after the closing date of the committee's last campaign disclosure report filed within the Commission or since the first day of the current calendar year, whichever date occurs later; however, contributions that are received, but earmarked for any other candidate outside the Los Angeles Unified School District need not be disclosed. The notification also shall include disclosure of contributions of $100 or more made in the current calendar year by the person to Board of Education candidates or their controlled committees.

(3) City Ethics Commission staff will notify all candidates by phone, fax or e-mail in the affected race within one business day after receiving the notice of payments for independent expenditures and uncoordinated member communications of $1,000 or more.

The notification will indicate the candidate who was supported or opposed by the expenditure as indicated on the signed declaration and include a copy of the communication provided by the person or group making the expenditure.

(4) For purposes of the notification required in Subdivision (1), payments by an organization for its regularly published newsletter or periodical, if the circulation is limited to the organization's members, employees, shareholders, other affiliated individuals and those who request or purchase the publication, shall not be required to be reported.

(5) Any committee, including but not limited to a candidate controlled committee and an independent expenditure committee, that makes or incurs payments for 1,000 or more recorded telephone calls or any other forms of electronic or facsimile transmission of substantially similar content, or that makes or incurs expenditures of $1,000 or more for a radio or television advertisement, in support of or opposition to any candidate(s) for Board of Education office, shall send a copy of the script or recording used for each communication to the Ethics Commission within 24 hours of the first time the calls, transmissions, or advertisements are made or aired.

(t) Verification. All declarations, reports and statements filed under this section shall be signed and verified by the filer under penalty of perjury. The candidate and any person signing declarations, reports and statements under this provision shall read, know and understand the contents of all these declarations, reports and statements.

(u) Duties of City Ethics Commission. The City Ethics Commission shall administer the provisions of this section. In addition to other duties required under the terms of this section, the City Ethics Commission shall:

(1) Conduct audits and investigations of reports and statements filed by candidates and committees supporting or opposing candidates for Board of Education offices as required under the Political Reform Act of 1974, as amended, and Article VII and this section of the Charter. The City Ethics Commission shall employ investigators where necessary to fully investigate any person subject to this section.

(2) Enforce or cause to be enforced the provisions of this section pursuant to Section 90002(c) of the Government Code, in accordance with Article VII of the Charter.

(3) Report apparent violations of this section and applicable state law to the City Attorney or another appropriate law enforcement agency.

(v) Enforcement.

(1) Criminal Enforcement - Any person who knowingly or willfully violates any provisions of this section is guilty of a misdemeanor. Any person who knowingly or willfully causes any other person to violate any provision of this section, or who aids and abets any other person in the violation of any provision of this section, shall be liable under the provisions of this section. Prosecution for violation of any provision of this section must be commenced within ~~four~~ five years after the date on which the violation occurred. No person convicted of a misdemeanor under this section shall act as a lobbyist or as a City contractor for a period of four years following the date of the conviction unless the court at the time of sentencing specifically determines that this provision shall not be applicable. For purposes of this section, a plea of nolo contendere shall be deemed a conviction.

(2) Civil Enforcement.

(A) Any person who intentionally or negligently violates any provision of this section shall be liable in a civil action brought by the City Attorney, the City Ethics Commission or by a person residing within the boundaries of the Los Angeles Unified School District for an amount not more than $5,000 per violation, or for more than three times the amount the person failed to report properly or unlawfully contributed, gave or received.

(B) Any person who intentionally or negligently makes or receives a contribution, or makes an expenditure, in violation of any provision of this section shall be liable in a civil action brought by the City Attorney or by a person residing within the City for an amount up to three times the amount of the unlawful contribution or expenditure.

(C) If two or more persons are responsible for any violation, they shall be jointly and severally liable.

(D) Any person, other than the City Attorney, before filing a civil action pursuant to this subsection, shall first file with the City Ethics Commission a written request for the City Ethics Commission to commence the action. The request shall contain a statement of the grounds for believing a cause of action exists. The City Ethics Commission shall respond within 40 days after receipt of the request, indicating whether it intends to file a civil

action. If the City Ethics Commission indicates in the affirmative, and files suit within 40 days thereafter, no other action may be brought unless the action brought by the City Ethics Commission is dismissed without prejudice.

(E) Not more than one judgment on the merits with respect to any violation may be obtained under this subsection. Actions brought for the same violation or violations shall have precedence for purposes of trial in the order of the time filed. Such actions shall be dismissed once judgment has been entered or a settlement approved by the court in a previously filed action. The court may dismiss a pending action without prejudice to any other action for failure of the plaintiff to proceed diligently and in good faith. The action may be so dismissed on motion by the City Attorney or any plaintiff in an action based on the same violation.

(F) In determining the amount of liability under this subsection, the court may take into account the seriousness of the violation and the degree of culpability of the defendant. If a judgment is entered against the defendant or defendants in an action, a private plaintiff shall receive 50% of the amount recovered. The remaining 50% shall be deposited into the City's General Fund. In an action brought by the City Attorney or the City Ethics Commission, the entire amount shall be paid to the General Fund.

(G) No civil action alleging a violation of this section shall be filed more than ~~four~~five years after the date the violation occurred.

(H) Any person residing within the Los Angeles Unified School District, including the Los Angeles City Attorney, may sue for injunctive relief to enjoin violations or to compel compliance with the provisions of this section. The court may award to a party, other than an agency, who prevails in any civil action authorized by this article, his or her costs of litigation, including reasonable attorneys' fees; provided, however, that no such award may be granted against the City of Los Angeles.

(w) Effect of Violation on Outcome of Election.

(1) If a candidate is convicted of a misdemeanor violation of any provision of this section, the court shall make a determination as to whether the violation had a material effect on the outcome of the election. If the court finds such a material effect, then:

(A) if such conviction becomes final before the date of the election, the votes for such candidate shall not be counted, and the election shall be determined on the basis of the votes cast for the other candidates in that race;

(B) if such conviction becomes final after the date of the election, and if such candidate was declared to have been elected, then such candidate shall not assume office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter;

(C) if such conviction becomes final after the candidate has assumed office, then the candidate shall be removed from office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter; and

(D) the person so convicted shall be ineligible to hold any elected City office or the office of a member of the Board of Education for a period of five years after the date of such conviction.

(2) The City Clerk shall not issue any certificate of nomination or election to any candidate until his or her pre-election campaign statements required by the Political Reform Act of 1974, as amended, or if no campaign statement is required, the written declaration permitted under Section 84205 of the Government Code, have been filed in the form and at the place required by the Political Reform Act of 1974.

(x) Late Filing Penalties. If any person files an original statement or report after any deadline imposed by this article, he or she shall, in addition to any other penalties or remedies established by the article, be liable to the City Ethics Commission in the amount of $25 per day after the deadline until the statement or report is filed. Liability need not be enforced by the Commission if on an impartial basis it determines that the late filing was not willful and that enforcement of the liability will not further the purposes of the article, except that no liability shall be waived if a statement or report is not filed within 30 days.

(y) Severability. If any provision or portion of this section, or its application to any person or circumstance, is held invalid by any court, the remainder of this section or the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected.

SECTION HISTORY

Amended by: Charter Amendment L, approved March 6, 2007, effective April 4, 2007; Subsec. (b)(4) repealed, Charter Amendment N § 3, approved March 8, 2011, effective April 8, 2011; Subsec. (r)(1), Charter Amendment E, approved November 6, 2018, effective December 14, 2018; Subsec. (r)(1), Charter Amendment EE, approved November 6, 2018, effective December 14, 2018.

Sec. 804. Compensation.

The total compensation for members of the Board of Education shall be set by a compensation committee provided in this section:

(a) The committee shall be constituted as follows:

(1) The committee shall be comprised of a total of seven members.

(2) Each member of the committee shall reside within the Los Angeles Unified School District.

(3) Two members of the committee shall be parents or guardians of pupils who attend a school within the Los Angeles Unified School District:

(A) One of whom shall be a parent or guardian of a pupil who attends a school within the boundaries of the City of Los Angeles;

(B) One of whom shall be a parent or guardian of a pupil who attends a school outside of the boundaries of the City of Los Angeles.

(4) One member of the committee shall have expertise in the area of compensation, such as an economist, market researcher or personnel manager;

(5) Two members of the committee shall have experience in the business community:

(A) One of whom is an executive of a corporation, incorporated in California and located within the Los Angeles Unified School District, which ranks among the largest private sector employers in the Los Angeles Unified School District;

(B) One of whom is an owner of a small business (of less than 25 employees) located within the Los Angeles Unified School District.

(6) Two members of the committee shall be members or officers of a labor organization or union.

(b) The appointments shall be made as follows:

(1) The Mayor of the City of Los Angeles shall appoint the member referenced in Subdivision (a)(5)(A) and one of the two members referenced in Subdivision (a)(6);

(2) The Mayors of Cities of Bell, Cudahy, Huntington Park, Maywood and South Gate shall collectively appoint the member referenced in Subdivision (a)(5)(B);

(3) The Mayors of the Cities of Gardena, Carson, Lomita, Moneterey Park, San Fernando and West Hollywood shall collectively appoint one of the two members referenced in Subdivision (a)(4);

(4) The Chair of the Los Angeles County Board of Supervisors shall appoint the member referenced in Subdivision (a)(3)(B);

(5) The President of the Los Angeles City Council shall appoint the member referenced in (a)(3)(A) and one of the two members referenced in Subdivision (a)(6).

All appointments shall be subject to confirmation by a majority vote of the Los Angeles City Council. Within 10 days of any vacancy, the appointing authority shall appoint a person to serve the unexpired portion of the term. Within 15 days of the appointment of a member to fill a vacancy, the appointment shall be subject to confirmation by a majority vote of the Los Angeles City Council.

(c) The appointing authorities shall strive insofar as practicable to provide a balanced representation of the geographic, gender, racial and ethnic and other diversity of the Los Angeles Unified School District in appointing committee members.

(d) Not later than 30 days after the effective date of this Charter section, the appointing authorities shall appoint the committee members. The Council shall approve or disapprove the appointments not later than 15 days after the appointments are received. Every five years, thereafter, beginning on the first Monday following April 1, 2007, a new committee shall be appointed.

(e) Ninety days after the Council confirms the committee members, the committee shall, by a single resolution adopted by a majority of the membership of the committee, establish the annual salary and the medical, dental, insurance and other similar benefits of the Board of Education members. The committee shall be dissolved 60 days after adoption of the resolution.

(f) In establishing the annual salary and other benefits, the committee shall consider all of the following:

(1) The amount of time members of the Board of Education serve, directly or indirectly related to the performance of his or her duties.

(2) The amount of the annual salary and other benefits for other elected and appointed officers and officials in the State of California with comparable responsibilities, the judiciary, and to the extent practicable the private educational sector, recognizing, however, that public officers do not receive, and do not expect to receive, compensation at the same levels as individuals in the private sector with comparable experience and responsibilities.

(g) The annual salary and benefits specified in that resolution shall become effective on the date the committee is dissolved as provided in Subsection (e).

(h) On an annual basis, in years when the committee is not performing a compensation review, the Board of Education may increase the compensation and other benefits of individual or all Board members beyond the amount established by the committee, in an amount not to exceed two percent of the applicable total combined amount of compensation and benefits. Any increase made pursuant to this subsection shall be effective upon approval by the Board of Education.

(i) The salary and benefits for members of the Board of Education shall be payable out of the funds of the Los Angeles Unified School District.

(j) All committee members shall receive their actual and necessary expenses incurred in the performance of their duties, paid by funds from the Los Angeles Unified School District. The committee members shall receive no other compensation for the performance of their services as committee members.

(k) Public notice shall be given of all meetings of the committee, and the meetings shall be open to the public pursuant to the Ralph M. Brown Act, Government Code Section 54950, et seq., or its successor open meeting legislation.

SECTION HISTORY

Amended by: Charter Amendment L, approved March 6, 2007, effective April 4, 2007.

Sec. 805. Powers of the Board.

The Board of Education shall have power to control and manage the public schools of the Los Angeles Unified School District in accordance with the Constitution and laws of the state.

Sec. 806. Board of Education Term of Office.

(a) Members of the Board of Education shall hold their office for a term of four years except as provided in subsection (b).

(b) Notwithstanding any other provision of the Charter, in order to transition to new election dates starting in 2020, Board of Education members elected in 2015 shall be elected for a term expiring in December 2020 and members elected in 2017 shall be elected for a term expiring in December 2022.

(c) The terms of office for those members of the Board of Education from odd-numbered districts shall commence during each fourth anniversary of the year 2020. The terms of office for those members of the Board of Education from even-numbered districts shall commence during each fourth anniversary of the year 2022. The term of a member of the Board of Education shall commence on the second Monday in December next following his or her election.

(d) No person shall serve more than three terms of office as a member of the Board of Education. This limitation on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office. The limitation on the number of terms of office shall apply only to terms of office that begin on or after March 1, 2007. For purposes of this subsection, the term of office of Board of Education members elected in 2015 and 2017 as described in subsection (b) of this section shall count as one term.

SECTION HISTORY

Added by Charter Amendment 1, approved March 3, 2015, effective April 2, 2015 and Charter Amendment 2, approved March 3, 2015, effective April 2, 2015.

Amended by: Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

LOS ANGELES UNIFIED SCHOOL DISTRICT INDEPENDENT REDISTRICTING COMMISSION

Sec. 810. Commission Establishment and Purpose.

(a) There shall be a Los Angeles Unified School District Independent Redistricting Commission (the "Commission") that shall have the powers, duties, and responsibilities set forth in the City Charter and by ordinance.

(b) The purpose of the Commission is to strengthen the governance of the Los Angeles Unified School District by developing Board of Education district boundaries through a fair, transparent, inclusive, and independent redistricting process that empowers public participation and public access to its proceedings.

SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

Sec. 811. Commission Organization, Powers, and Duties.

(a) The Commission shall consist of 14 members and four alternate members.

(b) A new Commission shall be established every ten years after each federal decennial census. The members of the Commission shall be selected no later than April 1 of each year ending in the number zero.

(c) The term of office of each member of the Commission shall begin on the date of that commissioner's respective selection and shall expire upon the selection of the first member of the succeeding Commission.

(d) The Commission shall have the power and duty to:

(1) adopt the boundaries of the Board of Education districts of the Los Angeles Unified School District following each federal decennial census;

(2) comply with the redistricting criteria and process set forth in the Charter and by ordinance;

(3) act in an impartial manner that ensures the integrity and fairness of the redistricting process;

(4) educate and inform the public about redistricting, solicit and encourage public participation in the redistricting process, and hold public meetings and hearings that are accessible and provide the public the opportunity to participate and provide comment throughout the process;

(5) make recommendations to the Mayor, City Council, and City Ethics Commission regarding redistricting matters; and

(6) perform other redistricting functions as prescribed by ordinance.

(e) The Commission may provide for youth participation on the Commission with participants selected through a process, and possessing the powers and duties, as provided by ordinance.

SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

Sec. 812. Commissioner Qualifications and Restrictions.

(a) Each Commission member shall be at least 18 years old, unless a lower minimum age requirement is established by ordinance. Each Commission member shall be a resident of the Los Angeles Unified School District at the time of selection, and shall have resided in the Los Angeles Unified School District for at least three years immediately preceding the person's submission of an application. A Commissioner is not required to be a registered voter or a citizen of the United States.

(b) A person shall not be eligible to apply to or serve on the Commission if the person has been an employee of the Los Angeles Unified School District or a member of a Los Angeles Unified School District commission at any time in the four years immediately preceding the person's submission of an application.

(c) A person shall not be eligible to apply to or serve on the Commission if the person or person's spouse or family has engaged in the prior political and lobbying activities described in the California Elections Code provisions regarding eligibility requirements for independent redistricting commissions. Additional eligibility requirements may be provided by ordinance.

(d) Applicants to the Commission shall demonstrate collaborative skills, experience in civic engagement, and the ability to analyze complex data.

(e) While serving on the Commission, a member of the Commission shall not endorse, work for, volunteer for, or make a campaign contribution to, any member of the Board of Education or candidate for elective Board of Education office, or serve on a redistricting commission for any other governmental body.

(f) A member or former member of the Commission shall not do any of the following:

(1) Be a candidate for an elective Board of Education office unless more than five years have elapsed from the commissioner's last date of service on the Commission or ten years

have elapsed from the date of the commissioner's selection to the Commission, whichever is less.

(2) Be a candidate for an elective Board of Education office for any district for which the election will be conducted using district boundaries that were adopted by the Commission on which the member served.

(g) For a period of four years after the last date of service on the Commission or ten years after the date of selection to the Commission, whichever is less, a member or former member of the Commission shall not do any of the following:

(1) Accept appointment to another commission of the Los Angeles Unified School District.

(2) Accept employment as a paid staff member of, or receive compensation as a consultant to, a member of the Board of Education or candidate for elective Board of Education office.

(3) Receive a non-competitively bid contract with the Los Angeles Unified School District.

(4) Act as a registered Los Angeles Unified School District lobbyist.

(5) Accept appointment to a Los Angeles Unified School District office.

(h) Alternate members of the Commission shall be subject to the same eligibility requirements, standards of conduct, and restrictions as other Commission members.

SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

Sec. 813. Commissioner Selection and Removal.

(a) An application process to identify prospective commissioners shall commence no later than April 1 of each year ending in the number nine.

(b) The City Clerk shall manage the Commission application process, with the City Ethics Commission providing oversight. The City Clerk and City Ethics Commission may delegate these responsibilities to their staff or consultants.

(c) The City Clerk shall conduct an outreach and education program to ensure that there is publication and awareness of the Commission application process, with efforts to reach underserved communities and with efforts conducted in multiple languages as identified by ordinance. The City Clerk shall monitor and make public the demographic data of application submissions and enhance outreach as reasonably needed to ensure that the applicant pool has a sufficient number of qualified applicants and reasonably reflects the Los Angeles Unified School District's diversity.

(d) An interested person meeting the eligibility requirements for service on the Commission may submit an application to the City Clerk. The City Clerk shall review the applications and establish an applicant pool consisting of those individuals who meet the objective eligibility requirements specified in subsections (a) through (c) of Section 812.

(e) The City Clerk shall post the names of individuals in the applicant pool for public review and establish a process by which the public may provide information regarding the eligibility of an individual in the applicant pool. The City Ethics Commission shall review the information provided by the public and determine whether any individual shall be removed from the applicant pool.

(f) Following the public review period, the City Ethics Commission shall evaluate the applications of the individuals in the applicant pool to identify individuals who satisfy the eligibility requirements specified in subsections (a) through (d) of Section 812 and who shall be included in the Commission Selection Pool. After the establishment of the Commission Selection Pool, the City Ethics Commission shall have the authority to receive information from the public and make determinations regarding the continuing eligibility of individuals in the Commission Selection Pool.

(g) The City Clerk shall conduct a random drawing at a public meeting to select one person residing in the geographic region of each of the seven Board of Education districts. The result of this selection process shall be the selection of seven members of the Commission, one from the geographic region of each of the seven Board of Education districts.

(h) The seven selected commissioners shall review the applications of all remaining applicants in the Commission Selection Pool to select seven additional members of the Commission. These selections shall be made at a public meeting by a two-thirds vote of the seven initial commissioners based on the applicant's relevant experiences and backgrounds, familiarity with the Los Angeles Unified School District's neighborhoods, ability to be impartial, and to ensure that the Commission reflects the Los Angeles Unified School District's diversity, including racial, ethnic, sex, gender, sexual orientation, age, income, professional, and geographic diversity. However, formulas or ratios shall not be applied for this purpose. These selections also shall be made in a manner that ensures that at least four of the 14 members of the Commission are parents or guardians of pupils who attend a school within the Los Angeles Unified School District at the time of selection.

(i) After the 14 commissioners have been selected, the Commission shall select four persons from the remaining applicants in the Commission Selection Pool to serve as alternate commissioners. The selection of alternate commissioners shall be made in a manner that ensures geographic diversity among the alternate commissioners.

(j) The Commission may remove a commissioner for substantial neglect of duty, gross misconduct in office, inability to discharge the duties of office, failure to comply with the commissioner eligibility requirements and restrictions described in Section 812, unexcused absences, or failure to abide by transparency requirements. Removal under this provision requires a two-thirds vote of the Commission after providing the member notice of a public hearing and an opportunity to respond in writing and at the public hearing. The removed member may appeal the Commission's decision to the City Ethics Commission.

(k) The Commission may immediately remove a commissioner who has been charged with a felony offense, or who has been charged with a criminal misdemeanor related to a violation of official duties as described in Section 207(c). Removal under this provision requires a two-thirds vote of the Commission. The removed member may appeal the Commission's decision to the City Ethics Commission.

(l) The position of a member of the Commission shall become vacant if the member pleads guilty to or no contest to or is convicted of a felony.

(m) If a vacancy occurs on the Commission, the Chair of the Commission shall conduct a random drawing at a public meeting to select one of the alternate commissioners to serve as a commissioner.

SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

Sec. 814. Redistricting Criteria.

(a) The Commission shall adopt Board of Education district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965. Each district shall have a reasonably equal population with other districts, except where deviation is required to comply with the federal Voting Rights Act or as allowable by law.

(b) In addition to following the requirements of subsection (a), the Commission shall adopt Board of Education district boundaries using the following criteria as set forth in the following order of priority:

(1) To the maximum extent practicable, districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the maximum extent practicable, and where it does not conflict with the preceding criterion in this subsection, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A "community of interest" is a population that shares common social or economic interests

that should be included within a single election district for purposes of its effective and fair representation. Characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services. Characteristics of communities of interest may also include, but are not limited to, cultural districts, shared socioeconomic characteristics, similar voter registration rates and participation rates, and shared histories. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the Los Angeles Unified School District. District boundaries should be easily identifiable and understandable by residents.

(4) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(c) The Commission shall not adopt district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party, and the place of residence of an incumbent or candidate shall not be considered in the development of district boundaries.

(d) Other additional criteria should be considered by the Commission when adopting district boundaries, including consideration of the community and cultural association with economic and cultural landmarks and resources. All decisions concerning additional criteria shall be considered and approved in public meetings. The Commission's consideration of additional criteria should be considered in compliance with and subordinate to the applicable requirements of subsections (a) through (c).

(e) After the Commission has adopted district boundaries, the Commission shall number each Board of Education district such that, for as many residents as possible, the number of the Board of Education district they reside in remains the same.

SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

Sec. 815. Public Meetings, Outreach, and Accessibility.

(a) The Commission shall comply with the Ralph M. Brown Act and other applicable open meeting laws.

(b) The Commission shall take steps to encourage residents to participate in the redistricting process, including those in underrepresented communities and non-English speaking communities.

(c) The Commission shall hold public hearings and workshops in a manner that ensures that the public has the opportunity to participate and comment in each phase of the redistricting process.

(d) The Commission shall provide live translation of Commission meetings in English and Spanish and as further provided by ordinance. The Commission shall provide materials in the languages required by federal and state law and as provided by ordinance.

(e) The Commission shall develop and implement an Accessibility Plan to ensure that people with disabilities and seniors are able to access and fully participate in Commission meetings and hearings. The Commission shall develop this plan prior to the initiation of public hearings.

(f) For purposes of providing testimony, members of the Board of Education shall be subject to the same public comment procedures as members of the public.

(g) Ex Parte Communications.

(1) A member of the Commission shall not communicate with any individual or organization regarding redistricting matters outside of a public meeting. This provision

does not prohibit communications with another commissioner, Commission staff, legal counsel, or consultants retained by the Commission. This provision does not prohibit communications with City and Los Angeles Unified School District staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(2) The Executive Director of the Commission, any mapping staff member or mapping consultant of the Commission, and other Commission staff as designated by the Commission shall not communicate with any member of the Board of Education or elected City officer, candidate for elective Board of Education or City office, or staff of any such member or candidate, either directly or through an agent, regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with City and Los Angeles Unified School District staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(3) A member or employee of the City Ethics Commission, City Clerk, or other City department involved in the process for selecting members of the Commission shall not communicate with any member of the Board of Education or elected City officer, candidate for elective Board of Education or City office, or staff of any such officer or candidate, either directly or through an agent, regarding any matter related to the selection process outside of a public meeting before that process has been completed. This provision does not prohibit communications to the extent those communications are related to administrative matters, legal advice, or educational presentations made to the public.

(4) The Commission may adopt other rules regarding communications provided the rules comply with the Brown Act, do not conflict with the provisions in this subsection, and are adopted in a public meeting of the Commission.

SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

Sec. 816. Commission Conduct of Business, Administration, and Personnel.

(a) Each member and alternate member of the Commission shall be a designated employee in the conflict of interest code for the Commission adopted pursuant to the California Political Reform Act, and shall file with the City Ethics Commission a statement of economic interests and other financial disclosure statements as required by law.

(b) The affirmative votes of a majority of the Commission shall be required for any official action, except the following actions which shall require the approval of two-thirds of the Commission:

(1) a vote for the final redistricting plan;

(2) a vote to remove a commissioner;

(3) a vote for the selection of the seven commissioners described in Section 813(h);

(4) a vote to hire the Executive Director, mapping consultant or mapping staff member, and any other position designated as key staff by the Commission; and

(5) a vote to authorize the delegation of hiring or contracting authority, to the extent such authority is delegable under state and City law.

(c) The alternate members of the Commission may fully participate in Commission deliberations but may not vote and may not be counted towards the establishment of a quorum.

(d) The Commission shall select one commissioner to serve as the Chair of the Commission. The Commission may designate other officers from its membership.

(e) Consideration of principles for the development of district boundaries for draft and final redistricting plans shall be conducted in a public meeting and approved by a vote of the Commission.

(f) The Commission shall post proposed map principles and any proposed final map on the Commission's website for a minimum of seven days before consideration at a Commission hearing or meeting.

(g) The Commission shall hire an Executive Director and redistricting, technology, and outreach staff, whose positions shall be exempt from the civil service provisions of the Charter.

(h) The Commission shall have the authority to hire consultants through a competitive process consistent with the contracting provisions of the Charter and as provided by ordinance.

(i) The City Clerk shall provide support to the Commission in accessing City resources, coordinating with City and Los Angeles Unified School District departments and personnel, and other administrative matters as needed. The executive office of the Board of Education also shall provide support to the Commission.

(j) The Commission may utilize the City Attorney as legal counsel or may request the City Attorney to retain legal counsel for the Commission.

SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

Sec. 817. Adoption of Final Redistricting Plan.

(a) The Commission shall adopt its final redistricting plan establishing new Board of Education district boundaries no later than September 30 of each year ending in the number one.

(b) If the Commission does not adopt a final redistricting plan by the deadline in subsection (a), the City Attorney shall immediately petition the Superior Court for an order prescribing new Board of Education district boundaries in accordance with the redistricting criteria described in Section 814, and those boundaries shall apply to Board of Education elections until the Commission is able to adopt a final redistricting plan.

(c) The Commission shall issue, with the final plan, a report that explains the basis on which the Commission made its decisions in achieving compliance with the redistricting criteria described in Section 814.

(d) Upon adoption of a final redistricting plan, the Commission shall submit the plan, final report, and any other accompanying materials to the City Clerk and publish this material on the Commission's redistricting website.

(e) The City Clerk shall post the Commission's final redistricting plan and report on the City's website. The City Clerk shall publish the final plan and description of the new Board of Education district boundaries in the same manner as an ordinance of the City.

(f) The final redistricting plan establishing new Board of Education districts shall become effective 31 days from its publication as provided for ordinances in the Charter.

(g) The final redistricting plan shall be subject to referendum in the same manner as a City ordinance.

(h) No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Board of Education prior to the expiration of the term of office for which the member was elected.

(i) District boundaries adopted by the Commission shall not be altered until after the next federal decennial census occurs except to settle a legal claim or in response to an order of a court.

(j) Any territory annexed to or consolidated with the Los Angeles Unified School District shall be added to an adjacent district or districts by the Commission. The addition shall be effective upon the completion of the annexation or consolidation proceedings.

SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

Sec. 818. Commission Funding.

(a) The City Council and Mayor shall provide sufficient funds to meet the needs for the formation and operation of the Commission, including to compensate Commission staff, consultants and legal counsel, conduct outreach to solicit broad public participation in the redistricting process, and, if necessary, defend the actions of the Commission in any legal proceeding.

(b) The City Council and Mayor shall provide funds to all City departments involved with the formation of the Commission, providing support to the Commission, and maintaining the records of the Commission.

(c) The Los Angeles Unified School District shall reimburse the City for costs incurred by the City, including City departments, for the formation and operation of the Commission.

(d) Commissioners shall be compensated as provided by ordinance.

SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

Sec. 819. Commission Recommendations.

(a) The Commission may recommend changes to the independent redistricting process described in the City Charter and Administrative Code by submitting a report to the City Ethics Commission with findings, analysis, and data that support the Commission's recommendations.

(b) The City Ethics Commission shall review the Commission's recommendations and may transmit a report to the City Council containing recommendations for amendments to the City Charter and Administrative Code regarding redistricting. To the extent the recommendations include amendments to the Administrative Code, the Ethics Commission shall also prepare and transmit, with the assistance of the City Attorney, any proposed ordinance that would be required to effectuate the recommended amendments.

(c) Administrative Code Amendments. Within 60 days of submission of an Ethics Commission report and accompanying proposed ordinance recommending amendments to the Administrative Code regarding redistricting, the City Council shall hold a public hearing concerning the matter and act to approve, without change, or disapprove the proposed ordinance. If the Council fails to disapprove within the 60-day period, the proposed ordinance shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or the Mayor fails to act, or approved by the Council on override of the Mayor's veto, the proposed ordinance shall be deemed approved.

(d) Charter Amendments. An Ethics Commission report recommending an amendment to the City Charter regarding redistricting shall be considered by the City Council in time to allow for submittal of the charter amendment to the voters at the next available election. An amendment to the City Charter requires the approval of the voters of the City.

SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

ARTICLE IX
DEPARTMENT ~~OF~~ NEIGHBORHOOD COUNCILS~~EMPOWERMENT~~

Section

900 Purpose.

~~901 Department of Neighborhood Empowerment.~~

~~902 Board of Neighborhood Commissioners.~~

~~903 General Manager.~~

~~904 Development of the Neighborhood Council Plan.~~

~~905 Implementation of the Plan.~~

9016 Certification of ~~Neighborhood Council~~Neighborhood Councils.

9027 Early Warning System.

9038 Powers of ~~Neighborhood Council~~Neighborhood Councils.

9049 Annual City Budget Priorities.

90510 Monitoring of City Services.

~~911 Appropriation.~~

~~912 Review.~~

~~913 Transfer of Powers.~~

90614 Effect of Ordinances.

907 Conflict of Interest Distinguishable from the Public

908 Alliances

Sec. 900. Purpose.

~~–~~To promote more citizen participation in government and make government more responsive to local needs~~, a citywide system of neighborhood councils, and a Department of Neighborhood Empowerment is created. Neighborhood council~~, Neighborhood Councils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood and the City at-large.

~~Sec. 901. Department of Neighborhood Empowerment.~~

~~The Department of Neighborhood Empowerment shall have the duties and responsibilities set forth in this Article and elsewhere in the Charter to implement and oversee the ordinances and regulations creating the system of neighborhood councils enacted pursuant to Section 905. Duties and responsibilities shall include:~~

~~(a) prepare a 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 has an opportunity to form a neighborhood council (Plan);~~

~~(b) assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that do not divide communities, and organizing themselves, in accordance with the Plan;~~

~~(c) arrange Congress of Neighborhood meetings if requested to do so by recognized neighborhood councils;~~

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

~~(e) arrange training for neighborhood councils' officers and staff;~~

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

~~(g) perform other duties as provided by ordinance.~~

~~Sec. 902. Board of Neighborhood Commissioners.~~

~~(a) There shall be a board of seven commissioners to be known as the Board of Neighborhood Commissioners (board). Commissioners shall be appointed by the Mayor, and shall be from diverse geographic areas, as further specified by ordinance. Appointment and removal of commissioners shall otherwise be in accordance with Section 502.~~

~~(b) The board shall be responsible for policy setting and policy oversight, including the approval of contracts and leases and the promulgation of rules and regulations, but shall not be responsible for day-to-day management.~~

~~(c) The board shall operate in accordance with Sections 503 through 508 and 510 of the Charter.~~

~~Sec. 903. General Manager.~~

~~(a) There shall be a general manager of the Department of Neighborhood Empowerment who shall be appointed by the Mayor, subject to confirmation by the Council, and may be removed as provided in Section 508.~~

~~(b) The general manager shall have those powers and duties set forth in Section 510.~~

~~(c) The general manager shall appoint, discharge and prescribe the duties of staff, consistent with the civil service provisions of the Charter.~~

~~Sec. 904. Development of the Neighborhood Council Plan.~~

~~The Department of Neighborhood Empowerment shall develop a Plan for a citywide system of neighborhood councils, in conformance with the following:~~

~~(a) The Department of Neighborhood Empowerment 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, in draft ordinance format (Regulations) which, if adopted by ordinance, would be sufficient 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 to the maximum extent feasible, and may consider community planning district boundaries where appropriate.~~

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

~~(e) The Regulations shall establish the procedure and criteria for recognition or certification of neighborhood councils.~~

~~(f) 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.~~

~~(g) The Regulations shall require that neighborhood councils adopt fair and open procedures for the conduct of their business.~~

~~(h) The Mayor and Council shall provide for the creation of the Department of Neighborhood Empowerment and appointment of the general manager within 120 days of the effective date of this Article.~~

~~Sec. 905. Implementation of the Plan.~~

~~The Department of Neighborhood Empowerment shall complete development of the Plan and present the Plan 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 in Section 904. If implementing ordinances are not adopted within this time period, the Regulations shall become effective, and to the extent not inconsistent with law shall be binding upon all City departments and offices.~~

Sec 905. Position of Neighborhood Council Members

Neighborhood Council board members are not municipally elected and shall be known as "elected advisors to the City government."

Sec. 901~~6~~. Certification of ~~Neighborhood Council~~Neighborhood Councils.

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

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(1) the method by which their officers are ~~chosen~~elected or selected;

(2) ~~neighborhood council~~Neighborhood Council membership will be open to ~~everyone~~ any individual who:

(i) ~~I~~Lives, works or owns real property within the ~~area~~ boundaries of the Neighborhood Council (stakeholders);

(ii) Is a Community Interest Stakeholder, defined as an individual who is a member of or participates in a Community Organization within the boundaries of the Neighborhood Council.

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(3) assurances that the members of the ~~neighborhood council~~Neighborhood Council will reflect the diverse interests within their area;

(4) a system through which the ~~neighborhood council~~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, every stakeholder to participate in the conduct of business, deliberation and decision-making.

(b) Petitioning for Certification and Approval. ~~Neighborhood council~~Neighborhood Councils may petition for certification or recognition in accordance with rules and procedures set forth in the Plan.

Sec. 902~~7~~. Early Warning System.

The Regulations shall establish procedures for receiving input from ~~neighborhood council~~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 council~~Neighborhood Councils as soon as practical, and a reasonable opportunity to provide input before decisions are made. Notices to be provided include matters to be considered by the City Council, City Council Committees, and City boards or commissions.

Sec. 9038. Powers of ~~Neighborhood Council~~Neighborhood Councils.

(a) —Subject to applicable law, the City Council may delegate its authority to ~~neighborhood council~~Neighborhood Councils to hold public hearings prior to the City Council making a decision on a matter of local concern.

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(b) Neighborhood Councils have the right to speak, in person and telephonically, before all public meetings of the City, including, but not limited to, City Council meetings and committees and commissions.

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(1) To represent a Neighborhood Council, a board member must be delivering comments approved by their Council in a Brown Acted public meeting at which there is quorum.

(2) Neighborhood Council board members who are representing their Councils shall be in a separate queue from Public Comment to ensure their ability to participate and Neighborhood Council presentations shall not diminish the speaker's time allotted to Public Comment.

(3) The length of time for each Neighborhood Council's presentation shall be no less than five minutes.

(4) Neighborhood Council board members representing their Neighborhood Councils shall be able to speak whenever an item appears on an agenda, even in cases where that item has already been heard by a committee.

(5) Members of any Neighborhood Council shall not be permitted to vote at Council and committee meetings if they have not completed their required training within 30 days of being seated and to be able to continue voting their required training must be current.

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(c) In the interest of efficiency, Neighborhood Councils may include consent calendars on their agendas. Items on consent calendars may include common agenda items including, but not limited to, approval of minutes and the Monthly Expenditure Report and may include agenda items voted by a committee.

(1) Any member of the board shall have the ability, at the meeting, to request an agenda item on the consent calendar be removed from consent and heard on its own. The meeting chair shall remove the requested consent agenda item if requested. Removal shall not be a topic for discussion.

(2) The public shall have the opportunity to make public comment on the items on the agenda items in the consent calendar.

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Sec. 9049. Annual City Budget Priorities.

Each ~~neighborhood council~~Neighborhood Council may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified ~~neighborhood council~~Neighborhood Councils of the deadline for submission so that the input may be considered in a timely fashion.

Sec. 9051~~0~~. Monitoring of City Services.

~~Neighborhood council~~Neighborhood Councils shall monitor the delivery of City services in their respective areas and the City at-large and have periodic meetings with responsible officials of City departments, subject to their reasonable availability.

For the purpose of this Charter Section, City services shall include all departments defined in the Charter and created by ordinance, joint power commissions, and offices of elected officials.

~~Sec. 911. Appropriation.~~

~~The Mayor and Council shall appropriate funds for the Department of Neighborhood Empowerment and for the startup and functioning of neighborhood councils for the first two years after the effective date of this Article. Funds shall be appropriated into a special~~

~~fund to be established by ordinance. The Mayor and Council shall thereafter appropriate funds for the department and neighborhood councils at least one year in advance of each subsequent fiscal year.~~

~~Sec. 912. Review.~~

~~The Mayor and Council shall appoint a commission as prescribed by ordinance to evaluate the provisions of this Article, the Regulations adopted pursuant to this Article, and the efficacy of the system of neighborhood councils no later than seven years after the adoption of the Charter. The commission shall make recommendations to the Council regarding changes to the Charter or the Regulations, as it deems appropriate.~~

~~Sec. 913. Transfer of Powers.~~

~~Notwithstanding any other provision of the Charter, the Mayor and Council shall not transfer powers, duties or functions of the Department of Neighborhood Empowerment to any other department, office or agency pursuant to Section 514 during the first five years after implementation of the Plan pursuant to Section 905.~~

Sec. 906~~14~~. Effect of Ordinances.

The City Council may adopt ordinances concerning ~~neighborhood council~~Neighborhood Councils consistent with requirements for the Plan set forth in Section ~~904~~599 (d) at any time, which ordinances shall supersede any inconsistent Regulations that have become effective pursuant to Section 599 (d)~~905~~. Ordinances that require changes to the following shall not be made.

- Composition of the board

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- Terms of board members

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Sec. 907. Conflict of Interest Distinguishable from the Public.

Even if a board member's economic interest is foreseeable and material, they do not have a legal conflict of interest unless the decision's impact on his or her economic interest is different from the general public's impact.

Sec. 908. Alliances

Neighborhood Councils shall be authorized to form Alliances including, but not limited to, regional alliances and special interest alliances.

Neighborhood Councils may contribute funds or equivalent (including, but not limited to, websites, licenses, and meeting spaces) for the benefit of the Alliances.

The Department of Neighborhood Empowerment in cooperation with the Board of Neighborhood Commissioners shall have the authority to define how Alliances are formed and disbanded and how their financing is accomplished and shall update the Plan as necessary to cover Alliances and their contributions. No Alliance shall be disbanded without consultation and consensus with Alliance members.-

The City Clerk shall administer a special fund for any Alliance accepting monetary contributions.

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TABLES

1. Section Comparison – Original Charter to Revised Charter
2. Section Comparison – New Charter to Old Charter Reference
3. Table of Amendments

SECTION COMPARISON – ORIGINAL CHARTER TO REVISED CHARTER

Original Section	New Section	Section Title
Original Section	New Section	Section Title
1	100	Incorporation
2	101	Powers of the City
2(11)(t)	102(a)	Relationship to Other Governmental Entities
2(11)(u)	102(b)	Relationship to Other Governmental Entities
3(1)(a)	104(b)	Restrictions on the Powers of the City
3(1)(b)	Deleted	
3(1)(c)	Deleted	
3(1)(d)	Deleted	
3(2)	104(a)	Restriction on Powers-Mortgaging of Property
3(3)	Deleted	
3(4)	361	Law Governing Bonded Indebtedness
3(5)	104(b)	Restriction on Powers-License Taxes
3(6)	104(c)	Restriction on Powers-Sale of Public Utilities
3(7)	104(d)	Restriction on Powers-Use of LA River Bed
3(8)(a)	390(a)	Franchises
3(8)(b)	390(d)(2), (3)	Franchises
3(8)(c)	390(d)(1)	Franchises
3(8)(d)	390(c)	Franchises
3(8)(e)	Deleted	
3(8)(f)	390(e)	Franchises
3(8)(g), (h)	Deleted	
3(8)(I)	390(d)(5)	Franchises
3(8)(j)	390(d)(4)	Franchises
3(8)(k)-(p)	Deleted	

3(11)	104(e)	Restriction on Powers-Floor Area Restriction
3(12)	Deleted	
3(13)	104(f)	Restriction on Powers-Municipal Newspaper
3(14)	Deleted	
3(15)	104(g)	Restriction on Powers-Business Enterprises
3(16)	Deleted	
5	200	City Officers
6(1)	202	Election of Officers at Large
6(2)	204	Election of City Council; Redistricting
6(2)(b)	See 422(a)	Nominating Petition
7	205	Term of Office
7.5	206	Term Limits
8	Deleted	
9(a)(1)-(3)A	207	Vacancy in City Offices
9(a)(3)B (4), (5)	208	Determination of Incapacity
9(b), (c)	210	Acting Incumbency in City Offices
10	211	Suspension Pending Trial
11	See 203; 205	Appointment & Removal of Officers; Term of Office
12	Deleted	
13	215	Oath of Office
14	212	Prohibition on Council Member Serving in Other Capacity
15	213	Additional Powers & Duties of Officers & Employees
16	214	Creation of Additional Departments and Officers
17	See 1023	Civil Service-Military Leave
	See 1116	Right to Retire while on Military Leave
20	241	Council Size
21	240	Legislative Power
22	242	Conduct of Business
23	243	President & President Pro Tempore
24	249	Ordinances-Enacting Clause
25	244	Quorum & Vote Necessary to Take Action
26	250(a)	Procedure for Adoption of Ordinances

27	Deleted	
28	See 222	Conflicts of Interest; Board of Referred Powers
28.1	222	Conflicts of Interest; Board of Referred Powers
29	250(b), (c)	Procedure for Adoption of Ordinances
30	250(b)	Procedure for Adoption of Ordinances
31	251	Publication or Posting of Ordinances
32	See 213	Additional Powers & Duties of Officers & Employees
32.1	514	Transfer of Powers
32.3	245	City Council Veto of Board Actions
32.4	680	Other Enterprises
33	246	Provision of Quarters, Creation of Positions
	See 219	Salary Setting
34	See 242(b)	Conduct of Business
35	See 240	Legislative Power
37	247	Public Improvements
38	248	Issuance of Housing Revenue Bonds
39	Deleted	
40(1)	230; 231(a)	Mayor; Powers & Duties
40(2)	231(f)	Mayor; Powers & Duties
40(3)	See 231(a)	Mayor; Powers & Duties
40(4)	231(c), (d), (k)	Mayor; Powers & Duties
40(5)	231(b)	Mayor; Powers & Duties
	See 231(c), (d)	Mayor; Powers & Duties
40(6)	231(l)	Mayor; Powers & Duties
42(1)	270	City Attorney; Qualifications
42(2)	271(a); 272	City Attorney; Powers & Duties; Control of Litigation
42(3)	271(b); 272	City Attorney; Powers & Duties; Control of Litigation
2nd par.	275	Employment of Other Legal Counsel
42(4)	271(d)	City Attorney; Powers & Duties
42(5)	271(e)	City Attorney; Powers & Duties
42(6)	271(c)	City Attorney; Powers & Duties
42(7)-(9)	See 271(c)	City Attorney; Powers & Duties

42(10)(a)	274	City Attorney; Employment of Assistants
42(10)(b), (c)	1050	Employment in the City Attorney's Office
43	Deleted	
44(1)	280	City Clerk; Appointment & Removal
44(2-5), (7-9)	281	City Clerk; Powers & Duties
44(6)	See 217(b)	Investigations & Procedures
44(10)	See 300	Director of Finance; Powers & Duties
46	260	Controller; Auditor & General Accountant
47(1)	261(b)	Controller; Powers & Duties
47(2)	261(d)	Controller; Powers & Duties
47(3)	Deleted	
47(4)	261(e)-(f)	Controller; Powers & Duties
47(5)	Deleted	
47(6)	261(g)	Controller; Powers & Duties
47(7)	261(h)	Controller; Powers & Duties
47(8)	See 262	Approval of Demands on Treasury
47(9)	See 261(e)	Controller; Powers & Duties
47(10)	261(I)	Controller; Powers & Duties
47(11)	262	Approval of Demands on Treasury
47(12)	281(g)	City Clerk; Powers & Duties
47(13)	Deleted	
47(14)	See 261(K)	Controller; Powers & Duties
49	Deleted	
50	290	Office of Administrative & Research Services (OARS); Appointment & Removal, etc.
51(1)	291(a)-(c)	OARS; Powers & Duties
51(3)(a)	291(g)	OARS; Powers & Duties
51(3) (b)	See 292	Administrative Management Research
51(3)(c)	Deleted	
51(5)	291(h)	OARS; Powers & Duties
51(6)	last sent.-291	OARS; Powers & Duties
51(7)	Deleted	
51(8)	See 292	Administrative Management Research

51(9)	See 291 (b), (d)-(f)	OARS; Powers & Duties
51(10)	291(I)	OARS; Powers & Duties
51(11)	291(j)	OARS; Powers & Duties
52	See 233	Temporary Transfer of Employees
53	292	Administrative Management Research
55	Deleted	
56	Deleted	
58	301	Treasury; Treasurer
59(1)	301(a)	Treasury; Treasurer
59(2)	Deleted	
59(3)	301(b)	Treasury; Treasurer
59(4)-(5)	Deleted	
59(6)	301(c)	Treasury; Treasurer
59(7)	301(e)	Treasury; Treasurer
59(8)	301(d)	Treasury; Treasurer
60	303	Investments
61	301(f)	Treasury; Treasurer
62	301(g)	Treasury; Treasurer
63	217	Investigations and Proceedings
64	216	Annual Report
65	218	Compensation of Elected Officers & Limitation on Outside Activities
66	See 219	Salary Setting
67	220	Restrictions on Compensation of Officers
68	220	Restrictions on Compensation of Officers
69	221	Surety Bonds
69.1	Deleted	
70	500; see 1102	Creation & Management of Departments; Pension Departments
70(a)	See 600	Creation of Proprietary Departments & Boards
	See 630	Airports; Board Composition
	See 650	Harbor-Board Composition
	See 670	DWP-Board Composition

70.1	See 1104	Pension & Retirement System Boards
71	501; see 1102	Boards of Commissioners; Pension Departments & Plans
72	501(c)(d)	Boards of Commissioners; Terms & Qualifications
73	502	Appointment & Removal of Commissioners
73.1	502(d)	Appointment & Removal of Commissioners-Removal
74	503(a)	Organization of Board; Officers
75	504	Secretary & Chief Accounting Employee
76	503(c)	Organization of Board; Action
77	500(a)(b)	Creation & Management of Departments
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78	506	Powers of Board & Head of Department
79(a)	507	Chief Administrative Officers (CAO)
79(b)	508(a)	Appointment & Removal of CAOs-Applicability
79(c)	See 508(b)(e)	Appointment & Removal of CAOs
79(d)	508(d)	Appointment & Removal of CAOs-Annual Review
79(e)	Deleted	
79(f)	Deleted	
79(g)	Deleted	
80(a)	509	CAO of Department under Control of Board of Commissioners
80(b)	510	CAO of Department under Management & Control of CAO
81	See 509(g)	CAO of Department under Control of Board
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82	506(b)(c)	Powers of Board & Head of Department
	See 604(c)	Proprietary Departments-General Managers
83	511(b)	Responsibilities of Boards of Departments Controlling own Funds
84	505	Approval by Chief Accounting Employee of Use of Funds
86	511(a)	Responsibilities of Boards of Departments Controlling own Funds
87	512	Temporary Absence or Inability to Act

88	513	Relationship of General Provisions to Specific Department Provisions
89	217(d)	Investigations & Proceedings
90	Deleted	
92	Deleted	
93	Deleted	
94	550	Planning-Powers & Duties of Department
95	553	Director of Planning
95.5	Deleted	
96	551	City Planning Commission
96.5(1), (2)	554	General Plan-Purpose & Contents
96.5(3)	555	General Plan-Procedures for Adoption
96.5(4)	551(c)	City Planning Commission
96.5(5)	556	General Plan Compliance
96.6	557	General Plan Areas
97.1	Deleted	
97.2	558	Procedures for Adoption, Amendment or Repeal of Certain Ordinances, Orders & Resolutions
97.3	See 558	Procedures for Adoption, Amendment or Repeal of Certain Ordinances, Orders & Resolutions
97.4	See 558	Procedures for Adoption, Amendment or Repeal of Certain Ordinances, Orders & Resolutions
97.6	See 558	Procedures for Adoption, Amendment or Repeal of Certain Ordinances, Orders & Resolutions
97.7	See 558	Procedures for Adoption, Amendment or Repeal of Certain Ordinances, Orders & Resolutions
97.8	559	Delegation of Authority
97.9	560	Planning-Hearings & Investigations
98(1)	561	Office of Zoning Administration
98(2)(a)	Deleted	
98(2)(b)	561; see 562	Office of Zoning Administration; Variances
98(2)(c), (d)	Deleted	
98(3)	Deleted	
98(4)	561	Office of Zoning Administration

99	Deleted	
100	1003	Civil Service-Classification of Positions
101	1004	Civil Service Rules
102	1004	Civil Service Rules
103	1005	Civil Service-Examinations
104	1006	Civil Service-Credit for Military Service
105	1007	Civil Service-Examination Bulletins
106	1008	Civil Service-Register of Eligible Candidates
107	1009	Civil Service-Promotion
108	1014	Civil Service-Special Reassignments
109(a)	Deleted	
109(b)	1010(a), (c-e)	Civil Service-Certification
109(c)	1010(f); 1011	Civil Service-Certification; Probation
	1012 (d)	Removal from & Reinstatement to Register of Eligible Candidates
109(d)	1013(a), (b)	Civil Service-Temporary Appointment
109(e)	1012(b)	Removal from & Reinstatement to Register of Eligible Candidates
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112	1016	Civil Service-Discharge or Suspension
112½	1017	Civil Service-Demand for Reinstatement, etc.
113	Deleted	
114	1019(a)	Civil Service-Falsification & Corruption
117	1019(c)(1)	Civil Service-Falsification & Corruption
118	1019(c)(2)	Civil Service-Falsification & Corruption
119	1019(c)(3)	Civil Service-Falsification & Corruption
120	1020	Civil Service-Certification of Employment
121	Deleted	
122	1021	Civil Service-Employment upon Consolidation or Annexation of Other Governmental Entities
124	1019(b)	Civil Service-Falsification & Corruption
125	1015	Civil Service-Layoffs

125½	Deleted; see 1015(a)	Civil Service-Layoffs
126	1022	Civil Service-Use of Independent Contractors
130	520	Fire-Powers & Duties of Department
131	521	Fire-Authority of Officers
132	Deleted	
133	521	Fire-Authority of Officers
134	522	Fire Chief
135	1060	Disciplinary Procedures for the Fire Department
138	651(a)	Possession, Management & Control of Harbor Assets
	See 602	Possession, Management & Control of Assets
139(a)-(e)	652(a)-(e)	Harbor-Powers & Duties of Board
	See 601	Proprietary Departments-Departmental Purposes
	See 602	Possession, Management & Control of Assets
139(f)	See 608	Harbor & Airport Regulation of Public Service and Public Utilities
139(g)	652(f)	Harbor-Powers & Duties of Board
139(h)	653	Harbor-Rates, Rules & Regulations
140	See 601	Proprietary Departments-Departmental Purposes
140(a)	651(b)	Possession, Management & Control of Harbor Assets
140(b)	651(c)(1)	Possession, Management & Control of Harbor Assets
140(c)	See 605(a)	Power to Grant Franchises, etc.
	See 607	Limitations on Franchises, etc.
140(d)	See 605(b)	Power to Grant Franchises, etc.
	607	Limitations on Franchises, etc.
140(e)	See 606	Process for Granting Franchises, etc.
	607(b)	Limitations on Franchises, etc.
140(f)	654(a)(1)	Harbor-Limitations on Franchises, etc.
140(g)	Deleted	
140(h)	654(a)(2)	Harbor-Limitations on Franchises, etc.
140(I), (j), (k)	Deleted	

141	See 601	Proprietary Departments-Departmental Purposes
141(a)	655	Harbor-Powers & Duties of General Manager
141(b)	654(c); 655(f)	Harbor-Limitations on Franchises, etc.
141(c)	Deleted	
142	Deleted	
143(a)	654(b)	Harbor-Limitations on Franchises, etc.
143(b)	See 605	Power to Grant Franchises, etc.
	606	Process for Granting Franchises, etc.
	607	Limitations on Franchises, etc.
143(c)	Deleted	
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	604(c)	Proprietary Departments-General Managers
145	656	Harbor Revenue Fund
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146	Deleted; see 609	Revenue Bonds & Other Obligations
155	Deleted	
157	530(a)	Library-Powers & Duties of Department
158	531	Library-Financial Support
159	532	Board of Library Commissioners
160	533	City Librarian
161	530(b)	Library-Powers & Duties of Department
162	534	Library Property
163	535	Library-Subsurface Parking Structures
165	Deleted; see 115	Changes in City Departments
166	Deleted; see 115	Changes in City Departments
167	Deleted; see 115	Changes in City Departments
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170(b)(1)	See 594(d)(1)	Control & Management of Recreation & Parks Lands
170(b)(2)	See 594(d)(2)	Control & Management of Recreation & Parks Lands

170(b)(3)	594(c),	Control & Management of Recreation & Parks Lands
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170(c)	See 595	Recreation & Parks-Lease of Facilities
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172	597	Recreation & Parks-Location of Police Training Facility
173	593	Recreation & Parks-Financial Support
174	591(b), (c)	Board of Recreation and Parks Commissioners
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180.2	See 1104	Pension & Retirement Systems Boards
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181.1	1306	Fire & Police-Return or Recall to Active Duty
181½	1308	Fire & Police-Maximum Tier 1 Pension
182	1310	Fire & Police-Disability Pension-Service Connected
182¼	1312	Fire & Police Disability Pension Nonservice Connected
182½	See 1212	Fire & Police-Effect of Receipt of Workers Compensation
183	1314	Fire & Police-Survivor Pension-Service Connected Member's Death
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183.57	1302(d)	Fire & Police Pension-Definitions
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183.6	1318	Fire & Police-Election of Pension
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184	1328(a)	Fire & Police Pension-Cost of Living Adjustment
184½	1328(b)-(d)	Fire & Police Pension-Cost of Living Adjustment
184.6	1328(e)	Fire & Police Pension-Cost of Living Adjustment

184.65	1328(f)	Fire & Police Pension-Cost of Living Adjustment
184.7	1328(g), (h)	Fire & Police Pension-Cost of Living Adjustment
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184.9	1328(j)	Fire & Police Pension-Cost of Living Adjustment
184.95	1328(k)	Fire & Police Pension-Cost of Living Adjustment
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185	1302(a)	Fire & Police Pension-Definitions
185.1	See 1206	Fire & Police-Persons Not Entitled to Pension
186	See 1110	Control of Pension & Retirement Funds
	1320	Fire & Police-Tier I Pension Funds;
186.1	1322	Fire & Police Pension-Actuarial Standards
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186½	1324	Fire & Police Pension-Member Contribution Tier 1
186.6	1326	Fire & Police Pension-Overtime Work
188	See 1204	Fire & Police Pension-Consolidation of General Manager & Secretary
189	1330	Fire & Police Pension-Authority to Establish Benefits by Ordinance
189.1	1332	Fire & Police Pension-Compliance IRS Provisions
190.01	1102	Pension and Retirement Departments & Plans
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190.04	1402	Fire & Police Pension-Request to be Tier 2 Member
190.041	1404	Fire & Police Pension-Request by Reactivated Member, etc.
190.05	1100-1120	Pensions-General Provisions
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190.06	1416	Tier 2 Pension Funds
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	1120	

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190.10	1420	Member Contributions-Tier 2
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190.12	1412	Disability Pensions
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190.52	1214	Domestic Partner Benefits
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199(a)	574(a), (h)	Powers & Duties of Chief of Police
199(b)	575	Appointment & Removal of Chief of Police
199(c), (d)	576	Acting & Temporary Chief of Police
200	574(a)	Powers & Duties of Chief of Police
201	Deleted	
202	1070	Disciplinary Procedures for Police Department
204	Deleted	
205	571; see 501	Board of Police Commissioners; Boards of Commissioners
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206(b)(1)-(5)	572(a)-(e)	Executive Director of Board of Police Commissioners
206(b)(6)	Deleted	

206(b)(7)	572(f)	Executive Director of Board of Police Commissioners
206(c)	572(f)	Executive Director of Board of Police Commissioners
206 (d)	573	Inspector General
210	Deleted	
211	Deleted	
212	Deleted	
215	Deleted	
218	671	DWP-The Los Angeles River
219	See 673	DWP-Water and Water Rights
219.1	See 674(b)	DWP-Power Contracts
219.3	674(a)	DWP-Power Contracts
219.4	See 674(a)	DWP-Power Contracts
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	See 602	Possession, Management & Control of Assets
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220(2)(a), (b)	676	DWP-Rate Setting
220(3)(a)	677(a)	DWP-Sale or Exchange of Water & Power
220(3)(b)	677(d)	DWP-Sale or Exchange of Water & Power
220(4)	See 681	DWP-Division of Department Functions
220(5)	Deleted	
220(6)-1st sent.	605; 675(e)(5)	Power to Grant Franchises, etc.; DWP-Powers & Duties of the Board
220(6)-2nd & 3rd sent.	Deleted	
220(6)-4th sent.	675(e)(1), (2), (3)	DWP-Powers & Duties of the Board
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220(7)	679	Water and Power Revenue Fund

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	See 1102; 1104	Pensions-Departments & Plans; Boards
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220.1(f)	See 1110	Control of Pension & Retirement Funds
220.2	Deleted	
220.4	682; 679(c)(7)	DWP-Health Benefits; Water & Power Revenue Funds
221	679	Water & Power Revenue Funds
222	Deleted	
23	Deleted	
224½	Deleted	
224¾	Deleted	
225	Deleted	
228	675(d)(1), (e)(4)	DWP-Powers & Duties of the Board
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229	Deleted; see 609	Revenue Bonds & Other Obligations
230	581	Board of Public Works
231	Deleted	
232	Deleted	
233(1)(a)	See 581(b)	Board of Public Works
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233(2)	Deleted	
234	See 580	Public Works Department Power & Duties
235	Deleted; see 503(c)	Organization of the Board
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238.4	602	Possession & Management & Control of Assets
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238.5	See 632(a)	Airports-Powers & Duties of Board
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238.6	See 608	Harbor & Airport Regulation of Public Service & Utilities
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239	632(b)	Airports-Powers & Duties of Board
239.2	633(a), (b)	Airports-Powers & Duties of General Manager
239.3	633(c), (d); 634	Airports-Powers & Duties of General Manager
239.4	See 605	Power to Grant Franchises, etc.
	See 634(b)	Airports-Limitations on Permits & Licenses
239.5	See 605(b)	Power to Grant Franchises, etc.
	634	Airports-Limitations on Permits & Licenses
239.6	Deleted	
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901	New
902	New
903	New

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905	New
906	New
907	New
908	New
909	New
910	New
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1310	182
1312	182 ¼
1314	183
1316	183 ½
1318	183.6
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TABLE OF AMENDMENTS

This Charter was approved by the electors of the City of Los Angeles at the General Municipal Election of June 8, 1999. The following table lists chronologically all amendments that have been made to the Charter since its original approval. Proposed amendments that were not adopted are not included in this table. Within the text of the Charter itself, all

sections that have been affected by amendments are identified by a concluding Section History note.

Title	Approval Date	Effective Date	Section(s) Affected
Title	Approval Date	Effective Date	Section(s) Affected
Charter Amendment 1	4-10-01	5-5-01	1070
Charter Amendment 2	4-10-01	5-5-01	1218
Charter Amendment A	6-5-01	7-10-01	1200, 1202, 1210, 1220, 1222
Charter Amendment B	6-5-01	7-10-01	1224
Charter Amendment R	3-5-02	4-12-02	401, 404, 421, 422
Charter Amendment 1	3-8-05	4-6-05	1202, 1232
Charter Amendment 2	3-8-05	4-6-05	1226, 1228, 1230, 1330, 1428, 1518, 1618
Charter Amendment B	5-17-05	6-7-05	435
Charter Amendment	11-7-06	12-13-06	206, 470, 507
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Charter Amendment M	3-6-07	4-4-07	1234
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Charter Amendment D	3-3-09	4-1-09	1236
Charter Amendment G	3-8-11	4-8-11	1202, 1226, 1240, 1242, 1244, 1246, 1248, 1700, 1702, 1704, 1706, 1707, 1708, 1710,

			1712, 1714, 1716, 1718, 1720, 1722, 1724, 1726
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Charter Amendment N	3-8-11	4-8-11	470, 803
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Charter Amendment ER	11-5-24	1-8-25	700, 701, 703, 706, 708, 710, 711, 1001

Charter Amendment FF	11-5-24	1-8-25	1202, 1700, 1702, 1703, 1704, 1709, 1710, 1711, 1713, 1714
Charter Amendment HH	11-5-24	1-8-25	212, 244, 261, 271, 401, 451, 452, 462, 502, 650, 683, 1108
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Charter Amendment LL	11-5-24	1-8-25	802, 806, 810 - 819

January 15, 2026

To: Los Angeles City Charter Reform Commission
City Council and Committees
Board of Neighborhood Commissioners

Submitted via the Community Impact Statement Filing Portal

Greater Wilshire Neighborhood Council Generally Supports the Charter Reform Recommendations from the Los Angeles Neighborhood Council Coalition (LANCC)

Honorable Commissioners and Council Members:

The Greater Wilshire Neighborhood Council (GWNC) thanks the Commission and Council for the opportunity to share this Community Impact Statement (CIS).

On January 3, 2026, the Los Angeles Neighborhood Council Coalition (LANCC) approved a set of recommendations on Charter Reform regarding NEIGHBORHOOD COUNCILS, THE DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT, THE BOARD OF NEIGHBORHOOD COMMISSIONERS, THE BUDGET, AN OFFICE OF TRANSPARENCY AND ACCOUNTABILITY, CITY COUNCIL ACTIVITIES, THE ETHICS COMMISSION, THE CITY ATTORNEY, AND ONGOING CHARTER REFORM. *See* https://drive.google.com/drive/folders/1EY0VQ3pz_197THuVK8D0-ZFWn5B2wwqc.

On January 8, 2026, at a Brown Act special meeting, the GWNC Charter Reform Ad Hoc Committee reviewed LANCC's recommendations and voted unanimously to recommend that the GWNC Board offer its general support for those recommendations.

On January 14, 2026, at a Brown Act regular meeting, the GWNC Board voted unanimously to extend its general support for LANCC's charter reform recommendations and to applaud LANCC for its efforts.

The GWNC included the Board of Neighborhood Commissioners (BONC) in this CIS as we understand the BONC will be submitting its own recommendations and we urge the BONC to endorse LANCC's recommendations.

Please note that despite the many CIS statements received from Neighborhood Councils and the in-person and telephonic statements received from the community, including from members of Neighborhood Councils, **the proposals to address the ever-decreasing**

Neighborhood Council budgets have not been included in the Staff Report recommendations which were considered by the Charter Reform Commission's Better Government Committee throughout its term and at its final meeting on January 8, 2026. We have faith that the Charter Reform's Ad Hoc Committee will recognize and rectify this omission.

About the GWNC

The GWNC represents more than 50,000 stakeholders in the geographic area roughly bordered by Melrose Ave. to the north, Olympic Blvd. to the south, La Brea Ave. to the west, and Western Ave. to the east.

Our 21-person board represents low-density, single-family zoned neighborhoods, extremely high-density, multifamily neighborhoods, and everything in between.

According to the Neighborhood Council Demographic Data portal (https://neighborhoodempowerment.lacity.gov/data/, data from the American Data Survey (ACS) 2018 5-Year estimates), 64% of our housing units are renter-occupied and 29% are owner-occupied.

Background and Approach

Our GWNC Ad Hoc Charter Reform Committee was created at our duly noticed October 2025 General Board Meeting and has met biweekly in public, online, Brown Act meetings, starting October 23, 2025. Our committee members have attended Charter Reform Commission (and Committee) meetings both virtually and in person. We have reviewed Commission materials (including helpful staff reports) and have hosted representatives of the Neighborhood Council Budget Advocates, the Los Angeles Neighborhood Council Coalition, and others at our committee meetings.

Presentation of this CIS

In the case that the GWNC President is unable to provide public comments in presentation of this CIS to the Commission and/or its Committees, it has appointed the following individuals to do so: John Gresham (GWNC Vice President), Erika Stuart (GWNC Secretary), Conrad Starr (GWNC Charter Reform Ad Hoc Committee Chair), or Mark Alpers (GWNC At Large Representative and Charter Reform Ad Hoc Committee member).

We thank the Charter Reform Commission, the Board of Neighborhood Commissioners, and City Council for their service and for considering our Community Impact Statement.

Jennifer DeVore

Jennifer DeVore, President

LOS ANGELES NEIGHBORHOOD COUNCIL COALITION (LANCC) RECOMMENDATIONS FOR CHARTER REFORM

Submitted to the Los Angeles Charter Reform Commission

Better Government Committee

January 21, 2025

The LANCC Committee's Process

- The Los Angeles Neighborhood Council Coalition (LANCC) Charter Reform Recommendation committee was created by a vote of LANCC at its regularly scheduled meeting on November 1
- During the committee's weekly public meetings, we came up with our own recommendations, including input from the public, that we wanted to see in the Charter. We reviewed 192 Charter Reform related CISs written since October 13, 2022. We considered the recommendations of the Neighborhood Council Budget Advocates.
- We voted on each of the ideas we culled from these sources. Votes went from agreement (yes or no) with no discussion to agreement (yes or no) requiring discussion for a full meeting.
- Every agreed upon item was written into a copy of the Charter
- The marked-up Charter that comes from this process was approved by LANCC January 3, 2026
- Charter numbers referenced in this presentation reflect the LANCC marked-up copy

Neighborhood Councils

- There is no serious discussion of Neighborhood Councils in the Charter. Article IX in the existing Charter, Department of Neighborhood Empowerment, is about DONE, BONC, and establishing the NC system.
- If DONE happened to be removed, another support structure could be developed to support Neighborhood Councils. If the Neighborhood Councils happen to be removed, DONE would have no purpose. DONE is not the Neighborhood Councils and the Neighborhood Councils are not DONE.
- To address this, we moved DONE and BONC to Article V, Departments, and renamed Article IX Neighborhood Councils. During this exercise we added NC impacts into the Charter descriptions of the impacted bodies. In this writing, Neighborhood Councils are more directly woven into the fabric of the City.
- We removed language about forming the NC system
- Named ourselves Elected Advisors to the City Government

Neighborhood Councils (continued)

- Neighborhood Councils need codified authority to operate within their lane.
- Recognition of Neighborhood Councils by City Council is essential. We have the right to advise, but are sometimes not given the opportunity to do so.
- Neighborhood Councils shall have the right to speak, in person and telephonically, before all public meetings of the City
- Neighborhood Councils delivering a Community Impact Statement shall be in a separate queue from public comment and shall be given five minutes to speak
  - NCs shall have the right to speak whenever an item appears on an agenda, even in cases where that item has already been heard by a committee
  - Neighborhood Councils, regardless of the City's position, may deliver to any governmental agency a statement passed in a Brown Acted public meeting at which there is quorum. The City may create and require language to indicate the NC is speaking for itself and not the City.
- Neighborhood Councils shall be authorized to form Alliances
  - Neighborhood Councils may contribute funds or equivalent (including, but not limited to, websites, licenses, and meeting spaces) for the benefit of the Alliances.

Neighborhood Councils (Continued)

- Neighborhood Councils shall monitor the delivery of City services in their respective areas and the City at-large. City services shall include all departments defined in the Charter and created by ordinance, joint power commissions, and offices of elected officials.
- City Departments, Commissions, and Offices that issue permits, approvals, or regulatory decisions following a public hearing (including but not limited to the City Planning Department, Department of Cannabis Regulation, and any successor or related offices) and ministerial construction projects that bypass City Planning and go directly to the Department of Building and Safety shall give NCs a minimum of 30 calendar days to weigh in
  - The Department of City Planning shall ensure that all documents related to a case before the Department, including ministerial projects that bypass the Department of City Planning and go directly to the Department of Building and Safety are made public and posted to the online case file.
- Even if a board member's economic interest is foreseeable and material, they do not have a legal conflict of interest unless the decision's impact on his or her economic interest is different from the general public's impact
  - This comes from a finding of City Attorney Rocky Delgadillo

Neighborhood Councils (Continued)

- Updated definition of stakeholder to match the definition voted by City Council
- In the interest of efficiency, Neighborhood Councils may include consent calendars on their agendas. Items on consent calendars may include common agenda items including, but not limited to, approval of minutes and the Monthly Expenditure Report and may include agenda items voted by a committee.
  - Any member of the board shall have the ability, at the meeting, to request an agenda item on the consent calendar be removed from consent and heard on its own. The meeting chair shall remove the requested consent agenda item if requested. Removal shall not be a topic for discussion.
  - The public shall have the opportunity to make public comment on the items on the agenda items in the consent calendar.
- Capitalized Neighborhood Councils throughout
- See marked-up Charter sections 254, preamble to "GENERAL PROVISIONS RELATED TO DEPARTMENTS," Section 550, Article IX

Department of Neighborhood Empowerment (DONE)

- Moved from Article IX to Article V
- DONE must become better at being the source of City information for the NCs. Different Neighborhood Empowerment Advocates have differing levels of knowledge resulting in the same question being answered differently depending on which NEA you talk to
  - We have asked, and we ask again, the Department to maintain a database of knowledge articles for the benefit of the Neighborhood Empowerment Advocates and the NCs
- We added a list of items DONE should not do
  - Substitute its judgment for that of elected NCs
  - Use its resources to request NCs advocate for any legislative position
  - Create policies that become de facto regulations

Department of Neighborhood Empowerment (DONE) (Continued)

- Added an employment requirement that the DONE General Manager have public policy experience
- Provided NCs the opportunity to submit questions to ask GM candidates during the employment interview
- See marked-up Charter Section 599

Board of Neighborhood Commissioners (BONC)

- Moved from Article IX to Article V
- Increased the number of commissioners from seven to nine with the two additional commissioners being at-large and appointed by Neighborhood Councils
- At the same time as departments, Neighborhood Councils shall submit their budget request for the following year. The two at-large BONC commissioners shall be a single point-of-contact and shall organize the requests into a single request for the Mayor's consideration.
- Give BONC oversight responsibilities over DONE
- Make BONC an appeals body for NCs and/or board members seeking redress for actions by DONE and/or the City Clerk
- Members of BONC shall not be permitted to vote at Commission meetings if they have not completed their required training within 30 days of being seated and to be able to continue voting their required training must be current.
- See marked-up Charter Sections 311 and 599

Budget

- The Neighborhood Council Budget Advocates and LANCC support
  - Transparent labor negotiations where there is public outreach before, during, and after the negotiations so the public can understand the direction of the negotiations and provide public comment
  - The City Council shall not approve labor agreements that would create a current or future deficit
  - As part of budget planning, the CAO shall prepare a four-year budget outlook that reflects realistic anticipated raises for City Employees
  - Two-year budgets. This is also supported by the City Controller and the LA 2020 Commission. See report in Council File 14-1184.
  - Five-year capital infrastructure plan that is updated bi-annually.
  - The reserve fund shall be maintained at a minimum of 5% of the total budget (current City policy). The Reserve Fund shall only be drawn upon during a declared emergency and may not be used to balance the rest of the budget
- During budget challenges, the percentage of Neighborhood Councils budget reductions shall not be greater than that of the office of the Mayor. When the Mayor's office budget is restored after the budget challenge, the Neighborhood Councils budgets are similarly restored.
- See marked-up Charter Sections 219, 291, 312, 321

Office of Transparency and Accountability

- Recommended by the Los Angeles 2020 Commission. See report in Council File 14-1184. Consistently requested by the Neighborhood Council Budget Advocates.
- The Office of Transparency and Accountability would be an independent watchdog. The office serves as the people's financial guardian, reviewing contracts, scrutinizing expenditures and sounding the alarm when the numbers stop adding up. (Some language taken from OJ Oleka, CEO of the State Financial Officers Association. Article by OJ Oleka)
- The Office of Transparency and Accountability is a truth-telling body that operates independently of elected officials and provides unbiased facts to the public.
- See marked-up Charter section 295

City Council Activities

- Update to codify mandatory telephonic public comment. Working people cannot go downtown to get on a queue where they hope to get one minute to speak.
- City Council members shall actively vote yes, no, or abstain and they shall be visible to the public for the vote to count
- Each City Council member shall meet with each NC in its district no less than once a year
- Council members shall file a Form 51 when recusing from a vote
- Members of the City Council and all Commissioners shall not be permitted to vote at City Council and Committee or Commission meetings if they have not completed their required training within 30 days of being seated and to be able to continue voting their required training must be current.
- Limit the ability of the City Council to adopt ordinances impacting the Neighborhood Council Plan to administrative or ministerial actions. Anything else must go to the ballot for the public to decide. Specifically, the City Council may not, through ordinance, change Neighborhood Council composition and terms of board members.
- Each City Councilmember shall, on an annual basis at a minimum, meet with each Neighborhood Council located wholly or partially within the Councilmember's district if the Neighborhood Council desires the meeting
- See marked-up Charter Section 242, 250, 501, 907

Ethics Commission

- Increase the number of Commissioners from five to seven
  - One of the new Commissioners is appointed by the Neighborhood Councils and one is appointed by the Ethics Commission itself
  - City Council does not confirm the selections by the Ethics Commission and NCs
- The Ethics Commission shall have the ability to send items directly to the ballot when the City Council does not advance a recommendation or heavily amends a recommendation
- Increase the Ethics Commission budget to $9 million, adjusted year-by-year based on the change in the City's revenues
  - Allow the budget not to be increased in the case of a declared fiscal emergency
- Increased the time for adjudication of Ethics complaints from four years to five
- See marked-up sections 470, 700, 703, 711, 803

City Attorney

- Added Neighborhood Councils to the entities to which the City Attorney provides legal advice
- The City Attorney shall give advice or opinion in writing when requested by a Neighborhood Council President or Chair
- The City Attorney shall not limit public interactions for Neighborhood Councils more than it does for City Council
- See marked-up section 271

Ongoing Charter Reform

- We envision a more regular Charter Reform process. Don't wait 25 years or more to review the Charter. No less than every ten years, the City should review the Charter and determine whether or not we need an update.
- The Charter Reform Commissions may send recommendations to the ballot when the City Council does not advance a recommendation or heavily amends a recommendation
- See marked-up Charter Section 130.

Wrap Up

- Thank you for making the time to hear us out. We are greatly appreciative and are looking forward to seeing the Commission's final recommendations.
- If you have any question when you review these materials, feel free to email Kay Hartman, the committee chair, at kay.hartman@palmsnc.la

clerk CIS <clerk.cis@lacity.org>

Your Community Impact Statement Submittal

LA City SNow <cityoflaprod@service-now.com> Fri, Jan 16, 2026 at 12:34 PM
Reply-To: LA City SNow <cityoflaprod@service-now.com>
To: reformlacharter@lacity.org, Clerk.CIS@lacity.org, commission@empowerla.org, jendevore@gmail.com

A Neighborhood Council Community Impact Statement (CIS) has been successfully submitted to your Commission or City Council. We provided information below about CISs and attached a copy of the CIS.

We encourage you to reach out to the Community Impact Statement Filer to acknowledge receipt and if this Community Impact Statement will be scheduled at a future meeting. Neighborhood Council board members are volunteers and it would be helpful if they received confirmation that you received their CIS.

The CIS process was enable by the to Los Angeles Administrative Code §Section 22.819. It provides that, "a Neighborhood Council may take a formal position on a matter by way of a Community Impact Statement (CIS) or written resolution." NCs representatives also testify before City Boards and Commissions on the item related to their CIS. If the Neighborhood Council chooses to do so, the Neighborhood Council representative must provide the Commission with a copy of the CIS or rResolution sufficiently in advance for review, possible inclusion on the agenda, and posting on the Commission's website.Any information you can provide related to your agenda setting schedule is helpful to share with the NC.

If the CIS or resolution pertains to a matter *listed on the Commission's agenda*, during the time the matter is heard, the designated Neighborhood Council representative should be given an opportunity to present the Neighborhood Council's formal position. We encourage becoming familiar with the City Councils rules on the subject. At the Chair's discretion, the Neighborhood Council representative may be asked to have a seat at the table (or equivalent for a virtual meeting) typically reserved for City staff and may provide the Neighborhood Council representative more time than allotted to members of the general public. They are also permitted up to five (5) minutes of time to address the legislative body. If the CIS or resolution pertains to a matter *not listed on the agenda*, the designated Neighborhood Council representative may speak during General Public Comments.

We share this information to assist you with the docketing neighborhood council items before your board/commission. If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at empowerla@lacity.org.

******** This is an automated response, please DO NOT reply to this email. ********

Contact Information
Neighborhood Council: Greater Wilshire
Name: Jennifer DeVore
Email: jendevore@gmail.com
The Board approved this CIS by a vote of: Yea(13) Nay(1) Abstain(3) Ineligible(0) Recusal(0)
Date of NC Board Action: 01/14/2026
Type of NC Board Action: For

Impact Information
Date: 01/16/2026
Update to a Previous Input: No
Directed To: Board of Neighborhood Commissioners, City Council and Committees, Charter Reform Commission
Council File Number:
City Planning Number:
Agenda Date:
Item Number:
Summary: Regarding charter reform, the Greater Wilshire Neighborhood Council recommends the following. (Drawn from the City Charter Reform Commission’s Staff Report Dated 11/14/2025.) SUPPORT (B.4.) Give ministerial approval to all projects that are in compliance with Re:Code LA. SUPPORT: (E.1.) Make City Council ultimate authority over all City-owned land. SUPPORT (I. 1.) Establish a high legislative threshold to increase capacity in single-family zoned areas. SUPPORT (I. 2.) Defend local zoning authority. OPPOSE (A.3.) Make the Zoning Administrator (ZA), Director of Planning or City Planning Commission the highest land use appeals body for adjudicatory actions. OPPOSE (B.1.) Eliminate Charter Section 245(e) OPPOSE (B.2.) Codify time limit for all City Council land use actions in the City Charter and

automatically deem actions approved if Council fails to act. OPPOSE (D.1.) Ministerially approve projects under a certain size. OPPOSE (D.2.) Mandate sufficient base zoning capacity.

CIS-260114_Greater-Wilshire-NC_Charter-Reform_Planning 2.pdf
297K

January 15, 2026

To: Los Angeles City Charter Reform Commission
City Council and Committees
Board of Neighborhood Commissioners

Submitted via the Community Impact Statement Filing Portal

Community Impact Statement from the Greater Wilshire Neighborhood Council regarding Los Angeles City Charter Reform Category PLANNING AND INFRASTRUCTURE: LAND USE DECISION-MAKING STRUCTURE AND GOVERNANCE

Honorable Commissioners and Council Members:

The Greater Wilshire Neighborhood Council (GWNC) thanks the Commission and Council for the opportunity to share this Community Impact Statement (CIS).

GWNC Recommendations on Planning and Infrastructure

Our recommendations refer to the Staff Report dated November 14, 2025: "REVISED Proposed Reforms for Planning and Infrastructure" (https://drive.google.com/file/d/179jYpAtq0A6sgrUy_jzl_cM3mJkCXpQG/view).

Our format is "Reform Category" and "Sub Reform" numerical indicator from the Staff Report) "Sub reform" description. *The rationale for the GWNC recommendation/position.*

The GWNC supports the following recommendations:

(B.4.) Give ministerial approval to all projects that are in compliance with Re:Code LA. *This measure expedites projects that are consistent with Community Plans and the new Zoning Code.*

(E.1.) Make City Council ultimate authority over all City-owned land. *This gives City Council needed additional discretion where unused lands can be put to good use.*

(I. 1.) Establish a high legislative threshold to increase capacity in single-family zoned areas. *This affords protection in the Charter to single-family and historic districts.*

(I. 2.) Defend local zoning authority. *This assures rapid response from City Council and the Mayor in response to State actions to diminish local authority.*

The GWNC opposes the following recommendations:

(A.3.) Make the Zoning Administrator (ZA), Director of Planning or City Planning Commission the highest land use appeals body for adjudicatory actions. *To quote the Staff report, "This would take certain decisions on land use out of [City Council's] hands and leave them to an unelected body that may have limited knowledge of the area… City Councilmembers have deep knowledge of their districts and are elected to make decisions regarding [them]." This would concentrate power in the hands of Mayoral appointees.*

(B.1.) Eliminate Charter Section 245(e). *Section 245(e) is a seldom utilized but invaluable failsafe against the unintended and irreversible consequences of unchallenged bureaucratic control.*

(B.2.) Codify time limit for all City Council land use actions in the City Charter and automatically deem actions approved if Council fails to act. *The expediting of land use actions would better be addressed selectively through ordinances; whereas a Charter amendment would create a mechanism for developers who use stalling tactics to avoid addressing and correcting project deficiencies.*

(D.1.) Ministerially approve projects under a certain size. *Absent a defined threshold, this policy proposal appears to be intended to remove neighbors and elected officials from the process.*

(D.2.) Mandate sufficient base zoning capacity. *This would create a redundancy and confusion as base zoning capacity is already required by State law.*

About the GWNC

The GWNC represents more than 50,000 stakeholders in the geographic area roughly bordered by Melrose Ave. to the north, Olympic Blvd. to the south, La Brea Ave. to the west, and Western Ave. to the east.

Our 21-person board represents low-density, single-family zoned neighborhoods, extremely high-density, multifamily neighborhoods, and everything in between.

According to the Neighborhood Council Demographic Data portal (https://neighborhoodempowerment.lacity.gov/data/, data from the American Data Survey (ACS) 2018 5-Year estimates), 64% of our housing units are renter-occupied and 29% are owner-occupied.

Background and Approach

Our GWNC Ad Hoc Charter Reform Committee was created at our duly noticed October 2025 General Board Meeting and has met biweekly in public, online, Brown Act meetings, starting October 23, 2025. Our committee members have attended Charter Reform Commission (and

Committee) meetings both virtually and in person. We have reviewed Commission materials (including helpful staff reports) and have hosted representatives of the Neighborhood Council Budget Advocates, the Los Angeles Neighborhood Council Coalition, and others at our committee meetings.

Presentation of this CIS

In the case that the GWNC President is unable to provide public comments in presentation of this CIS to the Commission and/or its Committees, it has appointed the following individuals to do so: John Gresham (GWNC Vice President), Erika Stuart (GWNC Secretary), Conrad Starr (GWNC Charter Reform Ad Hoc Committee Chair), or Mark Alpers (GWNC At Large Representative and Charter Reform Ad Hoc Committee member).

We thank the Charter Reform Commission, the Board of Neighborhood Commissioners, and City Council for their service and for considering our Community Impact Statement.

Jennifer DeVore

Jennifer DeVore, President