

# **REPORT OF THE CHIEF LEGISLATIVE ANALYST**

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**FROM:** Honorable Members  
Education and Neighborhoods Committee

September 28, 2005

**TO:** Gerry F. Miller   
Chief Legislative Analyst

**ASSIGNMENT NO.:**05-05-0742  
**C.F.:** 05-0894

## **DISCUSSION PAPER ON ESTABLISHMENT OF THE NEIGHBORHOOD COUNCIL REVIEW COMMISSION**

A recent Motion (Hahn-Zine) instructs the CLA, working in conjunction with the Department of Neighborhood Empowerment (DONE) and with the assistance of the City Attorney, to report with recommendations for appointing the Neighborhood Council Review Commission (see Attached Motion for details). Section 912 of the Charter requires the Mayor and Council to appoint a commission as prescribed by ordinance to evaluate the provisions of the Charter relative to neighborhood councils, the regulations of the neighborhood councils, and the efficacy of the system no later than seven years after the adoption of the Charter. This is a status report on this matter for discussion purposes.

The CLA has met with DONE, the City Attorney, the City Administrative Officer (CAO), and the CD 11 representatives on this matter. At our meeting, we identified several issues and questions for your Committee's consideration. Your Committee's recommendation to Council will include a request of the City Attorney to draft an ordinance.

DONE also recommends that early in the process of discussing the specifics of the ordinance that Neighborhood Councils weigh in on this matter. To comment on this, however, the Neighborhood Councils should have something to look at, perhaps this report plus any direction your Committee might want to add.

### **DISCUSSION POINTS**

#### **Commission Name**

The ordinance should name the commission. The Neighborhood Council Review Commission, or The Review Commission on Neighborhood Councils, are alternatives.

#### **Appointment Process**

How should the commissioners be appointed? What is the size of the of the Commission? One factor that City staff discussed was the efficiency of keeping the Commission relatively small. Thus, we suggested a maximum number of 17 commissioners, with each Council Member having one appointee, and the Mayor having two appointees.

**Candidates Qualifications**

The Commissioners should be residents of the City and represent one or more of the following categories: community organizations, Neighborhood Councils, academia, consultant, expert in public policy, homeowner associations, business, or homeowners. Presumably the candidates should also be registered voters.

**Confirmation Process**

The staff considered whether a confirmation process is necessary or whether the Commission becomes enacted upon the appointment of all the Council Members and Mayoral appointments. The Charter does not specify a confirmation process while it does for other commissions. Several options were discussed.

The direct, non-confirmation process would entail the Councilmembers and the Mayor submitting their appointment to the City Clerk, who would then verify that the appointees have met the requisite qualifications. Upon the Clerk's finding of sufficiency, the new commission would be created and ready to meet. If confirmation is desirable then the Clerk would submit the list to Council and the Mayor for appointment.

**Time Frame**

The life of the Commission must be set. Several times frames were discussed, such as one year, with the opportunity for Council to extend the time or 18 months. Whatever time frame is determined, staff recommends that the ordinance require the Commission to submit a written progress report to Education and Neighborhoods Committee quarterly.

**Meeting Requirements**

The staff discussed whether the ordinance should mandate that the meetings, all of which should be public, be held in the evenings in City-owned facilities and shown taped delayed on Cable Channel 35 "City View." Also, at least one of the public meetings should be held in the evening in each of the seven neighborhood council regions as established by the Area Planning Commission boundaries. It was recommended that at least one hearing for public input in an open session for comment on all subjects before the Commission submits its final report to the City Council.

**Topics for Commission Discussion**

It has been recommended that the Commission consider such topics as the uniform election policy, definition of stakeholders, evaluation of DONE, relationships between the Neighborhood Councils, the City and the applicable regulatory laws, as well as diversity and outreach requirements.

**Funding and Staffing**

Funding and Staffing requirements for the proposed Commission are unknown at this time. Once the City Attorney has drafted an ordinance, the CAO should be instructed to report on the funding and staffing needs for the Commission.

The City Attorney has concluded that the Political Reform Act would not apply to the Commission as long as the City Council controls the budget.

**RECOMMENDATIONS**

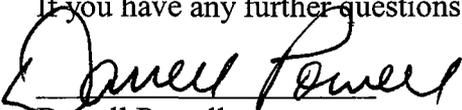
Your Committee may consider recommendations similar to those listed below.

That the City Attorney be requested to draft an ordinance pursuant to Charter Section 912 that accomplishes the following:

1. Sets up a Commission for the review and evaluation of the Citywide System of Neighborhood Councils.
2. This Commission shall be composed of two appointees by the Mayor and one by each of the Councilmembers.
3. The Commission shall become effective upon all appointments being received and verified by the City Clerk.
4. The appointees shall be registered voters in the City and represent one or more of the following categories: community organizations, Neighborhood Councils, academia, consultant, expert in public policy, or homeowners association member.
5. The Commission shall meet for 12 months, at the end of which a final report of recommendations, if any, for changes in the neighborhood council system. During that time, the Commission shall report quarterly to the Council.
6. All meetings of the Commission are public, but the Commission shall offer one or two meetings just to receive comments from the public on the general subject of neighborhood councils and on the tentative final report of the Commission.
7. The Commission shall consider all topics relevant to the neighborhood council process, its Charter provision, its implementing ordinance and regulations. The issues it may consider shall include, but are not limited to, the election process for the councils, the definition of stakeholders, evaluation of DONE, diversity and outreach efforts.

That the City Administrative Officer report on staffing and funding that will be needed for the Commission.

If you have any further questions on this matter, please contact us.

  
Darrell Powell  
Legislative Analyst

GFM:MK:dhp  
Attachment: Motion

*MK*

# EDUCATION & NEIGHBORHOODS

## MOTION

It has been five years since the enactment of the new Los Angeles City Charter and the institution of our system of neighborhood councils. During that time, we have made great strides in a very difficult and challenging task of implementing a system of neighborhood councils for the second largest city in the Nation. To date, we have been successful in instituting 86 neighborhood councils.

Section 912 of the Charter requires the Mayor and Council to appoint a commission as prescribed by ordinance to evaluate the provisions of the Charter relative to neighborhood councils, the Regulations adopted for neighborhood councils, and the efficacy of the system of neighborhood councils no later than seven years after the adoption of the Charter. Such a commission shall make recommendations to the Council regarding changes to the Charter or the Regulations, as it deems appropriate.

Now is the appropriate time to begin the process for complying with the Charter requirement to evaluate our neighborhood council system.

I THEREFORE MOVE that the Chief Legislative Analyst, working in conjunction with the Department of Neighborhood Empowerment and the assistance of the City Attorney, to report with recommendations for appointing a commission to evaluate our system of neighborhood councils as required by Section 912.

Presented by *Janice Hahn*  
JANICE HAHN  
Councilwoman, 15<sup>th</sup> District

Seconded by *[Signature]*

May 4, 2005