


CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: May 12, 2026

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Steve Kang, President, Board of Public Works 

SUBJECT: BOARD OF PUBLIC WORKS CHARTER REFORM COMMISSION RECOMMENDATIONS (C.F. 26-0489)

The Board of Public Works (Board) appreciates the opportunity to provide feedback on the Charter Reform Commission recommendations and the potential impacts to the Board. Below are comments identified from the Board of Public Works in the issue areas of infrastructure and the governance of the Department.

RECOMMENDATION #1 - Director of Public Works

Proposed Charter Reform Recommendation:

Charter Reform Commission Report which proposes to amend Sections 514, 581 and 582 to:

1. Empower the Director of Public Works to manage the day-to-day operations of the Department of Public Works and all of its bureaus;
2. Support the function of citywide capital improvement planning; and,
3. Excludes the Director of Public Works from Transfer of Powers provisions.

Responding Department: Board of Public Works

Administrative Impact(s):

The Charter Reform Commission's report expresses a desired outcome to improve long-term planning and service delivery to confront challenges the City faces regarding coordinated infrastructure planning and lack of a centralized financial strategy, which results in deferred maintenance, reactive crisis management, and inconsistent service delivery. The proposed reforms include, among other recommendations, the "establish[ment] of a Director of Public Works to coordinate infrastructure". Further, the Commission's recommended Charter language updates include the codifying of a Capital Improvement Program and designates the Department of Public Works as the lead agency.

The Board strongly agrees with the outlined recommendations above and the need for a dedicated personnel to lead capital planning and delivery for the City. However, the proposed Charter language amendments in Section 04-B of the Commission's report include duties that indicate additional span of control and responsibility above the described infrastructure planning role, including management of the Department of Public Works.

The Board maintains that the current organizational management structure of the Department of Public Works is sufficient, but acknowledges that a lack of centralized capital improvement programming has created deficiencies within the department - and therefore supports the written intention of the Commission recommendations to fill this gap, but does *not* support Charter language amendments that would orient the Director of Public Works position in a General Manager style role over all existing Bureau Directors, creating an additional layer of high level executive management and bureaucracy.

Fiscal Impact(s):

Positioning the Director of Public Works as a capital program manager for the Department of Public Works would create opportunities for financial efficiencies within capital funding allocated to the City.

Administrative or Charter Amendment Required:

The Board of Public Works recommends that the amendments proposed for Charter Section 582 be revised to state (added language in bold):

"...The director shall have the power and duty to:

- (a) Manage the **Capital Improvement Program operations** of the Department of Public Works..."

Advantages/Disadvantages of Proposal(s):

As detailed above, the advantages of creating a Director of Public Works with a central focus on infrastructure and capital improvement programs will create a comprehensive role to more efficiently manage a previously decentralized capital planning function in the City. However, the Board cautions that with the currently proposed Charter language amendments, the role would encompass a broader executive-style role, which would detract from the focused attention that is necessary to implement a unified department-wide capital improvement program.

Additional Concerns: There are additional concerns regarding the adjustments to the powers to accept contracts (also referred to as Projects) being removed from the Board's authority in the proposed language. While the Board is proposed to continue its authority to accept contracts, the Board maintains that the power to accept projects should also remain with the Board in order to maintain public accountability and transparency. Examples of powers related to accepting contracts include decisions of whether or not to levy significant penalties, either for subcontractor substitution, project labor agreement compliance, and other matters.

RECOMMENDATION #2 - Allocate 2% of Budget to Infrastructure

Proposed Charter Reform Recommendation:

Charter Reform Commissioner Report which proposes to add language in Sections 583 to:

- (a) For the financial support of the Department of Public Works, there shall be appropriated an annual sum of not less than 2% of the city's budget.
- (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 Department of Public Works, in a fund to be known as the Public Works Fund.
- (d) Except as provided in Section 342 with regard to funds appropriated from the General Fund to the Public Works Fund, money in the Public Works Fund shall be used only for the financial support of the Department of Public Works.

Responding Department: Board of Public Works

Administrative Impact(s):

The proposed language may create additional administrative burden on project based accounting activities, which may require additional staffing and resources if adopted.

Fiscal Impact(s):

Currently, the City's Capital and Technology Improvement Expenditure Program (CTIEP) is budgeted under Fund 100, Department 54. The Department of Public Works retains control of these funds and access is granted to departments based on Council budget allocations for ongoing or new projects. If a capital project receives funding from other sources, based on scope and eligible costs, it is added as a source of funding for the project. Additional clarification is needed regarding the Commission's definition of infrastructure funding, which categories of projects would be included in this fund, and how projects with Special Fund appropriations would be handled in the proposal.

The proposed new fund may create issues commingling funds from special sources. Special fund sources carry stringent accounting and documentation requirements (e.g., Prop K, Measure W, and many others) regarding allowable usage and reporting. Requiring these funds to be placed in a single, consolidated fund may create unnecessary administrative burden, decrease transparency, could potentially violate grant agreements, State Bill funding requirements, and other special fund requirements. More clarification and detail regarding the intent of this instruction would be necessary to determine how the Department could most appropriately and effectively carry out these intentions.

Additionally, Section (d) of the proposed changes should be clarified to clearly delineate the purpose of the fund. The Board recommends additional clarity beyond the current language stating the use of the fund as "for the financial support of the Department of Public Works".

Administrative or Charter Amendment Required: The Board recommends that additional clarification be provided for this proposed change.

Advantages/Disadvantages of Proposal(s): Stated in Financial Impacts Section above.

Additional Concerns: N/A

RECOMMENDATION #3 - Director of Public Works Transfer Protection

Proposed Charter Reform Recommendation:

Section 507 — Transfer of Powers Recommendation: Charter Reform Commissioner Report which proposes to add language in subsection (b)(9) to Section 507 as follows:

- (a) "The Director of Public Works" thereby exempting the Director of Public Works from the Mayor and Council's authority to transfer powers, duties, and functions.

Responding Department: Board of Public Works

Administrative Impact(s):

Protects the Director of Public Works position from being transferred or consolidated by Mayoral or Council action without Charter amendment. The exemption would require a Charter vote to restructure the Director position in the future, if the Mayor or Council wanted to see a modification of this role.

The Board notes this protection must be read together with Section 500(a), which designates the Board as department head. Section 507(b)(9) protects the Director position; it does not alter the governance relationship between the Board and the Director.

Fiscal Impact(s):

No direct fiscal impact.

Administrative or Charter Amendment Required: The Board is neutral on this proposed change.

Advantages/Disadvantages of Proposal(s): N/A

Additional Concerns: N/A

RECOMMENDATION #4 - Board Reporting Relationship

Proposed Charter Reform Recommendation:

Section 581 — Transfer of Powers Recommendation: Charter Reform Commissioner Report which proposes to change:

(a) "make recommendations about short- and long-range public works plans and programs to the Mayor and Council" to "make recommendations about short- and long-range public works plans and programs to the Director of Public Works."

Responding Department: Board of Public Works

Administrative Impact(s):

Under existing charter language, the Board submits long-range infrastructure plans directly to the Mayor and the City Council, the two elected branches of City government. The proposed amendment substitutes the Director of Public Works for this reporting relationship, making the Director the primary recipient of the Board's planning recommendations.

This change inverts the accountability chain. The Director is an appointed official who serves at the pleasure of the Mayor. Routing the Board's planning authority through the Director means that an appointee rather than elected officials, determines what infrastructure plans receive consideration. The Board, a publicly appointed and Council-confirmed body, would effectively report upward to a subordinate rather than to those with democratic accountability.

The change also undermines the City Council's oversight role. Long-range infrastructure plans have direct implications for land use, budget, and community investment. The Council's ability to receive those plans directly from the Board is a governance check on executive branch infrastructure priorities.

Fiscal Impact(s):

No direct fiscal impact. However, the change affects which plans receive visibility and priority consideration at the elected-official level, with downstream consequences for capital appropriations and budget decisions.

Administrative or Charter Amendment Required: The Board is opposed to this proposed change, and recommends retaining the existing language.

Advantages/Disadvantages of Proposal(s):

Advantages of Proposed Change (as characterized by proponents):

- Centralizes infrastructure planning recommendations within the Department before transmittal to elected officials, potentially improving coordination between the Board and Director.

Disadvantages of Proposed Change:

- Removes the Board's direct line to elected officials, placing an appointed Director between a publicly accountable Board and the Mayor and Council.
- Creates a governance structure in which the Director can filter, delay, or shape Board recommendations before elected officials see them.
- Weakens the City Council's independent access to Board-level infrastructure planning, reducing legislative oversight of executive branch priorities.

Additional Concerns: Retain existing language directing Board recommendations to the Mayor and Council.

If the Council wishes to ensure the Director has visibility into Board planning recommendations, the Board recommends adding: "with a copy to the Director of Public Works" preserving the Board's direct accountability to elected officials while giving the Director appropriate notice.

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