



clerk CIS <clerk.cis@lacity.org>

Community Impact Statement - Submission Details

LA City SNow <cityoflaprod@service-now.com>

Tue, Mar 19, 2024 at 10:00 PM

Reply-To: LA City SNow <cityoflaprod@service-now.com>

To: Clerk.CIS@lacity.org, ethics.policy@lacity.org, commission@empowerla.org

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 enabled by the 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 resolution 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 Council's 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: Reseda

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The Board approved this CIS by a vote of: Yea(11) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 03/18/2024

Type of NC Board Action: For if Amended

Impact Information

Date: 03/20/2024

Update to a Previous Input: No

Directed To: Board of Neighborhood Commissioners, City Council and Committees, City Ethics Commission

Council File Number: 23-1027

Agenda Date: 03/18/2024

Item Number: XD

Summary: In this CIS, the Reseda Neighborhood Council addresses recommendations for the Charter Commission process as well as the Ethics Department and the Department of Neighborhood Empowerment. Please see attached pdf for our full statement.

Ref:MSG10026093



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[Council File 23-1027](#)

Charter Reform / Commission Creation / Periodic Review / Organizational Infrastructure / Strategic
Policies
Support If Amended

Council File: 23-1027

To: City Council and Committees; BONC; Ethics

In this CIS, the Reseda Neighborhood Council addresses recommendations for the Charter Commission process as well as the Ethics Department and the Department of Neighborhood Empowerment.

Charter Commission Process

A comprehensive review of our city charter is long overdue, but we believe a charter commission must be given increased power and independence.

1. Authority to place charter measure on ballot:

The Charter Commission must be given the authority to, if necessary, place a measure directly on the ballot. This authority, secured via the elected charter commission, was a driving force behind the charter reforms advanced to the ballot in 1999. The City of Portland's Charter Review Commission is empowered to place measures directly on the ballot if they are passed with the support of $\frac{3}{4}$ commissioners. In both Los Angeles and Portland, this power has forced legislative bodies to negotiate in good faith, and allowed

commissions to work with them collaboratively to advance meaningful reforms. We applaud Councilmember Raman for moving to get more information on this issue, and look forward to seeing further discussion on the matter.

2. Independent composition and limits on removal:

The charter commission must represent the interests and diversity of all LA residents, and not just elected officials and insiders. At least half of the commission should be picked in a manner similar to the proposed independent redistricting commission. There also needs to be a diffusion of appointing authority. No single elected official should be able to appoint more than 2 individuals to the charter commission. Lastly, limits need to be placed on removal of commissioners to ensure they cannot be removed through the unexplained actions of a single elected official as we saw with our last redistricting process..

3. Community input and engagement standards:

The charter commission should be given specific instructions on community engagement, including expanded notice requirements (potentially 7 days notice for all regular commission meetings), remote public comment at all meetings, spanish interpretation at all meetings, and a comprehensive language justice plan.

Ethics Commission Recommendations

As previously submitted under [Council File 22-1232](#), the Reseda Neighborhood Council supports the recommended changes to the charter if amended. Our city's Ethics Commission was a model for the nation when it was created over three decades ago, and an update is long overdue. We urge the city to do the work necessary to finalize a proposal for a future ballot. This work is necessary to address trust in government that seems to wane with every scandal. It deserves a full and fair hearing in committee with robust discussion.

The Ethics Commissions recommendations would largely reflect input received on how to empower the body to enforce the law, meaningfully change policy, and would change power dynamics at city hall. However, they fail to equally enhance the independence of the commission. This could give rise to elected officials strong arming commissioners and meddling with the enforcement actions and policy proposals they carry out.

We recommend the following specific amendments:

- **Independent Appointment:** The city of LA will not have a truly independent ethics commission until it ends the involvement of elected officials in the appointment process. The incumbent commissioners should be responsible for accepting and vetting applications through a public process like the [Oakland](#) and [Long Beach Ethics Commissions](#).
- **Eligibility Requirements:** The commission proposes adding restrictions excluding any bidder, contractor, developer, or someone with a direct financial interest in work of the city from service on the commission. These restrictions are warranted but incomplete. We also recommend excluding anyone who is a recent candidate for the city of LA, former elected officials in the city of LA, and anyone who has donated or raised above a certain threshold for local candidates.

- **Raise the vote threshold for removal of a commissioner:** The commission recommends increasing the number of elected officials who may initiate removal and reducing the threshold to a majority vote. We recommend requiring a 2/3rds vote for all removal proceedings of ethics commissioners.
- **Increased maximum penalty:** The commission recommends increasing the maximum administrative penalty to \$10k per violation. We recommend adopting [Chicago's max penalty of \\$20k](#) per violation model. In addition, the Ethics Commission should have the ability to recoup the costs of investigation. In cases such as the Les Moonves stipulation agreement, we truly see how insufficient the monetary tools available to the Commission are relative to the unspeakable harm to institutional trust. While donation levels have increased with inflation, the monetary fines available to Ethics stay pinned to the recommendations from the 1990s.
- **Raise minimum budget:** The commission recommends their budget be set at \$4.5 million and tied to the Consumer Price Index. While this would protect against retaliation or defunding during a financial crunch, this essentially freezes the status quo into the charter. \$4.5 million is a few hundred thousand above the commission's current budget. The recommendations include new expenditures, like outside counsel, which will require more money. If the Council is expanded, ethics will require more money. A minimum budget in the range of \$7-10 million would give the commission the resources needed to fulfill its broad sweeping mandate.

These reforms would ensure the commission is sufficiently independent enough to be entrusted with the expanded power offered.

Department of Neighborhood Empowerment

- **Empower the Neighborhood Councils to be heard at City Council and its committees both in person and telephonically.** Committees have been stripped of telephonic access without any public debate or deliberation and this makes the act of delivering a CIS substantially less accessible for volunteer Neighborhood Council members. Right now, a board member presenting a CIS passed by the Neighborhood Council must wait in the queue with other public commenters and may or may not receive time to present their CIS at public comment. Neighborhood Council board members are elected to represent thousands of stakeholders. By denying an NC more than a minute to present a CIS, the voices of those stakeholders are thwarted. In addition, Neighborhood Councils should have the opportunity to present their CISs at both the City Council and the Committees without being constrained to Committee presentations only.
- **Elected BONC Representatives:** Assuming BONC is retained, allow Neighborhood Councils to elect at least 2 at-large members to the Board of Neighborhood Commissioners. Appointing members to the City's commissions is an important power belonging to the Mayor and the Reseda Neighborhood Council does not recommend interfering with it. We propose this as an enhancement. Neighborhood Councils have no voice in the Department and Commission and we are required to live with their consequences. There is essentially no process to challenge edicts from the Department. This is analogous to taxation without representation.

- **Recognize alliances:** Alliances were not envisioned at the time the Neighborhood Councils were defined in the 1999 Charter reform. It is undeniable that alliances are an important part of the Neighborhood Council system. It is time they are recognized by the Charter including definition of how they can be funded. Consider a process for how an alliance can be certified and decertified. Alliances are in the Plan. It is time to recognize them in the Charter.
- **Neighborhood Council elections:** Move financial responsibility for Neighborhood Council elections from Neighborhood Councils to DONE and/or the City Clerk. It is a conflict of interest for Neighborhood Councils to be responsible for the elections that challenge their seats. Also, Neighborhood Councils' budgets have shrunk to such an extent that there isn't money for both the election and supporting our constituents.
- **Empower Neighborhood Councils to communicate with all lawmakers:** A City Attorney decision limits Neighborhood Councils to discussions with City elected officials only. Neighborhood Councils are restricted from talking to the County and the State. This means we are not even supposed to communicate with METRO on behalf of our stakeholders. Each City Councilmember represents large swaths of the City. Even with more City Councilmembers, there is no way to bring the voices of our communities to those outside the City. Neighborhood Councils should not be able to represent the City, but we should definitely be empowered to represent our neighborhoods.

Response to DONE's report

DONE says, "Clarify and strengthen the language around the purpose of empowerment." The Reseda Neighborhood Council does not agree the purpose needs clarification although it does not hurt. A better or additional approach is to define empowerment to provide guidance to DONE. DONE in recent years has behaved as an enforcement organization and not an empowerment organization. The direction appears to be dependent on the General Manager, City Attorney, City Clerk and Mayor. An apt analogy is for DONE to be to the Neighborhood Councils what the Chief Legislative Analyst is to the City Council. Charter support for true empowerment would be a welcome relief.

The Department recommends strengthening "the role of Neighborhood Councils in monitoring city services." The Reseda Neighborhood Council agrees. When one of our constituents has a service request, it would be a huge help if we had a way to see its status. The Departments won't talk to us. We can call the Council Office and have them make the call, but this is not efficient and is definitely not empowering. This may not be what DONE had in mind, but it is what the Reseda NC would like to see. Additionally, recent advice from the City Attorney's office has specifically denied our charter mandated role in monitoring city services by claiming we cannot monitor the activity of the City Attorney's office.

DONE requests an exploration into "the feasibility of establishing an independent budgeting process." The Reseda Neighborhood Council vehemently disagrees with this. The more Departments that have "an independent budgeting process," the less flexibility the Mayor and City Council have to shape where the City spends its money. It is a poor way to budget. It makes sense for the Ethics Department because the Mayor and City Council should not have the ability to starve its watchdog. There is no similar impediment for the Department.

The Reseda Neighborhood Council also opposes exempting some of its positions from the Civil Service. All departments want exemptions. There needs to be a stronger rationale for granting this request.

Thank you for your careful consideration.

Reseda Neighborhood Council

This statement was passed at a Brown Act compliant meeting on March 19, 2024 with a vote of 11 yes, 0 no, 0 abstain.