

Neighborhood Councils

In The

City of Los Angeles

An Option Report

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Introduction

The voters of the City of Los Angeles passed a new charter in June of 1999 that called for the creation of neighborhood councils throughout the city. The charter provided for the creation of the Department of Neighborhood Empowerment (DONE) within 120 days of the passage of the charter, and gave it a year to develop a plan of implementation. The plan was to be submitted to the City Council for approval. If at the end of six months, the Council did not approve a plan, the DONE plan would take effect. This Option Report is being presented to the Commission of the DONE and to the City Council in the hopes of expanding the horizons of these decision-makers on what might be. We also hope it will be useful to others in the city as they explore what neighborhood councils mean to them and how they might work in their communities.

The *Option Report* is based on interviews conducted by the League of Women Voters, members of the Civic Coalition for Charter Reform (see attachment A), and the Advisory Committee to the Neighborhood Council Workshop Project with department managers, members of the DONE Commission, and members of the City Council. It also draws on the experience of neighborhood councils in other cities. The purpose of the interviews was to engage agency heads in thinking about how their departments would be affected by neighborhood councils and to learn how these new institutions might fit into the particular nature of Los Angeles City government. The report addresses the more controversial pieces of the Plan. It is intended to be a point of reference, not an ordinance.

It is the sense of those who participated in this study that when one mentions the term “neighborhood council,” the hearer has a preconceived notion of what it means. But each meaning differs in some degree or other from everyone else’s. It is a little like asking people to define “home.” By exploring the possibilities, we hope that readers of this report will come to see other visions, or how the pieces of the puzzle might come together to form a cohesive whole for both communities and the City.

The report is broken down into several sections as follows: the over-all vision; the neighborhood councils; the early warning system; the DONE and its commission; the citywide convention; and evaluation.

The Vision

The Charter: *Article IX, Sec. 904: The Department of Neighborhood Empowerment shall develop a Plan for a citywide system of neighborhood councils.*

As the Advisory Committee considered the options, it was clear that there are several different visions of what neighborhood councils might mean for Los Angeles. Four possibilities are outlined in this section. Whatever the vision of the whole is, it will have some bearing on how the different pieces fit together. It is, therefore, appropriate to consider some possibilities at the outset, recognizing that what finally emerges may differ in either the short or long-run.

Three-Tiered Systems

There are two alternatives in this system, one presuming the middle tier is a governing structure with representation from the neighborhood councils established by region, the other a middle tier that is merely a resource center for the lower tier.

The upper tier is the annual convention, which could become both the policy-making body for the neighborhood councils in time, and would certainly become the main point of contact between neighborhood councils, helping to broaden perspectives, develop coalitions and work on common problems. It could authorize special committees on a standing or an annual basis to work on issues such as ethnic relations, public safety, environmental problems, etc.

The Federal Model

Neighborhood councils are divided into regions, which could be no more than an aggregation of three or four councils, or as large as 7 Area Planning Commissions established in the Planning Department. Above the regions is either the annual convention of neighborhood councils, or city government itself.

This three-tiered system would permit any number of neighborhood councils without regard to the size of the council. The balancing would come at the regional level based on population, geography, number of neighborhood councils, or historic community identities.

- Neighborhood councils would send representatives to the regional level.
- Staffing and office support would be established here to serve both the neighborhood councils within the region and to represent the region to city government.
- Additional resources to neighborhood councils or projects within neighborhood councils would be supported from the regional level.

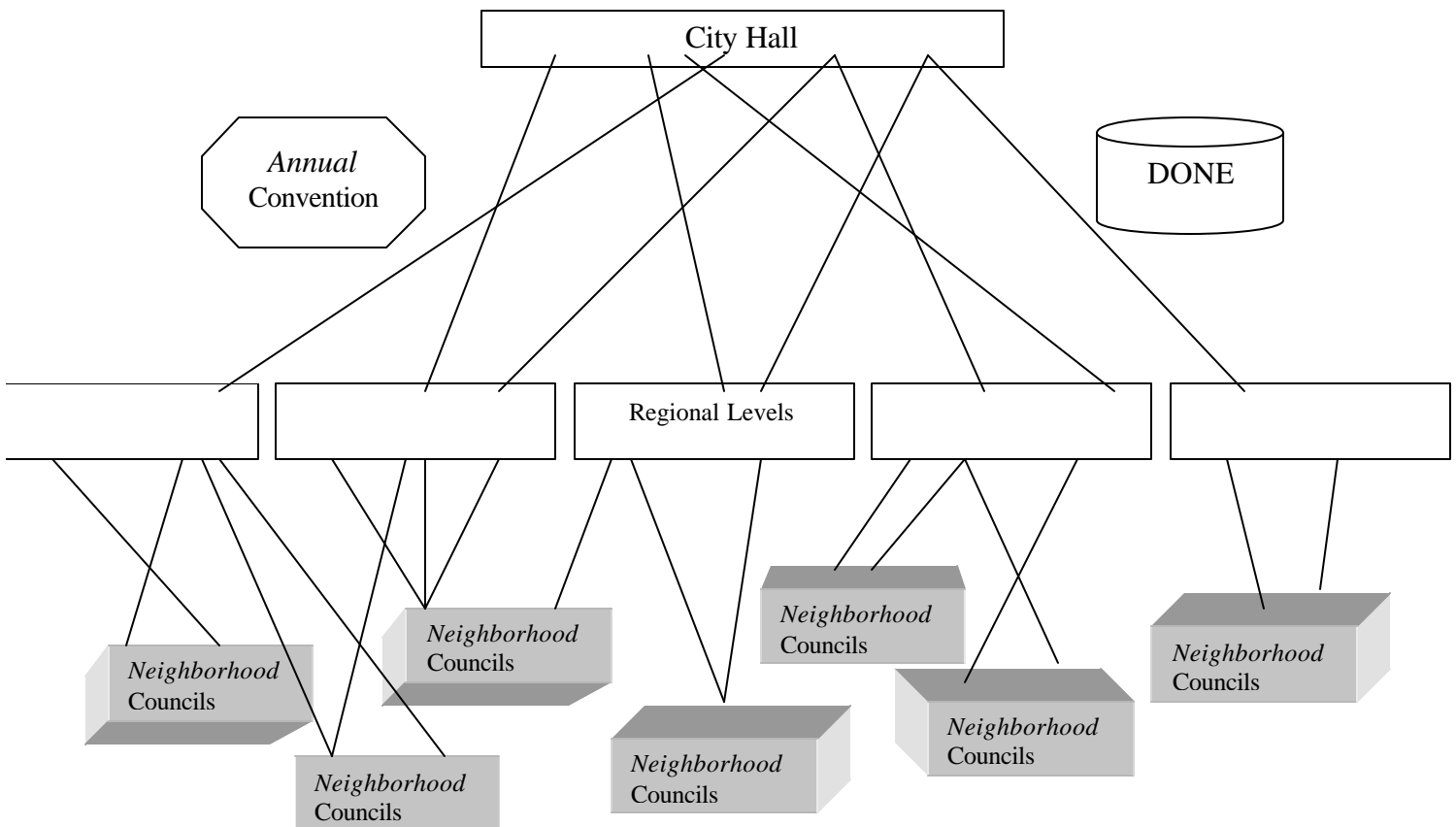
- The regional body might take positions on behalf of the neighborhood councils within their jurisdiction.

Pros:

- This structure provides the easiest to understand governance structure, giving more power to each level as it goes up the ladder – not unlike our structure of government.
- It helps local organizations develop broader perspectives, and facilitates their cooperation on regional problems and goals.
- It provides for smaller neighborhood councils than those allowed under a minimum population model, which may fit with many of our smaller communities. It does assure balance at the regional level, where each region would be roughly comparable.
- It gives voice to both neighborhoods and regions of the city, and may be especially helpful when issues overlap communities.

Cons:

- It puts a filter between the neighborhood councils and government, with all that implies in a clear and immediate response to issues.
- While it strengthens the region, it weakens the voice of the neighborhood councils themselves as the point of reference.
- It shifts the authority from the bottom to the middle of the structure.



The Spider Model

In this three-tiered system, the cream between the layers would also be formed by an aggregation of neighborhood councils, but the regional level would be a resource center for the neighborhood councils within its boundaries. As above, this system, too, would balance its structure by population, number of councils, etc.

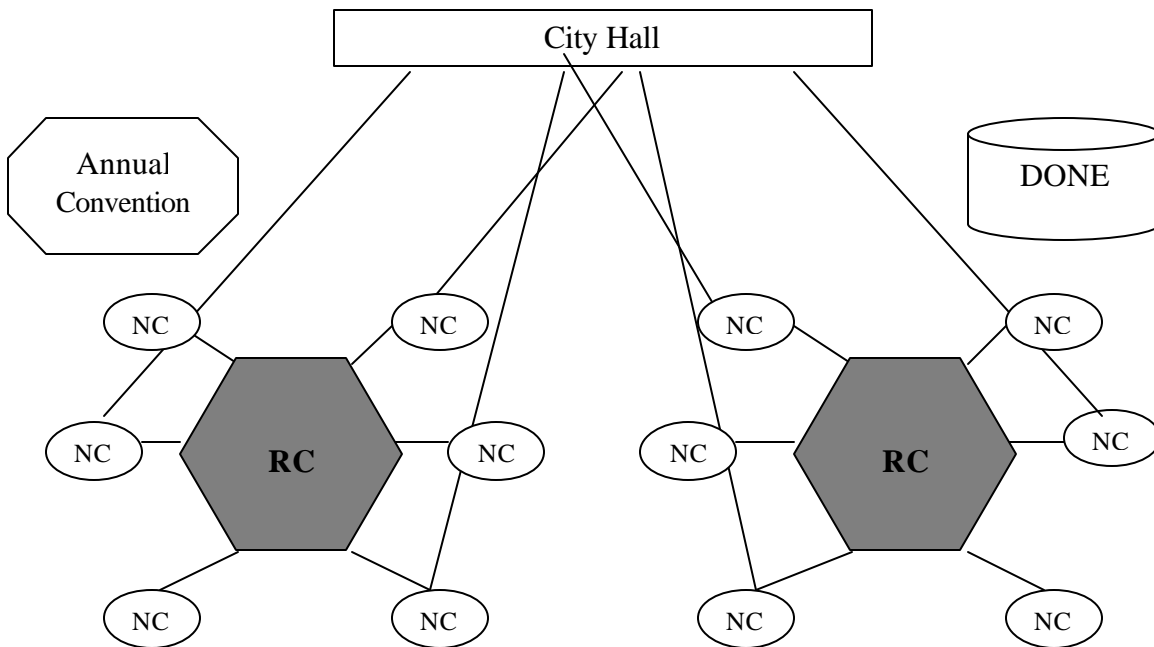
- The staff and resources for the neighborhood councils would be housed at the resource center.
- The neighborhood councils would communicate directly with city government, not via the regional tier.
- Communication between the neighborhood councils might be promoted via the regional center, but there would be no specific responsibilities allocated in the plan to their relationship.
- Should they choose to cooperate on any matters, the resource center could facilitate their activities, assuming they were approved by the participating neighborhood councils.
- If the City were to designate these regional levels as constituency service centers (as is the case with the 8th District Empowerment Congress), every city agency could be represented, significantly easing communications between neighborhoods and departments, on the one hand, and between agencies on the other.

Pros:

- The authority to represent the neighborhood remains at the neighborhood council level.
- The aggregation of staff and resources gives each neighborhood council within the region the opportunity to avail itself of more support when it needs it.
- Allocating resources at a regional level provides for a more efficient and fairer distribution of resources because those who need more would get more, and those who don't need as much would not feel "someone else is getting their fair share."

Cons:

- This requires a complex system that may be too expensive and too cumbersome for neighborhood councils and city departments that would be required to be responsive to both.
- It puts a filter between the neighborhood councils that might confuse preferences (e.g., if a neighborhood council wanted one thing and the regional body wanted another).



Two-Tiered Systems

A Hundred Candles Model

This model eliminates the notion of a regional tier. Each neighborhood council (of whatever size) operates on its own with support from the DONE, and maintains its own relations with elected officials and city government agencies.

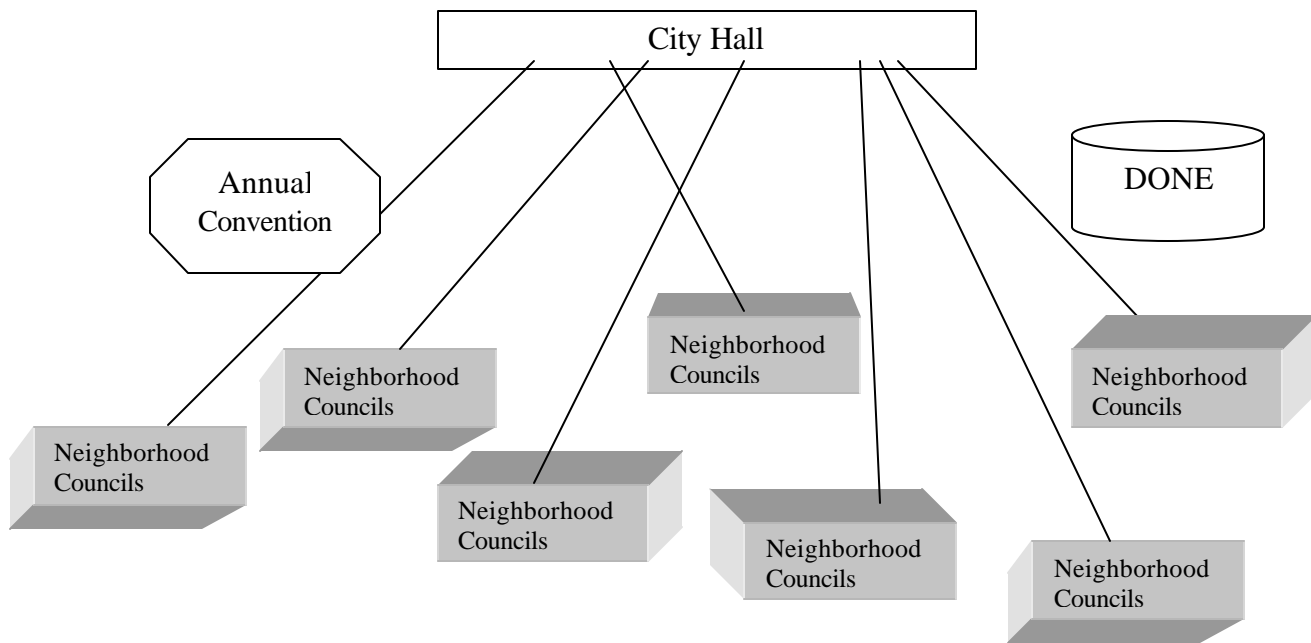
Under this model, staffing comes from DONE central, and each council maintains its own relationships with government agencies. As with the other models already described, the neighborhood councils do connect with each other at an annual convention where they could deal with citywide issues.

Pros:

- Without a filter, these groups would be more individualistic in their development.
- They can establish more direct relationships with city departments.

Cons:

- It would be hard to calculate the costs of sustaining an untold number of neighborhood councils because of the differences in size and their needs.
- It will be harder for city departments to coordinate their responsiveness to each other and it will certainly be harder for them to provide more personal services to each council.
- There is no built-in encouragement for regional cooperation between neighborhood councils.
- The political clout of the neighborhood councils will depend on their individual strengths, which probably means the larger ones will be more effective and the smaller ones less so.



Major League Teams Model

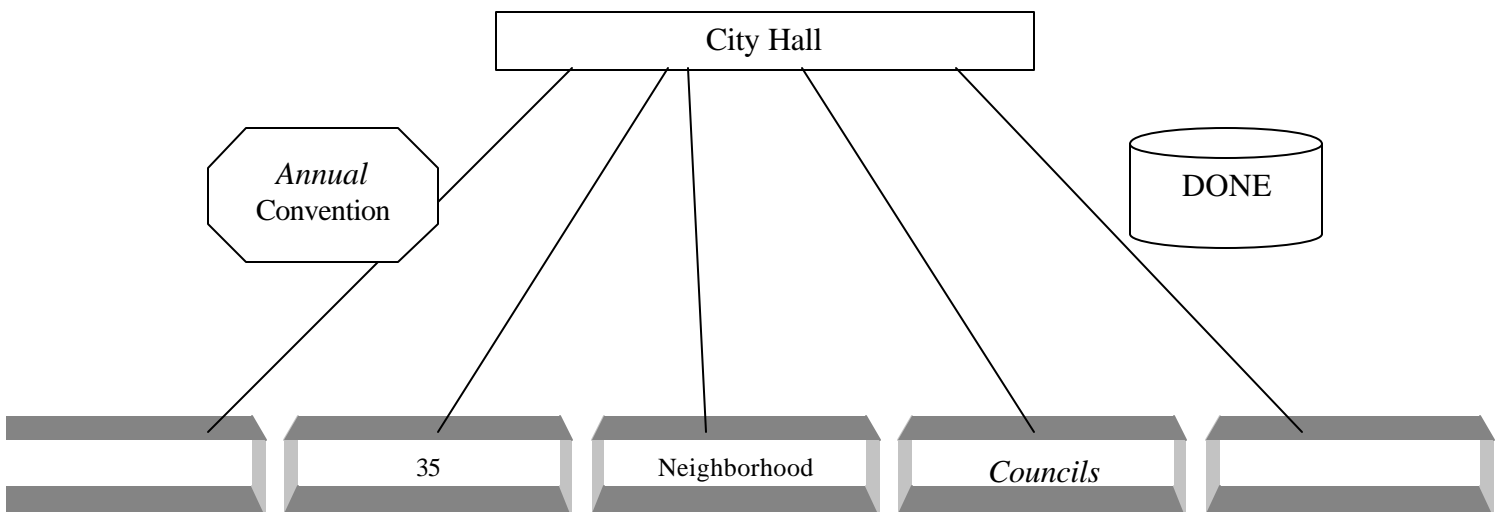
Under this model, the neighborhood councils are few in number, coinciding with the 35 area planning commissions, for example (or any other division such as the 17 Fire Department Battalions, the 18 Police Divisions, etc.). Because they are large, they can represent all the major stakeholders envisioned in the charter: homeowner groups, renters, schools, religious institutions, business, ethnic leaders, health care institutions, etc. Because they are large, when they speak, they carry a big stick.

Pros:

- This structure decentralizes city activities in a way departments could not afford to overlook.
- Councils will have a broader group of stakeholders involved.
- Smaller sub-structures could be created that would not have the resources of the larger group, but would be more homogeneous in terms of their own community cultures. 1
- It will be easier for elected city officials to maintain relationships with the neighborhood councils.
- It would be easier for the DONE to service a smaller number of groups.

Cons:

- The areas are too large to really represent individual communities.
- There is less likelihood that smaller neighborhood issues would be addressed.
- There will be fewer leaders emerging in this system because there will be fewer opportunities.



However the neighborhood councils are structured, it is apparent that once a community voice is established, it will have the authority to speak for the community to every level of government – not just city departments. This will have an important impact on health care delivery in the City as well as schools.

The Neighborhood Councils

Boundaries

The Charter *Sec. 904 © The Regulations shall establish the method by which boundaries of neighborhood councils will be determined. The system for determining the boundaries will maintain neighborhood boundaries to the maximum extent feasible, and may consider community planning district boundaries where appropriate.*

The issue of community boundaries will probably be one of the most vexing questions because there are so many alternatives, and so many complicated interests at stake in the outcomes (property values, history, changing communities, etc.). The Plan needs to provide some guideline to the councils as they organize, although it is possible that the guide might be a list of criteria that need not be met in the entirety. If, for instance, there is a minimum size suggested and a community does not reach it, it might satisfy other criteria and the certifying body could take that into account. A minimum size of 25,000, for instance, would preclude Bel Air and Chinatown, among others from forming their own neighborhood councils.

Should there be a minimum and/or maximum size to neighborhood councils?

Pros:

- A minimum size encourages communities to stay together and not break up into factions that are too small to include many stakeholders, or to have influence with city government.
- It helps establish the notion that these are really “community” rather than “neighborhood” councils: not the few blocks that residents are likely to walk.
- It guarantees a certain parity in the distribution of resources.
- It eliminates some of the uncertainty in budgeting, especially in the early years before the council system is truly citywide and we know how many councils there will be.
- A maximum size might be more helpful than a minimum to reach the goal of fostering a sense of community with easy access for participation – unless there really is a strong sense of community.
- A high minimum may make it easier to represent the larger community interests.

Cons:

- The goal of the Plan is to ensure maximum feasible flexibility. Some communities are bounded by geographic limitations, or other factors, and could not form a council unless they merged with another community, which rather defeats the goal of a neighborhood council in the first place.
- If a community reflects other criteria, such as historic, geographic or cultural hegemony, the certifying body could take that into account.

- A low minimum may make it harder for neighborhood councils to function with each other and develop effective coalitions that cross community borders.
- A high minimum may make the councils too big to represent community interests that are smaller and closer to home.

Stakeholders

The Charter: *Sec. 906: Certification of Neighborhood Councils. (a) By-laws (2) neighborhood council membership will be open to everyone who lives, works or owns property in the area (stakeholders).*

The presumption is that “stakeholders” includes homeowners, renters, business, schools, religious institutions, civic and non-profit organizations. It might also include youth, ethnic groups; seniors; etc.

The question was raised whether stakeholders had to be defined as belonging to organizations. Some may choose not to belong to one. Some may not have an organization to speak for them (e.g., household workers).

Pros:

- If individuals were permitted to represent themselves on the neighborhood councils there would be no reason for a feeling of exclusion.
- It may be difficult to find volunteers and, therefore, no one should be turned away who wants to participate.

Cons:

- Representation implies a constituency. It assumes that those who sit at the table answer to someone other than themselves.
- One goal of the neighborhood councils is to provide an institutional format for community engagement on issues that affect it. That implies that once a decision is made, it represents more than the views of those who were in the room at the time.
- Gadflies – those who seem to devote themselves to personally representing the public’s interest without regard to constituency -- may drive people away from neighborhood council meetings, even when they may occasionally have something important to say.

The question was also raised about those who choose not to participate. The answer is that this is a voluntary structure and research suggests that relatively few will ever participate in the best of circumstances. The most active participation rates are in Portland, Oregon, and that reaches 7 percent. Normally, no more than 2 percent of the

population actively engages in community activity. The value of the neighborhood council is that it is there if you want to use it.

Participation

There is a certain ambiguity in the use of the term “member” when we talk about neighborhood councils. On the one hand we are talking about the community: all of the stakeholders as members; and on the other we are talking about selected leaders. The members – as those who live and work, or otherwise have a stake in the community – should participate in the selection of leaders, and be encouraged to come to meetings of the council and engage in other council activities. The “members” of the council or board of the neighborhood council are its leaders.

Although the method of selection of leaders is left up to the neighborhood councils, it may – or may not – be appropriate to recommend terms of office.

Pros:

- One of the perceived weaknesses of the homeowner associations over the years is that many their leaders have been in office for so long there is sense that they speak more for themselves than the organizations.
- By requiring regular elections, the councils will be engaging more residents in the city – empowering them in the knowledge they gain about how city government runs – even when they leave office.
- Given the term limits for city offices, the neighborhood councils are the logical place to look for the emergence of new leaders, which would be facilitated by regular contested terms of office there.

Cons:

- The Plan should not be so specific regarding the structure of the neighborhood councils.
- Even if thousands of residents turn out to participate as leaders in the neighborhood councils, it is quite likely that some communities will have a hard time recruiting those willing to serve in leadership positions.

Participation in neighborhood council meetings does not have to be the sole opportunity for residents to engage in neighborhood councils. There should be opportunities for volunteers to help in a variety of activities from social events, to jobs undertaken by the council such as mapping, or clean up, or working on special committees for youth, public safety, etc. The most effective groups will doubtless be those that offer more than just the formal procedures outlined in the charter.

Budget and Fund Raising

The Charter: *Sec. 909 Annual Budget Priorities. Neighborhood councils may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified neighborhood councils of the deadline for submission so that the input may be considered in a timely fashion.*

This section refers to the role of the neighborhood council in the City's budget. This is a role played fairly effectively in other cities, e.g., Portland, where the councils develop their priorities and then participate in the budgeting process after working their way up through the neighborhood council structure. It may be the most powerful and satisfying roles of the councils, although there will always be some conflict of priorities and the distribution of resources.

Another part of budgeting refers to the basic funding for the neighborhood councils themselves, which will come out of the general fund in a budget presented by the mayor and approved by the City Council each year. There is a question of whether such funding would be sufficient, equitably distributed, or efficiently distributed. Some communities clearly have greater needs than others, and some have a greater capacity to organize to raise money than others. The argument has been made that neighborhood councils in better organized communities would have greater resources to attain additional funding. It is equally probable that there is more funding available for poorer communities, which should equalize the distribution of these discretionary funds to some degree. And if the councils are staffed, the ability to raise funds should also be equitably distributed around the city.

Should all neighborhood councils be tax exempt organizations?

Another aspect of this question that has generated some discussion, is whether or not the neighborhood councils should or could be tax exempt organizations (501 © (3) groups, which would enable them to secure foundation grants.

Pros:

- It would free each council to pursue additional funding for projects from foundations on their own.
- They would be required to keep financial records required by the Federal and state law on the subject.

Cons:

- It would put an added burden on the councils and/or their staff to maintain the financial records necessary to satisfy state and federal law.

Should there be a tax exempt foundation established by the DONE available to all neighborhood councils?

Pros:

- It would relieve each council of the paperwork necessary to sustain a tax-exempt status.
- A central fund-raising point would give the City a better sense of who is raising money and for what kinds of projects, which might be helpful in future budgeting.
- A centralized foundation with professional staff devoted solely to that purpose might be able to identify more sources of funding and facilitate local proposals.

Cons:

- A central foundation might require neighborhood councils to conform to its priorities instead of pursuing their own.
- With limited staff, it might slow down the funding process.

Whether the budget concerns the activities of the neighborhood councils, or the priorities of the City, it should also include sufficient funding for communication to residents about the work of the neighborhood councils and other issues they deem important.

A Neighborhood Council Ethics Code

The City Attorney will determine whether or not – or how -- the neighborhood councils are subject to the Brown Act, but there are still a number of issues that might be addressed in terms of a working code of ethics for the neighborhood council system that they might develop themselves.

While the councils are not decision-making bodies with authority to distribute public goods and services, their influence will be fairly substantial on those who do make the decisions. And even though their leaders are voluntary, it is certainly possible that conflicts of interest could arise, especially if land use decisions are at stake. But is it reasonable to ask neighborhood council leaders to engage in the kind of disclosure now required by the City's Ethics Code for appointed and elected officials?

Pros:

- A code of ethics would assure greater confidence in the system.

- The code need not be as encompassing as that which guides full-time officials, but going through the process of developing one should help make clear to all involved what their responsibilities are.

Cons:

- The neighborhood councils should not be burdened unnecessarily with red tape that will drive participation down.
- The current laws should be sufficient to ensure confidence and ethical behavior.

Powers of the Neighborhood Councils

The Charter: *Section 908. Subject to applicable law, the City Council may delegate its authority to neighborhood councils to hold public hearings prior to the City Council making a decision on a matter of local concern.*

The charter provides that the neighborhood councils are advisory – as are all neighborhood councils in the United States. The question of their power was the subject of much discussion during the charter reform process. They are not decision-making bodies of government. They are more analogous to political parties. They are important as the vehicles through which public policy is debated and sides taken. When in office, their views are often adhered to. In the specific delegation of authority identified in the charter, the view of the neighborhood council would, presumably, carry considerable weight. As the voice of the community, it speaks not only to the City Council, it also speaks to every other level of government.

Still, could the neighborhood councils have some decision-making authority? During the course of the interviews it was suggested that one important function of the councils would be to prioritize the communities interests: longer library hours; tree trimming; another staff person in the park, etc. In this case, the respondent suggested, the council might agree to extend the library hours and the Library Department would have 10 days to respond. The obvious response to this suggestion, of course, rests in two areas: the budget; and employee contracts.

In Portland, the neighborhood councils participate in the budget process. Their priorities are taken into account when the budget is being prepared. Having a voice and participation in the process, they must also learn to balance priorities, and herein lies one of the strengths of the entire structure: choices are always hard, but if residents at least have a place in the process they are more likely to understand and accept the outcomes. Especially if they see gains in achieving their goals. If they do not see change, their recourse is to throw the rascals who do have the power out at the next election.

As for employee contracts, these too, are constraints on government that make it move slower than some might like, but they are not immutable. Unions can be engaged in the process with neighborhood councils as well.

Early Warning System

The Charter: *Sec. 907. The Regulations shall establish procedures for receiving input from 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 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.*

One of the purposes of creating neighborhood councils in the first place was to give communities a voice in city government. In the past, generally only the concerns of homeowner groups, lobbyists, business and labor were heard on pending issues. The goal of the Early Warning System is to give communities a voice in decisions – if they want it. The system is expected to provide information about issues under discussion more than a day or two they come to a vote. There are three questions under discussion: how much information; how soon; and to whom? The answers will probably vary with the agency and the particular items under discussion.

How much information?

There is no consensus on how much information, although there is recognition that e-mail and the Internet make a great deal possible.

One model that might serve the neighborhood councils well (and could be provided to every entity and individuals) is that currently used by the City Clerk. Since notification is by e-mail and the Internet, there is no fiscal reason to structure limits. The hard copies could be available through postings at kiosks, city facilities, libraries, schools, religious institutions, etc. – whatever a neighborhood council deems to be a place frequently used by local residents.

Pros:

- It should not be up to city government to decide what is relevant to residents, they should be able to decide that for themselves. If empowerment is to mean anything, it should mean that people can choose their own issues. They – rather than City Hall -- get to determine what is important.
- There might be categories of information (decisions to be made within a certain time frame, or of relative importance in terms of the obligations they might impose on residents in terms of procedures or money, etc.
- Given term limits, it may turn out that the neighborhood councils have a longer institutional memory than council offices or the mayor because the

staff and many members of the councils will be around longer and may not be limited in their terms of office. That would not apply to the city departments protected by civil service.

Cons:

- Too much information will lead to overload and important items will be missed.
- Most residents and/or councils will only be interested in the issues on which they have expressed concern.
- It may require too much time to sift through items that are not of interest on the part of volunteer council members.

When should the information be provided?

If the goal is to give residents an opportunity to express their views well before a vote is taken, then the notification should be given when city government first begins to consider an issue. But many issues don't well up in a neat progression from an idea to a decision: sometimes decisions must be made quickly; more likely, those involved with the issue will think of their activities as merely following along already-established paths.

Possible times to provide warning include:

- When a department assigns a project to staff to consider.
- When the department submits the project to a discretionary authority such as a commission or City Council committee.
- When a formal (written) or informal (verbal) request is made by City Council to a department
- When a department or member of the City Council feels the issue would be relevant to neighborhood councils

Who should be notified?

The answer to this question depends partly on the structure envisioned: Every neighborhood council, every member of the council, a middle level tier? Should the notification go to staff, leaving it to them to inform the council members, or should it go to both staff and councilmembers? Or should the information be made available to anyone who wants it via the Internet, or through e-mail? Notification could be established in a two-step process that would solve the problem of too much information:

- Neighborhood councils could be notified at the beginning of each year of what sort information is available or decisions made, and they could make requests for individual or group notification.

- Notification by departments, City Council, etc., could be listed on the Internet, and neighborhood councils and individuals could request it sent to them directly. This would solve the question of choice on the part of the City.

Given the capability of e-mail to notify everyone with access to a computer and modem, perhaps the more important question is whether or not training would be required to understand the implications of what is available, how to access it, and to whom it is being distributed.

Certification

The Charter: *Sec. 904 (e) The Regulations shall establish procedures and criteria for recognition or certification of neighborhood councils.*

Sec. 906 Certification of Neighborhood Councils

(a) By-laws. Each 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:

- (1) the method by which their officers are chosen;*
- (2) the neighborhood council membership will be open to everyone who lives, works or owns property in the area (stakeholders);*
- (3) assurances that the members of the neighborhood council will reflect the diverse interests within their areas;*
- (4) a system through which the 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 councils may petition for certification or recognition in accordance with rules and procedures set forth in the Plan.

Although the major criteria are outlined in the charter, there are some issues that remain unclear and require further deliberation. These include: who does the certifying (and presumable “decertifying”); identifying stakeholders; and what sort of ethics code neighborhood councils might develop for themselves, or as a whole.

Who Does the Certification

There are three possibilities, which could operate over time: the DONE; the Commission (BONC – Board of Neighborhood Councils); or the annual citywide meeting of the neighborhood councils.

The General Manager of the DONE: If the general manager of the DONE does the certifying, it would be akin to approvals in many city departments, with an appeal to the BONC.

Pros:

- Most of the work of assuring compliance with the regulations will be done by staff and, therefore, if there is no controversy because some groups feel left out, or there is conflict with a neighboring council, the certification process should be rather pro forma.

- Staff can devote full-time to these issues, while the BONC is a voluntary, part-time role and – at least in the beginning – this may end up as a more cursory view of the issues and a rubber stamp of the DONE anyway.
- If there is an appeal it would go to the BONC.

Cons:

- This puts too much power in the hands of single person, even if there is an appeal to the BONC.
- The job of the DONE would be made easier if it is clear they do not have the authority to thwart the interests of a community.
- An ultimate appeal to the City Council – the most representative and only accountable body in this process – is more democratic.

The Commission does the certifying based on recommendations from the DONE.

Pros:

- The BONC was specifically chosen to represent geographic areas of the city as well as possessing a citywide perspective. If the question of certification involves political judgements as to whom, or who is not a stakeholder, it has a better chance of bringing that judgement to the issue because it is a group.
- The suggestion has been made that if the BONC does the certifying, the appeal would be to the City Council, which might put the question in the hands of unsympathetic city councilmembers. But if the decision is so controversial that it would go to the BONC on appeal, it could be reviewed by the City Council anyway – assuming two-thirds vote to hear it.
- The City Council is the elected represented body. Only its members and the mayor can be held accountable for decisions.
- The BONC was specifically designed to be a weak commission because it does not make sense to put public oversight over public action – the neighborhood councils, after all, are political not governmental organizations. But the one role they were expected to play (after the submission of the Plan) was of community representation when there are disputes between communities, or as an appeal within a community.

Cons:

- There are apt to be a great number of certification requests in the beginning, perhaps overwhelming the BONC in the early years. The volume of work may mean less attention, or become a disincentive to serve.
- The BONC would be dependent on staff work for most of their in-put in any case, even if individual members were more knowledgeable about the communities within their geographic area.

- Appeals would go to the City Council, a much more political body that may be subject to political pressure of a different nature.

Certification by Annual Congress.

Pros:

- The neighborhood councils are essentially community organizations, while the BONC is appointed by the mayor. If a comparison could be made between the neighborhood council system and the political parties, the parties write their own rules and do their own certification, but their participation in the system is somewhat structured by federal and state law.
- If the citywide structure assumes responsibility, it would be putting that responsibility in the hands of the community rather than the government.

Cons:

- The annual meeting may turn out to be nothing more than an occasional meeting of some councils and there is no guarantee that it will assume such administrative responsibilities.
- The task of handling disputes within and among neighborhood councils could not be handled as efficiently in a structure that meets officially only once a year.
- The DONE staff should be sufficiently trained in mediation and dispute resolution so tasks should be resolvable within the DONE and the BONC. If the issue is so divisive, it will go to the City Council for resolution.

The issue of certification also brings up the issue of decertification and perhaps makes clear the political and sensitive nature of the entire process. It does not seem appropriate to suggest that the decertification of a neighborhood council should take place in the shrouded light of bureaucratic rulings. Reasons for decertification could include lack of interest and participation by the community's stakeholders; malfeasance in office with regard to fiscal or other matters; or – as has been known to happen occasionally in other cities – misuse of office.

The Department of Neighborhood Empowerment

The Charter: *Sec. 901. 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.*

The charter addresses most – but not all – of the issues that need to be considered in the development of the Plan. It does not, for example, consider the standing of DONE staff, which has been a topic of much discussion. It leaves the notion of the Congress of Neighborhoods as a possibility, rather than an expectation (as had been the discussion during the charter reform process). And it does not speak to the possibility of creating communities of interest, along with geography, which was considered key to getting neighborhood councils to think beyond their borders. While none of these issues need to be in the Plan, if decision-makers want to get a clearer picture of what the neighborhood council might be like, it seems appropriate to refer to them here.

The DONE staff

There are two issues for discussion: whether or not they staff is hired under civil service regulations; and who hires them.

Civic service or exempt: This issue applies principally to those members of the DONE staff whose job is to facilitate the development and maintenance of the neighborhood councils in the field. Staff options are (1) a smaller portion whose work involves support for the councils and could be hired under civil service, and (2) field staff who are more comparable to council and mayoral political staff who could be exempt.

Pros:

- The job should be as community-sensitive as possible, and those who hold it should be as politically sensitive as possible – knowledgeable about the communities in which they are working and the relationships among the various constituencies.
- The field staff should be able to be removed with as little difficulty as possible by the community and/or the neighborhood council system.
- Being “exempt” does not mean that the staff are without health and retirement benefits. It would mean they would not have tenure rights to the job.

Cons:

- The job exists in a politically-sensitive environment, but the support staff should not be involved in the politics of day-to-day operations and, therefore, should be civil servants.
- Because the job is so “hands on,” the staff deserves the protection civil service offers public employees in job security.
- The job should be as “unpolitical” as possible, with staff able to work with all factions without taking sides because they are protected by civil service from unwarranted pressures.
- There should be basic requirements (met whether or not the job is under civil service) that can best be attested to under a civil service system.
- There is less danger of favoritism if the job is a civil service job because of the objective requirements that will be set down by the Personnel Department.

Who should hire the organizing staff? The most frequently debated question is what would happen if the staff does not get along with the neighborhood council and/or the general manager of DONE?

Field Staff Hired by the DONE

Pros:

- Stronger probability the staff will be uniformly trained and loyal to the entire neighborhood council system.
- Can be more easily moved among neighborhood councils, benefiting from experience.
- It is sometimes easier to send someone into a community who doesn't have any ties to it.

Cons:

- The point of the neighborhood councils is to be committed to the community – not the city structure.

- There may not be any advantage in bringing in someone from the outside who starts from ground zero in getting to know the community.
- A principal function of the DONE should be the training of staff, regardless of who hires them.

Field Staff Hired by the Neighborhood Councils

Pros:

- The neighborhood councils could hire a known community leader who has the trust and credibility to deal with all sides.
- The staff member might live in the community and thus be closer at all times.

Cons:

- Field staff -- of all people -- should keep the bigger picture in mind of how the community fits into the larger city.
- It will be harder to evaluate staff from one council to another for purposes of merit raises.

There is, of course, a third alternative: the hiring committee could include both DONE and neighborhood council representatives, and any difficulties would have to be worked out with both.

It is also quite likely that, in the short-run, the DONE will need to hire staff to organize the neighborhood councils. And in the long-run, that the organizing staff will not have the same skills or interest in maintaining a neighborhood council. These could be two different skills and, in effect, career choices. That being the case, perhaps the organizing could be contracted out to others altogether.

Congress of Neighborhood Councils

The charter provides the opportunity for neighborhood councils to meet every year in a general meeting. The intention of many of those advocating the system was that they should meet, and it was written as a possibility instead of a certainty in case the neighborhood council system did not function as anticipated throughout the city, in which case it could be an unnecessary expense. Assuming the system does function, the role of the annual Congress can become quite important to the councils themselves, and to the City as a whole.

Place to Cross Boundaries and Find Common Ground

- The annual Congress would be the place where neighborhood issues were shared: common problems, solutions, new alternatives.
- Emerging issues could be identified in workshops
- Skills and training opportunities provided
- City department could provide information and contacts
- Standing committees could be created to work during the year on problems such as ethnic relations, environmental issues, development, etc.

Setting Policy

The annual Congress might, in time, set policy for neighborhood councils and take over the general governance of the structure. The BONC was created as a weak commission because it didn't make sense to put public oversight over the public. It is essential to get the entire structure off the ground, and to settle issues between neighborhood councils, but if the neighborhood fulfill their potential, it may make sense for them to be as self-sufficient as possible, allowing for the need to be mindful of the budget.

What role should the DONE play in the annual Congress?

- The charter gives the DONE responsibility for running the annual Congress, even if there comes a time when the Congress wants an on-going role in developing policy.
- One important part of DONE support might include staffing for initiatives that come out of the annual Congress, i.e., for on-going committees.
- The physical arrangements should be undertaken by the DONE.

Training

There are certain expectations about creating a successful neighborhood council system that presume a variety of skills within the DONE staff and for the neighborhood council leaders. These skills include running meetings, mediation and dispute resolution, knowledge of how city government works, communications, emergency preparedness, and perhaps ethics training. The questions for this report are what training should be supplied and/or offered; and who should do it.

Should training be required?

Pros:

- Neighborhood councils trained in these skills are needed in order to have effective neighborhood councils.

- The training should be consistent for all neighborhood council boards, even though some boards may need more training in one aspect or another.
- The mediation and dispute resolution skills, particularly, could be important at the community level, helping to solve problems, of course, but also to lend a new facet to the political culture of Los Angeles.
- Preparedness training is non-controversial, and if and when another disaster strikes the City, could be critical to survival.

Cons:

- The Plan should provide for maximum feasible flexibility and should not require any particular training or activity of neighborhood councils.
- There may be a variety of ways to engage in some of these issues, and a “one size fits all” contract with someone to do the training may not work out.
- Any training will cost money so perhaps it should be better spent on immediate development in the early stages.
- Training might be offered, but it should be left to the neighborhood councils to decide for themselves what they want and when they want it.

Who should do the training?

Should the DONE do the training itself, contract with an outside group, recommend several to the local neighborhood councils, do, or let them find their own way. Some issues – such as the ethics training, should probably be the responsibility of the City Ethics Commission.

Pros:

- The DONE could probably make a better deal for the entire system than each neighborhood council contracting on its own.

Cons:

- Since each community is different, there may very well be important differences that should be addressed by different trainers – a community choice.

Overall, it would seem that the answer will depend on the question: some training should be city wide, some, perhaps, should not.

The Board of Neighborhood Commissioners

The Charter: *Sec. 902. (a) There shall be a board of seven commissioners to be known as the Board of Neighborhood Commissioners (board) [BONC]. The 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.

The question about the role of the BONC was how to put oversight over the public. Most commissions provide for public oversight over the workings of government. The neighborhood councils are not government. On the other hand, the DONE itself, is a department of the city and should have some oversight. And, the charter gives the BONC the specific responsibility of submitting the Plan for operation to the City Council. Under these somewhat unusual circumstances, then, what should the role of the BONC be beyond the policy oversight of the department itself?

- Should the BONC be responsible for certification and decertification of neighborhood councils?¹
- Should the BONC handle disputes between neighborhood councils?
- Should it develop other policies relative to the administration of the neighborhood councils?
- What role should it play in the annual Congress?
- Are there other functions the BONC should perform?

Should the BONC handle disputes between neighborhood councils?

Pros:

- The BONC is in operation on a year-round basis and is the best available institution to address overlapping neighborhood council concerns.
- Because the BONC is appointed by the mayor and approved by the City Council, it provides a measure of balance of powers to the neighborhood council system.
- Because the BONC is appointed based on geographic distribution, it should have a citywide perspective appropriate for making decisions about neighborhood disputes.
- It makes more sense for a group with some political accountability (i.e., to the mayor) to make these decisions than for the staff of the DONE, especially if it also has responsibility for certification and decertification.

¹ The question of certification and decertification has been addressed on pages 20-22 of this report.

The Cons:

- The charter gives the BONC responsibility for policy-making, even if that might be shared at a later date, it does not say anything about settling disputes.
- A dispute resolution committee might be set up by the Congress in time.
- Disputes might be handled at the staff level of the DONE, with appeals to the BONC.

Should the BONC develop other policies relative to the administration of the neighborhood councils?

The Pros:

- There are many policy issues that must be decided about the DONE, including personnel, and approvals of contracts for training, etc.
- The DONE must remain fiscally responsible to the City and the BONC should have both policy and financial oversight.

The Cons:

- The Congress may at some point choose to play a more active role in administration, which would also mean a certain degree of policy.

Evaluation

The Charter: *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.*

An evaluation once the councils have a chance to become an established could be a very important opportunity to learn from our mistakes and build on our strengths, or scrap the whole experiment. However – if we are going to do an evaluation, there should be a baseline: a point from which to measure how well the neighborhood councils are doing in reaching their objectives, which might most easily be described as (1) improving the delivery of city services; and (2) fostering a sense of community. Such an evaluation might address the following:

The Issues:

Public Policy and Service Delivery:

A major problem expressed by neighborhood council advocates was the perceived decline in the delivery of services, and the presumption expressed throughout the city that local residents are not "getting their fair share because it is all going over there!" "Over there" could mean the San Fernando Valley, South Central, or the Westside. While explanations could be -- and were -- made during the charter debate that services have been declining since the passage of Proposition 13, and are strongly affected by the growth of the population and the recent recession, the bottom line will be whether or not residents consider the neighborhood councils an improvement. Whatever the cause, the answer to that question will have a great impact on secession -- a movement that directly reflects the frustration felt by many throughout the city that something is wrong.

Polls taken during the charter process showed that residents appeal to their city council member when they have a problem. Will they bring traditional constituency problems to the neighborhood councils? Will the councils address issues effectively by establishing working relationships with the departments? What role will council members play? How broadly will neighborhood councils affect most residents? Will greater prosperity in the city provide more resources for better services? And will the services increase uniformly, or will the older, poorer parts of the city still feel left out? How will other provisions of the city charter affect the delivery of services (i.e., the stronger mayor and term limits)?

Political Efficacy and Trust in Government:

Most studies of neighborhood councils around the country measure these attitudes in the interests of addressing whether or not these very local political structures have an impact on what is perceived to be a growing lack of efficacy and trust among Americans in general. The reality of the councils notwithstanding, such attitudes, too, are relevant for Los Angeles as it faces dissolution through secession in several parts of the city. One argument for charter reform in general -- and neighborhood councils in particular -- was that they would directly address the sense that access and responsiveness of local government was limited only to a small elite. But will they? Or will they become the tool of a council member or a special interest in the community?

Another aspect of this issue for Los Angeles is the sense of efficacy and trust the immigrant communities bring to government from their native culture and experience at home. The largest immigrant communities (Mexican, Filipino, Korean, etc.) are known to be distrustful of government and to believe that participation in local government, particularly, is akin to being a criminal.

Political and Social Tolerance:

Los Angeles may well be the most ethnically diverse city in the world. It has spawned the two worst race riots in the United States in the 20th Century, and has generated more than its share of hate groups. Yet the aspirations of city and regional leaders is that it will be "The City" of the 21st Century and/or the Pacific Rim, if -- and probably only if -- it can improve its image abroad of a multi-cultural society.

The last time the United States was subject to major immigration, those coming to our shores were incorporated into the political structure of the country through local party machines. The machines died about the same time we closed the borders -- a not unrelated series of events. A quarter of the immigrants that have come since we reopened our borders in 1965, live in Los Angeles, but there are no mechanisms to help integrate them into the political system. The neighborhood councils *could* be such a mechanism by providing a structure for the engagement of individuals living within a community, and for their leaders locally and citywide.

Neighborhood councils are not a new phenomenon in the United States. Other cities have maintained them for years. There is a small body of research on them, and a growing interest in the related field of civic engagement, sense of civic community, etc. Because the charter requires an evaluation, it is likely the city will put up at least some of the funds for it, but there are other resources in foundations and government that have expressed interest in the study. It will be an important study for Los Angeles that could be of value well beyond the borders of the city.

Addendum 1

Civic Coalition for Charter Reform

African-American/Jewish Leadership Connection
Asian Pacific Policy & Planning Council
Asian Pacific Islander Council of the San Fernando Valley
California Association of Nonprofits
Children's Hospital of Los Angeles
Chinatown Service Center
Church of Christian Fellowship, United Church of Christ
Coalition for Humane Immigrant Rights of Los Angeles
Common Cause
Filipino American Service Group, Inc.
First A.M.E. Church
I Am Foundation
Jewish Community Relations Committee, Jewish Federation
Korean American Family Service Center
Korean American Museum
Korean Health Education Information & Research Center
Korean Youth and Community Center
Latin American Civic Association
League of Women Voters, LA
Los Angeles Free Clinic
Los Angeles NAACP
Los Angeles Non-Profit Policy Council
Little Tokyo Service Center Community Development Corporation
Multi-Cultural Collaborative
Muslim Public Affairs Council
National Association of Latino Elected and Appointed Officials
The National Conference for Community and Justice
Pediatric & Family Medical Center
Progressive Jewish Alliance
Religious Leaders Conference
Search for Involvement of Pilipino Americans
Sober Living Network
Southern California Association of Non-Profit Housing
Southern Christian Leadership Conference
Southern California Board of Rabbis
SRO Housing
Tarzana Treatment Center
Urban League of Los Angeles
Los Angeles Water and Power Associates, Inc.
Watts Century Latino Organization

NEIGHBORHOOD COUNCIL WORKSHOPS

Advisory Committee

Carlos Alvarado, Senior Legislative Deputy to Councilman Mark Ridley-Thomas

James Bickhart, District Deputy, Speaker Emeritus Antonio Villaraigosa

Reverend James Conn, Urban Strategies, United Methodist Churches

Jerald Jeffe, L.A. Area Chamber of Commerce

Xandra Kayden, President, League of Women Voters of Los Angeles, Director of Neighborhood Council Project

Bennett Kayser, former member of the Elected Charter Commission

Stewart Kwoh, former member of the Appointed Charter Commission, President, Asian Pacific Legal Center

John Mack, President, Los Angeles Urban League

Karen Mack, Community Partners

Romerol Malveaux, Empowerment Congress

Doris Nelson, former member of the Appointed Charter Commission, LWV Health Care advocate

Greg Nelson, chief deputy to Councilman Joel Wachs

Cindy O'Connor, Vice President, League of Women Voters

Levin Sy, Asian Pacific Planning and Policy Council

Carol Baker Tharp, Director of CORO

Arturo Vargas, National Association of Latino Elected and Appointed Officials

Staff: Jennifer Resnik

Addendum 2

How to Begin

It is clear that how we begin is not how we will end. The neighborhood council structure will be an evolving creation, dependent on the commitment, enthusiasm, and cooperation it can elicit from city residents and city government. But getting this large tent off the ground does present a major challenge. While the charter does not call for the Plan to describe that process, it does require that the councils be citywide. The following options are only the beginning of the discussion.

The Fire Department and Other Decentralized Structures

While there are probably a little over 100 communities in Los Angeles, it turns out that there are 102 fire stations – created originally by how far a horse could run. Many are over-crowded as it is, but the paramedics and the Fire Department have the highest public approval ratings in the city: 98 percent good to excellent for the former; 95 percent for the latter. If Prop F passes on the November ballot there is money allocated for community council meeting rooms. The Fire Department is organized into 17 battalions, and 3 divisions (Valley, the middle of the City stretching from the Palisades to East L.A., and South). There are also a number of public safety agencies in the city that will be able to establish important relationships with the neighborhood councils: Commission on Disabilities, Emergency Preparedness, etc.

We could lead by putting our best foot forward, meeting in the facilities of the city departments that are well known and strongly supported. The Fire Department participates in the “safe house” program for children, and works hard at maintaining close communities ties. Other government agencies that are also both popular and decentralized include the libraries and the schools. A combination of these agencies would give a comfortable and happy beginning.

There is another advantage by beginning with the Fire Department, however. One of the first activities neighborhood councils might participate in is a mapping of the community in terms of public safety: Who needs help? Are there pre-schoolers who need immunizations? Are there particular features of the community that would require special attention in an emergency? It would also be an opportunity to provide emergency preparedness training. These activities are not controversial, and they are as likely to be a benefit to all the communities of the city. A mapping project would also give the community a good opportunity to learn more about itself.

Interim City Council District

Although neighborhood councils are specifically required by the charter to be organized around communities and not council districts, another possibility would be start placing staff and resources in the council district offices until the redistricting.

Pros:

- Because the districts will be redrawn – and because the council members in office at the time will either be in the first two years of their term, or the last two years of service – there is relatively little danger of undue domination by the City Council in the long run.
- The neighborhood council organizers could benefit from the depth of knowledge about the districts in the City Council offices.
- The current members of the City Council who are unsure about how this entire system is going to function might be more relieved to have its development closer to home.

Cons:

- There is a reasonable danger of too much influence being exerted by the members of the City Council, even if they are going out of office.
- Communities that cross council district lines would have to make a choice about which district they want to fit in for this interim period.
- The structure decided upon might as well be set up from the beginning, even if it will be a bit raggedy.

Allocate the Staff Organically as the Neighborhood Councils Develop

Despite the fact that the charter calls for the establishment of citywide neighborhood councils, it will not happen all at once. Some communities are already organized and others are well on their way. It may make sense to begin establishing satellite structures to serve neighborhoods that have, or are developing councils first, and send out organizers from the main office of the DONE to under-organized areas.

Pros:

- It would enable a more organic growth pattern, with those who aren't organized able to get an idea of how their organizations might function by observing others.
- It would help the DONE staff learn by experience as they go along.
- It requires fewer resources in the beginning and may be more organizationally manageable.

Cons:

- It gives an advantage that some may feel is inappropriate to those who are already organized.
- It would require a timetable, or some other prod to make sure the entire system was up and running as soon as possible.

Allocate the Staff by another City Structure

This is where the possibilities take on almost a Biblical numerology. All of these options refer to the middle tier of the structure – assuming we adopt that form. We could use any of the following:

- The 7 Area Planning Commissions (which encompass the 35 Planning Districts)
- The 35 Planning Districts
- 18 Police Divisions
- 17 Fire Divisions (already mentioned)
- 70 Library districts
- Etc.

In the end, as the Seattle book on organizing makes clear, there are three reasons to organize neighborhood councils: addressing a particular concern; empowering residents; and building community.¹ One, two, or all three of these reasons should also accompany the logistical question of where to begin.

¹ Kathy Klingelhofer, City of Seattle, Department of Neighborhoods (1991), *Neighborhood Organizing: Help Yourself!*, p.2.k