



OFFICE OF THE CITY ATTORNEY
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CITY ATTORNEY

February 3, 2004

The Honorable Janice Hahn, Chair
The Honorable Dennis P. Zine, Vice Chair
The Honorable Antonio Villaraigosa, Member
Education and Neighborhoods Committee
City Council of the City of Los Angeles
Los Angeles, CA 90012

RE: STRATEGIC REVIEW OF NEIGHBORHOOD COUNCILS

Dear Councilmembers Hahn, Zine and Villaraigosa:

With the passage of the new City Charter in 1999, voters created a system of neighborhood councils designed to increase civic participation in Los Angeles' municipal government. While some progress has been made, this promise of a broader and more powerful community voice has yet to fully materialize.

My observations are derived from meetings with numerous neighborhood councils in the last few months and in the course of handling the myriad of inquiries for legal explanations of rules that govern neighborhood councils. Many neighborhood council members are pleased to be heard and participate in this new manner. There is, however, significant dissatisfaction with the system. Much of the discontent is bound up in the frustration of dealing with the City's bureaucracy and insufficient resources.

Although the Charter established a neighborhood council system, the operating regulations were created through an administrative and legislative process. The Charter-mandated plan was adopted by the Board of Neighborhood Commissioners and approved in ordinance form by the City Council. Along the way, there were incremental policy decisions that detailed the way neighborhood councils would operate on a day-to-day basis, such as how they received funding and staffing. While these decisions may have appeared to be administrative, in some cases the decisions altered the legal status of neighborhood councils and triggered new requirements and regulations.

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The cumulative effect of these decisions and actions, aided by a broad Charter framework, may have put neighborhood councils on a path strikingly different from that envisioned by the Charter's framers and City residents. Originally billed as a means to "promote more participation in government and make government more responsive to local needs," neighborhood councils have been hamstrung by the very system they were intended to change.

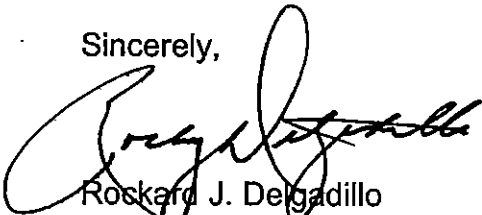
In the case of neighborhood councils – which represent the vast geographic and cultural diversity of Los Angeles – rigid bureaucratic processes should take a back seat to local control and flexibility. The City should serve the neighborhood councils as an empowering resource, not a bureaucratic overlord.

In just the last few months, my office has been asked to advise on the applicability of a variety of laws and regulations, including whether neighborhood councils and their members have to abide by City contracting laws, state and local conflict of interest laws, civil services rules and City laws for accepting gifts. It is highly likely we will be asked for advice on more regulations applicable to neighborhood councils.

Neighborhood councils were launched as a bold experiment to empower our neighborhoods. As with any experiment, leaders must not only build upon successes, but also learn from and correct problems encountered along the way. Yet to date, the City has not formally or comprehensively evaluated the successes and challenges of the fledgling system.

I therefore urge the City's policy-makers revisit the vision for neighborhood councils and strategically chart a course that allows our residents to realize that vision. My office stands ready to evaluate the current legal framework applicable to neighborhood councils and make recommendations to realize the original vision and purpose of neighborhood councils.

Sincerely,



Roskard J. Delgado
City Attorney

RJD:TS:lee

CC: Mayor James K. Hahn
All Members, Los Angeles City Council
Greg Nelson, General Manager, Department of Neighborhood Empowerment

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