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Members of the Ad Hoc Committee on City Governance Reform

c/o Office of the City Clerk
Room 395, City Hall
Los Angeles, CA 90012

DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT RECOMMENDATIONS FOR CHARTER AMENDMENTS; CF 23-1027

On December 12, 2023 the Los Angeles City Council approved a motion requesting that the Department of Neighborhood Empowerment, among other departments, report on recommendations for identifying and prioritizing sections in the Charter that would benefit from reform to modernize the City's organizational infrastructure and/or support more strategic Citywide policies.

Background:

The history of Neighborhood Councils (NCs) in Los Angeles is rooted in the late 1990s when the City responded to residents' growing desire for increased community participation and reduced centralized control. This led to the establishment of the Department of Neighborhood Empowerment (DONE) in 1999. The City Charter played a crucial role in creating a framework for the innovative Neighborhood Council system, introducing advisory councils in specific neighborhoods. The Charter recognized the importance of local empowerment and sought to decentralize decision-making,

allowing communities to have a direct say in local governance. The establishment of Neighborhood Councils marked a significant step towards fostering civic engagement, collaboration, and responsiveness to the diverse needs of Los Angeles neighborhoods, as outlined in the City Charter's commitment to empowering local communities.

Collaborating closely with the Board of Neighborhood Commissioners, DONE ensures inclusivity, transparency, and responsiveness to the unique needs of each neighborhood, remaining a key component of Los Angeles' innovative approach to local governance. In the present day, the collaboration between the Neighborhood Council system, the Department of Neighborhood Empowerment, and the Board of Neighborhood Commissioners continues to evolve. These councils actively engage with communities, influence local policies, and contribute to tangible impacts. The Department of Neighborhood Empowerment remains dedicated to fostering active civic participation and empowering residents to directly impact their communities.

As we transition to the next phase of our Department, it is essential to consider recommendations that align with the current needs of the Neighborhood Council (NC) system. Notably, the City Charter has remained unchanged since its last amendment in 1999. Therefore, incorporating these recommendations becomes imperative to ensure that our Department evolves effectively and remains responsive to the dynamic requirements of the NC system in the present day.

Section 900 - Purpose

Recommendation: Clarify and strengthen the language around the purpose of empowerment. Emphasize inclusivity, community engagement, and the promotion of local democracy. Align the purpose with contemporary challenges and opportunities.

Justification: *This recommendation advocates for clarifying and strengthening the language around the purpose of neighborhood empowerment, emphasizing inclusivity, community engagement, and the promotion of local democracy. By changing the term "citizen" participation to "civic" participation, the intention is to foster a more inclusive environment that recognizes and embraces the diversity of individuals contributing to community development. This adjustment acknowledges that participation in local governance extends beyond citizenship, ensuring that stakeholders, regardless of their status, are actively encouraged to engage in the democratic process. The call to align the purpose with contemporary challenges and opportunities reflects the dynamic nature of communities, emphasizing the need to address evolving needs and embrace innovative approaches to neighborhood empowerment. In essence, this recommendation seeks to*

create a more inclusive, community-driven, and responsive framework for neighborhood empowerment that reflects the diverse and changing demographics of the city.

Section 901 - Department of Neighborhood Empowerment

Recommendation: Enhance the role and resources of the Department to better support neighborhood councils. This includes increased staffing, streamlined processes, and improved coordination with other city departments to facilitate smoother implementation of neighborhood empowerment initiatives.

Justification: *The recommendation aims to enhance the Department of Neighborhood Empowerment's support for neighborhood councils through various strategies. This includes increasing staffing, streamlining processes, and improving coordination with other city departments. Additionally, there is a focus on outreach and inclusivity, suggesting targeted strategies to engage underrepresented communities in the Neighborhood Council formation process. The proposal also includes expanding training programs, facilitating resource sharing, implementing regular assessment systems, exploring innovative communication channels, and conducting periodic reviews of duties to ensure relevance and effectiveness. These comprehensive recommendations aim to strengthen neighborhood empowerment initiatives and adapt to evolving community needs.*

Section 903 - General Manager

Recommendation: Define the qualifications and expectations for the General Manager. Encourage the appointment of individuals with a strong background in community development, leadership, a demonstrated commitment to community empowerment, and a comprehensive understanding of the infrastructure and workings of the Neighborhood Council system. Consider mechanisms to involve community stakeholders in the selection process, such as seeking input from Neighborhood Councils, to enhance community representation and confidence.

Justification: *The recommendations focus on optimizing the role of the General Manager within the Department of Neighborhood Empowerment. They propose clearly defining qualifications, emphasizing community development, leadership, and commitment to empowerment. To ensure inclusivity, an open appointment process involving community input, especially from Neighborhood Councils, is encouraged. The suggestions include expanding the General Manager's responsibilities for community engagement through initiatives like town hall meetings and forums. Ongoing professional development and*

training programs are recommended, emphasizing community development and collaboration with Neighborhood Councils. To enhance accountability, this recommendation advocates for clear performance metrics transparently shared with the public. Additional recommendations include encouraging staff diversity, fostering collaborative decision-making, engaging in strategic planning and innovation, establishing regular communication channels with Neighborhood Councils, emphasizing community-driven decision-making, and implementing a continuous improvement framework within DONE.

Section 909 - Annual City Budget Priorities

Recommendation: Enhance the involvement of Neighborhood Councils in the annual city budgeting process. Facilitate meaningful participation, prioritize community-driven projects, and establish mechanisms for transparent budget allocation. Further study of a possible Charter amendment is recommended to determine the best method to reach meaningful participation from all Neighborhood Councils, with an emphasis on Neighborhood Councils in communities of low civic-participation.

Justification: *This recommendation advocates for enhancing the involvement of Neighborhood Councils in the annual city budgeting process, reflecting a commitment to inclusivity, community-driven initiatives, and transparent governance. By facilitating meaningful participation, it aims to prioritize community-driven projects and ensure that budget allocation aligns with the diverse needs of neighborhoods. The call for a further study on a possible Charter amendment demonstrates a proactive approach to exploring mechanisms that would foster meaningful participation from all Neighborhood Councils, with a specific emphasis on those in communities of great need. This reflects an awareness of the unique challenges and needs in different communities, acknowledging the importance of tailoring strategies to ensure equitable representation and engagement. Overall, this recommendation seeks to strengthen the democratic process by actively involving Neighborhood Councils in budget decisions, fostering community-driven priorities, and promoting transparency in the allocation of resources.*

Section 910 - Monitoring of City Services

Recommendation: Strengthen the role of Neighborhood Councils in monitoring city services. Establish mechanisms for regular feedback, reporting, and collaboration with relevant city departments to address service gaps and improve responsiveness.

Justification: *This recommendation underscores the importance of empowering Neighborhood Councils by enhancing their role in monitoring city services, reflecting a commitment to localized governance and community engagement. By establishing mechanisms for regular feedback, reporting, and collaboration with relevant city departments, the recommendation seeks to create a more responsive and accountable system. This approach not only allows Neighborhood Councils to actively participate in shaping local policies but also ensures that community needs are accurately identified and addressed. Strengthening the role of Neighborhood Councils in monitoring city services promotes transparency, encourages civic participation, and fosters a sense of community responsibility. Ultimately, this recommendation aligns with the principles of promoting collaboration between communities and city departments to enhance the quality and effectiveness of services tailored to the unique needs of each neighborhood.*

Section 911 - Appropriation

Recommendation: Explore the feasibility of establishing an independent budgeting process for the Department of Neighborhood Empowerment, as is currently being discussed for the Ethics Department under CF 23-1010. This proposition is rooted in the provisions outlined in sections 900 and 901 of the charter, which entrust the department with the crucial responsibility of aiding Neighborhood Councils in fostering greater responsiveness of local government to community needs.

Justification: *By developing an independent budgeting process for the Department of Neighborhood Empowerment, the City Council can enhance the department's capacity to fulfill its mandate effectively and ensure that resources are allocated in a manner that prioritizes and addresses the unique requirements of diverse communities within Los Angeles. This initiative aligns with the spirit of community empowerment and collaborative governance, fostering a more responsive and inclusive local government.*

Section 1001.a. - Exemptions

Recommendation: Recommend the inclusion of exempt, full-time positions within the Department of Neighborhood Empowerment as categorically exempt from Charter Section 1000 - Civil Service provisions. Currently, these positions (Project Assistants, Project Coordinators, Senior Project Coordinators, and Principal Project Coordinators) are designated as exempt under Section 1001.a.18 as Officers of Election, which is the most fitting category to describe the nature of their work in supporting the bi-annual Neighborhood Council elections.

Justification: *As part of a comprehensive review of the Charter, it would be highly advantageous to independently classify and categorize these positions based on the full scope of their responsibilities in supporting the Neighborhood Council System. These exempt positions play a crucial role in ensuring government accountability to the communities they serve. By categorizing them independently, the City Council can better acknowledge and address the unique functions these positions fulfill, fostering a more streamlined and efficient organizational structure that aligns with the department's overarching goals of empowerment and responsiveness.*

Conclusion

While these are our recommendations, which we believe will bring the Charter into alignment with current needs, we feel it is beneficial to get Neighborhood Council feedback and have their opinions heard. Engaging Neighborhood Councils in the process ensures that their unique perspectives and insights are considered, enhancing the inclusivity and relevance of the proposed changes. These recommendations collectively aim to strengthen the framework of neighborhood empowerment, fostering a more collaborative, transparent, and impactful relationship between communities and local government. Implementation of these suggestions, with input from Neighborhood Councils, will contribute to the overall success of the Department of Neighborhood Empowerment and enhance the vibrancy of Neighborhood Councils within the city. This collaborative approach reflects our commitment to democratic governance and active community participation, aligning with the principles of transparency and responsiveness in local decision-making.

Respectfully,



**Vanessa Serrano, Interim General Manager
Department of Neighborhood Empowerment**

AB 1772, as introduced, Ramos. Theft.

Existing law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters at the November 4, 2014, statewide general election, defines and prohibits an act of shoplifting and prohibits prosecution for an act of shoplifting under any other law. Existing law defines shoplifting as entering a commercial establishment with intent to commit larceny while the establishment is open during regular business hours.

This bill would revise the definition of shoplifting to require an intent to steal retail property or merchandise.

Existing law provides that a person with a prior conviction for specified sex offenses may be charged with a felony for shoplifting or for theft of property not exceeding \$950 in value.

This bill would require a person convicted of petty theft or shoplifting, if the person has 2 or more prior convictions for specified theft-related offenses, to be punished by imprisonment in the county jail for up to one year, or for 16 months, or 2 or 3 years, and would make conforming changes.

This bill would provide that its provisions would become effective only upon approval of the voters, and would provide for the submission of its provisions to the voters for approval at the next statewide general election.

Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

Bill Text

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 459.5 of the Penal Code is amended to read:

459.5.

(a) Notwithstanding Section 459, shoplifting is defined as entering a commercial establishment ~~with intent to commit larceny~~ while that establishment is open during regular business hours, *with the intent to steal retail property or merchandise*, where the value of the property that is taken or intended to be taken does not exceed nine hundred fifty dollars (\$950). Any other entry into a commercial establishment with intent to commit larceny is burglary. Shoplifting shall be punished as a misdemeanor, except ~~that~~ *a as follows: person*

(1) A person with one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 or for an offense

requiring registration pursuant to subdivision (c) of Section 290 may be punished pursuant to subdivision (h) of Section 1170.

(2) A person who meets the requirements of Section 666.1 may be punished pursuant to that section.

(b) Any act of shoplifting as defined in subdivision (a) shall be charged as shoplifting. ~~No~~ A person who is charged with shoplifting ~~may~~ *shall not* also be charged with burglary or theft of the same property.

(c) As used in this section, the following terms have the following meanings:

(1) "Retail property or merchandise" means any article, product, commodity, item, or component intended to be sold in retail commerce.

(2) "Value" means the retail value of an item as advertised by the affected retail establishment, including applicable taxes.

SEC. 2.

Section 490.2 of the Penal Code is amended to read:

490.2.

(a) Notwithstanding Section 487 or any other provision of law defining grand theft, obtaining any property by theft where the value of the money, labor, real or personal property taken does not exceed nine hundred fifty dollars (\$950) shall be considered petty theft and shall be punished as a misdemeanor, except ~~that such as follows: person~~

(1) A person may instead be punished pursuant to subdivision (h) of Section 1170 if that person has one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 or for an offense requiring registration pursuant to subdivision (c) of Section 290.

(2) A person who meets the requirements of Section 666.1 may be punished pursuant to that section.

(b) This section ~~shall not be applicable~~ *does not apply* to any theft that may be charged as an infraction pursuant to any other ~~provision of~~ law.

(c) This section ~~shall~~ *does* not apply to theft of a firearm.

SEC. 3.

Section 666.1 is added to the Penal Code, to read:

666.1.

(a) (1) Notwithstanding any other law, a person who, having two or more convictions for any of the offenses listed in paragraph (2), and who is subsequently convicted of petty theft or shoplifting, is punishable by imprisonment in the county jail not exceeding one year, or pursuant to subdivision (h) of Section 1170.

(2) This section applies to the following offenses:

- (A) Petty theft, as described in Section 488.
- (B) Grand theft, as described in Section 487.
- (C) Theft from an elder or dependent adult in violation of subdivision (e) of Section 368.
- (D) The theft or unauthorized use of a vehicle, as described in Section 10851 of the Vehicle Code.
- (E) Burglary, as described in Section 459.
- (F) Carjacking, as described in Section 215.
- (G) Robbery, as described in Section 211.
- (H) Receiving stolen property, as described in Section 496.
- (I) Shoplifting, as described in Section 459.5.
- (J) Mail theft, as described in subdivision (e) of Section 530.5.
- (b) This section does not preclude prosecution or punishment pursuant to any other law.

SEC. 4.

This act amends the Safe Neighborhoods and Schools Act, an initiative statute approved by the voters at the November 4, 2014, statewide general election as Proposition 47, and shall become effective only when submitted to and approved by the voters. The Secretary of State shall submit this act for approval by the voters at a statewide election in accordance with Section 9040 of the Elections Code