

the spider knows what's going on
because she has a single system of
communication

How

. . . unless all departments
use the same accounting
methods, as proposed by

Wendy Gruel,

can you make

good budget decisions

?

Date: 2/16/2010
Submitted in BI A Committee
Council File No: M-2000-5177
Item No.: RV
Deputy: MBUC



A grassroots campaign fighting to develop
a sustainable budget for the city of Los Angeles

#3 Agenda

Saturday, Feb 13, 2010 - 10:00 am - Hollywood Presbyterian Church
Upper Terrace Hall
1760 Gower Ave, N of Hollywood Blvd.
(Enter on Yucca, Park on Yucca)
Hollywood, 90028

5 min Introduction, ground rules, overview of the agenda - Stephen Box

5 min The Journey and the Opportunity Ahead - Ken Draper

15 min *Informative* "Look for the Union Label" - Julie Butcher

45 min *Regenerative* **DONE Reorganization** - NC Collaborative Proposal

- 1) The "Hybrid" version of DONE - staff and volunteers
- 2) The Departmental Focus of DONE
 - a) Administrative
 - b) Public Relations
 - c) Government Relations
 - d) Training
- 3) Outsourcing Funding Oversight
- 4) The proposed budget

Date: _____

Submitted in ESH Committee

Council File No: 09-0600-5155

Item No.: ALL

Deputy: PMAC

45 min *Collaborative* **NC Funding and Structure** - Forum Style

- 1) Rollover Funding - Proposed Elimination
- 2) Petty Cash Procedures - End BankCard System
- 3) Neighborhood Council Funding - 50% Cut
- 4) Transfer of Funding Program Oversight

45 min *Initiative* **BudgetLA - Next Steps** Forum Style

- 1) Strategy for reaching out to E & N committee in advance to committee meetings
- 2) Strategy for engaging the NC's in the process
- 3) Strategy for communicating the proposal
- 4) Proposal for E & N Committee

15 min *Imperative* **Call to Action** Ken Draper

BudgetLA supports the activities of several neighborhood council groups, all working together to pursue solutions to LA's Budget Crisis. Participants include the Los Angeles Neighborhood Council Coalition, the Saving Los Angeles project, the Valley Alliance of Neighborhood Councils, the Mayor's Budget Advisory Committee and representatives from neighborhood councils throughout the city. For more information visit <http://BudgetLA.org> where you will find a Calendar of upcoming events, the Speakers Bureau, an archive of BudgetLA videos and links to individual neighborhood councils. Join BudgetLA on Facebook and follow BudgetLA on Twitter (@BudgetLA) To get involved, join BudgetLA on Saturday, February 13 at 10:00 am for "Look for the Union Label" at Hollywood Presbyterian Church, 1760 Gower Ave., Hollywood 90028

BudgetLA - E & N Talking Points:

Neighborhood Council System Reorganization:

(1) NC FUNDING REVAMPED

NC funding administration will be transferred to nonprofit entity such as Community Partners. Bankcard system is revamped or replaced by alternative method of providing petty cash. Current (\$1.61 million) rollover stays until accurate accounting is provided. Future rollover is cut from two years to one. Amount of future annual NC funding to be determined based on cost savings. NCs will work with CAO et al to determine acceptable expenditure categories.

(2) DEPARTMENT RESTRUCTURED

DONE staff is cut to about 15 and the department reorganized into an admin section and three functional teams: publicity/media/outreach; governmental (certification, dept. MOUs, liaison, etc.); and education and training. Each team will work with NC volunteers proficient in these areas to develop programs, etc.

(3) NC ELECTIONS

City clerk will get out of NC election business as soon as possible (repeal the ordinance). Cost of NC elections goes from \$2.2M to about \$100K.

A couple of things to note: NCs are already doing bylaws reform work. We set up the blog, set the agenda, and do the work. DONE's involvement is booking the meeting room and sending out email notices. This is a model for how a functional team within DONE could work. Second, discussions are ongoing about volunteer-based training and mentor programs. So, obviously, some of what's being suggested is already being done.

Education & Neighborhood Committee Agenda:

(1) Motion (Krekorian - Hahn - et al) relative to directing the City Administrative Officer to study, with appropriate stakeholders, the transfer of the Department of Neighborhood Empowerment or the Neighborhood Council (NC) Funding Program.

- INVESTIGATE transferring neighborhood council funding administration to a nonprofit entity. The NC funding program can be simplified and operated at a lower cost while providing faster and more efficient service.
- SUPPORT maintaining Neighborhood Empowerment as a separate department.
- SUPPORT transferring elections back to neighborhood councils.

(2) Motion (Krekorian - Hahn - et al) relative to the consideration of eliminating the Neighborhood Council "rollover" policy and transferring all suspended "rollover" funds totaling \$1.61 million to the Reserve Fund.

- OPPOSE this recommendation.
- The \$1.61 million amount refers to the balance in the fund as of June 30, 2009. In many cases, councils had submitted demand warrant requests which were being processed at this time. In some cases, DONE required as long as three months to complete requests for payment. Unless a full accounting of which payments should be assigned to the 2008-2009 fiscal year is performed, there is no way of knowing what each neighborhood council's actual "rollover" is. In fact, the \$1.61 million amount may be off by as much as 50 percent.
- REPLACE current policy with a one-year "rollover" retention.

(3) Motion (Krekorian - Hahn - et al) relative to the consideration of eliminating the Neighborhood Council bank card system and convert to a demand warrant system.

- OPPOSE this recommendation.
- The bank card system provides councils the ability to pay for small purchases such as office supplies. As with any account linked to a credit or debit card, records of transactions are immediate and usually accessible within a few hours. The abuse of the system involved cash advances. This component has already been removed. If the bank card system is eliminated entirely, it will force council board members to pay for small purchases and seek reimbursement via the demand warrant system, resulting in an increased workload for the controller's office. Requiring neighborhood council volunteers to, in essence, loan money to the city creates a particular hardship in low-income areas.

(4) Motion (Krekorian - Hahn - et al) relative to the consideration of the Department of Neighborhood Empowerment, City Attorney and City Administrative Officer evaluating and redefining allowable expenditure categories for Neighborhood Council funds.

- AMEND this recommendation.
- Instruct CAO, CLA, and DONE staff to meet with neighborhood council representatives to explore funding, staffing, and organizational proposals affecting the neighborhood council system.

(5) Motion (Krekorian - Hahn - et al) relative to the consideration of the General Manager, Department of Neighborhood Empowerment issuing a memo to Neighborhood Councils regarding a proposed 50 percent reduction to the annual allocation amount for 2010-11.

- OPPOSE this recommendation.

The Los Angeles Neighborhood Council Coalition has endorsed a proposal that will maintain the level of funding for neighborhood councils by saving money in other areas of the NC system. The work of neighborhood volunteers and leveraged expenditures are needed now more than ever as the city's workforce shrinks.

RECEIVED
CITY CLERK'S OFFICE

MAR 28
2010 MAR 24

BY: [Signature]

Date: 2/10/2010
 Submitted in BH Committee
 Council File No: 09-0002-315
 Item No.: BH
 Deputy: _____

From: BongHwan Kim
 To: jon.martinez@sbcglobal.net
 Date: 7/18/2008 7:56 PM
 Subject: Re: Pasadena Film Festival

FR. PUBLIC

Thanks for the tip. Sounds like fun. I'm still hungover. We need to avoid drinking during the weekday - or curtail the intake volume. I guess I'll have to be the one to say when. Gotta talk before the laanc folks tom with laura chick. Hopefully it won't be as bad as the city clerk gathering. Have a great weekend.

Bhk

-----Original Message-----

From: Jon Martinez <jon.martinez@sbcglobal.net>
 To: BongHwan Kim <BongHwan.Kim@lacity.org>

Sent: 7/18/2008 7:26:10 PM
 Subject: Pasadena Film Festival

Meg and I went to go see Some Like it Hot a few years ago. It's a pretty cool thing they have going...all free. Check out the Lord of the Rings trilogy showing on the last day...8:30 p.m. to dawn!
<http://onecolorado.com/oldpasadenafilmmfestival.php#july18>



EMPLOYEE MANUAL

Department of Neighborhood Empowerment

- **Use of Alcohol and Drugs**

The use of alcohol or drugs while on duty or reporting to work under the influence of alcohol or drugs will not be tolerated. Employees who violate this policy will be subject to disciplinary action.

Reference: Personnel Policy 33

- **Sales on City Property**

The Los Angeles Municipal Code prevents the sale of merchandise on City property without authorization by the General Manager.

- **Smoking**

Smoking is not permitted in any City building.

- **Workplace Violence Prevention**

DONE management is committed to maintaining a workplace that is free from violence or threats of violence. Inappropriate behavior such as threats, threatening behavior, or acts of violence against an employee, a customer, a visitor, or any other individual cannot and will not be tolerated.

Employees are the best source of information on potentially violent situations or individuals in the workplace. Therefore, employees are encouraged to bring any issue that has the potential to create violence in the workplace to the attention of their manager or supervisor immediately. This includes the existence of any restraining order that covers the employee at the workplace or any potentially violent nonwork-related situation that could likely result in violence in the workplace. In cases where violent behavior or a credible threat of violent behavior is directed at DONE employee, management will take appropriate action necessary to help protect the employee and/or the employee's family members.

Any act of violence or threat of violence - whether actual or reasonably perceived - involving an employee or occurring in the workplace **must be reported** to the Human Resources and Budget Manager. Such behavior must be reported whether another City employee, a contractor, a customer, or a member of the public commits it. **Whenever a weapon or other immediate threat to physical safety is involved, call 911 immediately.**

DONE's position and policy on threats or acts of violence in the workplace is one of **zero tolerance**. If management determines that an employee has engaged in

Date: 2/10/2010
Submitted in B37A Committee
Council File No: 09-0600-5165
Item No.: PL
Deputy: PL. PUBLIC

FOR IMMEDIATE RELEASE
February 1, 2010

Robert Cherno
(323) 857-5848
la4fairgovernment@gmail.com

LOS ANGELES FOR FAIR GOVERNMENT;
NEIGHBORHOOD COUNCIL WASTE OF TAXPAYER FUNDS

In May 2009, the Los Angeles Budget and Finance Committee considered slashing neighborhood councils' budget from \$45,000 to \$11,200. The City's current financial crisis requires that the Committee finally implement those cuts!

“MAJOR CUTS TO DEPARTMENTS AND SERVICES ARE NECESSARY IF THE CITY HOPES TO REPAIR ITS FINANCES!”

City Administrative Officer Miguel Santana, Los Angeles senior budget official

“With approximately \$4 Million each year in taxpayer funds committed to the NC Program, one would expect DONE to have stronger controls over NC expenditures. . . Although DONE is charged with the responsibility of providing oversight over NC expenditures, it has not performed these functions adequately. . . DONE's lax oversight has allowed NCs to operate with insufficient financial controls, resulting in an environment susceptible to fraud. Six NCs have been or are currently under investigation by the Police Department for approximately \$276,000 in questionable credit card purchases. NCs frequently violate DONE's financial policies regarding expenditures and handling of cash and credit cards. . . NCs have made \$880,000 in purchases for which they have not submitted proper paperwork. . . Given DONE's poor oversight, fraudulent activities could be occurring at other NCs. . . The City Council and Mayor need to take a long, hard look during the upcoming budget hearings, and evaluate and redefine DONE's role.”

Los Angeles Controller Wendy Greuel's January 12, 2010 Audit of Neighborhood Councils' Expenditures

Following are examples of questionable expenditures:

Tens of thousands of dollars in unaccounted for cash advances

Tens of thousands of dollars in unaccounted for credit card transactions

Tens of thousands of dollars in personal meals at restaurants and markets

\$160,000 in taxpayer funds left in closed Bank of America accounts since 2007 but never recovered.

Date: 2/16/2010
Submitted in BYU Committee
Council File No: 09-0600-959
Item No.: BU
Deputy: [Signature]

Tens of thousands of dollars of NC equipment unaccounted for, or in the possession of former NC Board members no longer involved in NC Board activities, including computer and printers, translation machines, wireless microphones, ham radios, cameras, flat panel TVs, memory mattress pads, surveillance van, four wheel drive vehicle, Sony playstation systems and video games.

\$59,906.99 from P I C O Union NC for surveillance cameras that were purchased and paid for in 2007, but never delivered

\$6,000.00 from Historic Highland Park NC for wasteful promotional items, including bumper stickers, that were paid for in 2004, but never delivered

Daniel Gatica, member of the Board of Neighborhood Commissioners, is also a staff member of the Chrysalis Center, which has received \$106,610.23 from May 2007 to August 2009 from NCs to clean street/weed abatement/bulky item pick-up already being done by Public Works Department.

Normandie Casino, clothing and jewelry stores, personal vehicle expenses, personal cable and household expenses, shoes, beauty supplies, wigs, nail salons, car rentals, thousands for hotel rooms, Sir Michaels Limo, laundry bills, thousands for airline tickets, drumming instructors, \$10,000 candle light vigil, \$1,353 for "Kada Drums", \$11,500 for cooking lessons, \$750 for Starline Tours of Hollywood, \$5,293 for movie screen, \$2,929 for bus transportation \$2,943 for "pride medallions, thousands for flowers and balloons, \$1,938 for ice machine, \$8,800 for window washing, instant passport photos, costume rental, Knots Wedding Shop, sewing/needlework fabric shop, Friends Beauty Supply \$9,996 for t-shirts, \$5,397 for two treadmills, \$1,500 for "song for Skid Row", \$20,000 Gods Little Cleaners, \$19,000 for "Butterfly Festival", \$2,920 for storage trailer, \$963 for Candy the Clown, \$10,000 for one computer printer, \$12,400 for trash cans, \$1,050 for UCLA Extension classes, \$7,500 for "International Documentary, \$19,859 for surveillance cameras not being monitored, \$32,500 for surveillance cameras not being monitored, \$1,000 for Toys R Us, Bed Bath and Beyond, Amazon books, musical instruments.

David Demerjain, Los Angeles County Deputy District Attorney, Public Integrity Unit has stated; " I can't believe the city hands out credit cards like this - it's incredible" He has also stated that "it would take adding an additional fifty attorneys to his staff to prosecute all of the neighborhood council Brown Act violations or conflict of interest violations that are being committed, and the County of Los Angeles doesn't have the funds to do so."

In his May 6, 2008 Press Release, appointing BongHwan Kim as General Manager of DONE, Mayor Villaraigosa states "BongHwan Kim's leadership skills have been finely honed through many years of working in diverse communities on a wide range of political and community development issues." An example of General Manager Kim's leadership skills are displayed in his July 18, 2008 e-mail to then DONE staff member Jon Martinez;

". . . I'm still hungover" . We need to avoid drinking during the weekday - or curtail the intake volume. I guess I'll have to be the one to say when. . . " Further evidence of Kim's leadership skills can be read in the book; The State of Asian America: Activism and Resistance in the 1990's; between Black and white; An Interview with BongHwan Kim, by Elaine H. Kim. In the interview BongHwan Kim states the following views:

BongHwan Kim's view of Korean immigrants relationship with Latinos:

". . . But the majority of Korean immigrants want desperately to regard themselves as belonging to the middle class, as better than Latinos, whom they believe they have to exploit in a capitalist society"

BongHwan Kim's view of African American and Latino resentment of Asian Americans:

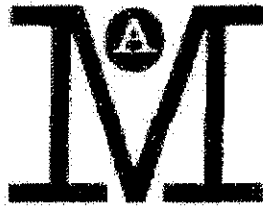
". . . Black and brown resentment because of the perception that Asian Americans are honorary white people unconcerned about social justice issues."

BongHwan Kim's view and disdain for less educated immigrant Korean Americans and elderly Korean Americans:

". . . Immigrant Korean parents often view themselves as sacrificial lambs, believing that even though they go to their graves DEAF, DUMB, AND BLIND, they are doing it so that their children can achieve the so-called American dream."

". . . When I see Korean senior citizens walking toward me on the sidewalk, as if they were DEAF, DUMB AND BLIND, it's hard to imagine how they survive day-to-day. . . "

end



● McQUISTON ASSOCIATES

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consultants to technical management

February 15, 2010

CF09-0600-S159

ITEMS 1-5 E&N Cmte 2/16/2010

E. Villanueva

**STATEMENT of J.H. McQUISTON on
BUDGETARY ISSUES REGARDING NEIGHBORHOOD COUNCILS**

Honorable Chairman and Members of the Committee:

Most Committee Members know that I believe the City Charter **is periled by ineffective Neighborhood Councils**. I have been diligent in **recommending the correction of defective City ordinances that unfairly affect their operation in accordance with the Charter language**.

Item 1: The Department of Neighborhood Empowerment is an instrument of the Executive Branch. Neighborhood Councils were designed to “monitor the delivery of City services in their areas”, **which means they are essentially “watchdogs on the Executive Branch”, because only the Executive per Charter may deliver City services.**

It is improper for the Executive Branch to control the financial operation of a Neighborhood Council.

The proper authority would be either the Controller or the City Council.

The CAO is a department controlled by the Executive Branch. The appropriate entity for reviewing this issue is the CLA, not the CAO. The Controller should be a party to the study also.

Items 2-5: My Statement regarding the CAO points on Neighborhood Councils is attached. *See, e.g.* comments on points 18-20 of the “Three-year Plan”, **but please observe the entirety of the Comments.**

In times of distress there is a substantial doubt regarding arbitrary City gifts to Neighborhood Councils, inasmuch as their sole mandate per Charter does not require any support with City funds to be effective, so long as they are not able to resort to legal actions. *See* my comments in the attachment regarding points 18-20.

For local improvements, Neighborhood Councils may capitalize on the various Grant Programs, from the City Departments. **This process protects the City and makes-available a better method of financing.**

I note that local councils which effected corrections to defects in City services **were not organized and controlled by the Department of Neighborhood Empowerment.**

Members of this Committee who participated in the Charter Commission, exerted pressure, and created Article IX, certainly know that the present operation is not what they planned.

It is imperative that the Charter’s viewpoint of independent Neighborhood Councils be supported by the City Council forthwith.

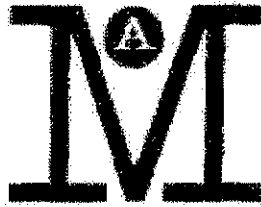
Respectfully submitted,

J. H. McQuiston

J. H. McQuiston

Date: 2/16/10
Submitted in BY Committee
Council File No: 09-0600-S159
Item No: 1-5
Deputy: B. Villanueva
public

c: Interested parties
Encl: 2/8 Statement



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 consultants to technical management
 February 8, 2010
 CF09-0600-S169
 ITEM 11 COUNCIL 2/9/10
 M. Kostrencich

STATEMENT of J.H. McQUISTON on
 THREE YEAR PLAN

Honorable President and Members of the Council:

I wish the City were able to establish a realistic plan for fiscal-sustainability which could be followed for three years. But the reality is that even the good people in the CAO recently admitted that its "plan" for FY09-10 became useless quickly. It went awry just *2 months* after the CAO said it would hold for just the *7 months* remaining in the FY. I believe the CAO failed the City, substantially, just as I believe the CAO's projections in its Three Year Plan continue to be excessively optimistic.

Nonetheless, the City Charter permits only the Mayor to propose the City's budget, and the Mayor proposes using the CAO and the Mayor's budget deputy.

But the City will be severely-affected by two Articles of the California Constitution if the Mayor's budgetary changes occur:

Article 13D, mandates rebates if budgets are reduced.

Article 13D prohibits using income from one payer to benefit another payer, and

Article 13B, mandates *permanent* (except for COLA) caps on *reduced* appropriations.

Article 13B forbids *increases* in appropriations (except for COLA), even in emergencies, without prescribed *cutbacks* in following years.

I believe the Mayor has overlooked these dire mandates. The apparently-sole cure for the City's budgetary deficiency is to increase drastically the City's income (which, however, is substantially-possible).

The CAO erred when it did not tell the Council that substantial income *can* be recovered, enough to eliminate any reduction in force.

Consonant with the allegations above, I submit the comments below, numbered per the Agenda Item:

1. The CAO recommendation *removes* the restriction *already in place*, because one-time revenues presently are not to exceed one-time expenditures. What CAO proposes *removes* the restriction until some later date, maybe 2011-12, but *this* Council cannot restrict *future* Councils this way.

Mayoral action, instead, should abide the present restriction, by employing alternative proposals.

2. Prior CAO projections into the future were always "rosier" than, for example, the Controller's, and they always used the City's "bank account" as "income", because otherwise there was a substantial deficit. Whereupon, prohibiting full- spending the residue carried-over, to become "income" for the next FY.

But each year a "boom" economy was required for the CAO's plan to be successful. There is no evidence now that the CAO (or anyone else) can count on a resumption of the unstable boom- economy, so there may be little value in the CAO's recommendations and policies.

This does not mean that the Council should not get valuable information for fiscal sustainability.

3. I believe the CAO, per Charter, *must continuously monitor and opine* regarding multi-year trends, particularly because acts in a current year could hamstring the City in future years. But this Council is

well-advised to *conduct an independent analysis also*, and the CLA *must be expert in such analysis independently of the CAO's work*.

Otherwise the Council would have to act blindly, on CAO reports which may be critically-erroneous.

4. The City's Financial Policies have been in-place for years and must be disseminated sooner than the requested 60-day delay.

Dissemination, and *penalty for disrespect*, should occur *forthwith*.

5. There is now a *Risk-management group*, which I have contacted from time to time.

The Council must enact a penalty for dereliction in risk management, imposed on all Department heads if it occurs in their Departments. I believe penalty is missing; its absence causes unnecessary City liability.

6. The "previously-requested financial policies" date from long ago. I believe the Council should direct the CLA instead to prepare what the Council wants with regard to such policies. The CLA must report on those forthwith. The CLA listened and knows what the Council wants, and should need no delay whatsoever.

7. If the Council wishes to put its policies into an Ordinance, by Council Motion, it should employ the CLA *not the CAO*. Such employment is the *raison d'etre* for the Charter's including a CLA.

8. Budgets are *proposals* which may be modified. I detest calling the CAO Reports "Financial Status" when in reality they are just "guesstimates" (even if accurate guesses). Not calling them "Financial Estimates" confuses many people unnecessarily.

But chief among requirements for accuracy is a fully-functioning computer. Lack in the past of accurate and detailed computer data made reporting difficult and labor-intensive.

Council must require detailed, contemporaneous data from the updated computer.

The Council must *instead* direct the *Controller* (not CAO) to report *specific, immediate* status of budget compliance to the Council, *including budget trend by budget category*, at short intervals.

The Council must enact a *penalty* for Department's trending over-budget before Council's approval.

9. The CAO's suggestion would permit such Departments to amend their financial policies *without specific Council approval*. The Departments could thus violate Council policy.

I believe the Council wants otherwise.

10. I believe there could be more consolidation and modification of purposes than those listed in "a-e". However, "e" is also unclear regarding its intent.

The Department is specifically-authorized and restricted by Charter Article IX. The Council may not "transfer" *it*, even if its duties are partly-transferred.

The Charter does not specifically protect the funding of Neighborhood Councils. *See Comments #18-21*.

11-13. No comment.

14-15. Instead, I suggest empowering the Library Dept with ability to budget itself, including cap rate, within a target established by the CLA's forecast of the amount set forth in accordance with Charter Section 531. I see no reason for gradual amendment of process.

Such a tactic is more-amenable to the Charter's intent and puts the onus of feasibility where it belongs. Setting the amount this way permits both Department and Council to budget with something tangible.

16-17. My suggestion for R&P echoes my Library suggestion, in accordance with Charter Section 593.

18-20. I believe for the present Charter to work properly there must be Neighborhood Councils per Article IX, and they must be empowered in accordance with that Article.

Neighborhood Councils are mis-named. They are the necessary “private attorneys general” which insure for the City Council that the Mayor does what is required.

To that end, they are *mandated solely to:*

“monitor the delivery of City services in their *respective areas* and have periodic meetings with *responsible officials of City departments * * **.” Section 910, Charter (emphasis added)

They need not meet in any place to deliberate as a body. They must walk their areas and report issues on City 3-1-1. Each NC person is entitled to do so, and also to gain access to officials.

Nothing Charter-mandated costs a NC person more than the person’s “volunteer-time”.

If the official does not respond properly, then the NC or the person may ask a Court of Law for enforcement. That step is what Section 911 contemplates: funding for attorney fees for enforcement.

That step may call for concerted action of the stakeholders, or it may not, and Article IX provides for both.

Two-year funding for Court action prevents the Department from mooted legal action by cutting funding if as contemplated the Court action lasts morethan in the FY in which it was brought and costs escalate.

Article IX was also carefully-structured so that funding for suit did not prevent such suits, any more than funding for the Legal Services Corp prevents suits by it against its funder.

But other groups have served as private attorneys general without receiving financial assistance from the City.

Presently, Neighborhood Councils are not performing in accordance with the Article.

Understanding the above, there is no basis for the City to dedicate arbitrary amounts to fund N.C.s. They may apply for *specific* City grants for whatever purpose they propose. Such grants are offered by such as Public Works and Cultural Affairs and other Departments.

Inasmuch as independent Neighborhood Councils are supposed to perform services which enable the City Council to achieve its objectives while safeguarding against corruption, the City Council *upon specific petition from a N.C.* could also award minimal financial assistance.

In time of necessity, if 3-1-1 remains active and Neighborhood Councils remain unfairly-tied to the City, reducing or eliminating City funding may actually produce closer-obedience to the Section 910 mandate.

In any event, as long as Neighborhood Councils are not engaging in Court actions there is no basis for awarding multi-year funds.

I believe “rollover” funds do not comply with the Charter and must be swept. I believe also that funding should now be based on compliance with Section 910, evidenced by facts showing actual monitoring of the *delivery* of statutory City services in the subject area.

I believe audit of grants should be undertaken by the auditor of other City grants.

I say the above as a fervent supporter of the Charter’s Neighborhood Council Article, and as a person who *abhors* what a cabal of Mayor and City Attorney unlawfully foisted upon us instead.

22-25. No comment.

26-31. The County has had success by turning over management of some assets to non-profit, motivated volunteer groups. There is no reason why the City will not be successful also. However, there can be no savings realized thereupon, on account of the aforementioned Constitutional Articles.

Appropriation limit would be reduced permanently. Income would be reduced also.

32. No comment.

33. Merely consolidating Departments will not by itself produce substantial savings and efficiency.

What is necessary is to examine the function in a Department and see if the function is a necessity. Then the issue will be if amendment will be substantially-economic and efficient, and *invite more business*.

It will be wasteful to "re-evaluate" the subjects in #33d.

34. Include also "adherence to California Streets & Highways Code".

State law *requires* all work on streets, alleys, curbs, gutters, parkways, sidewalks, poles, hydrants, sewers, drains, to be paid-for by the *underlying* property owner. *That in almost all cases is not the City.*

The State defined "work" and "construction" to include "construction, reconstruction, or repair". *See Code.*

Code prohibits all except the City from paving "streets", but requires the property owner to reimburse the City for its "actual costs", and allows the City to charge in excess of all "costs" (which includes overhead charges) a sum of up to 40 percent (which is profit).

The Council should set the percentage profit it will bill to underlying property owners. Such owners are permitted by State law to hire others to do any work except street paving.

35-41. No comment.

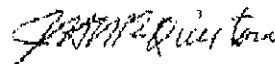
I repeat: Increasing income is the salvation of the City. COLA will worsen finances every future year, until there will be no way the City can operate.

Cutting employment will not support future well-being.

If the Mayor continues instead on the path he has chosen, the Constitution will mandate withholding services including public safety from large areas of the City.

I believe the City does not want that.

Respectfully submitted,



J. H. McQuiston

c: Interested parties

The City Charter is the Law

The City Charter mandates both the establishment of a citywide system of Neighborhood Councils and also the funding of neighborhood councils to ensure that they can carry out their mandated functions. The Plan providing the neighborhood council goals, policies, and objectives shall be consistent with the law, the City Charter. The neighborhood council regulations and powers set forth in the City Charter are binding on all City departments and officials.

The City Charter states that there shall be input by neighborhood councils prior to decisions being made by the Mayor and City Council on the budget, the City Council, City Council Committees, Boards, and Commissions. Neighborhood councils monitor delivery of City services, have meetings with officials of City departments, and may even hold public hearings prior to City Council making a decision on a matter of local concern.

Mandating that neighborhood councils have an advisory role on issues of concern to the neighborhood, the City Charter recognizes that neighborhood councils promote citizen participation in government and make government more responsive to local needs. Stakeholders reflect the diverse interests within their area and provide input to neighborhood councils. Neighborhood councils regularly communicate the concerns of their stakeholders to the appropriate government officials. The City's Neighborhood Council system enhances the effectiveness of citizen participation by facilitating valuable grassroots communication among the neighborhood councils themselves, their constituents and government officials. Such transparent two-way communication is the foundation of our democratic process.

Only a City Charter amendment, voted on by the people, can alter the mandate that established the neighborhood councils and mandated that they have adequate funding to enable them to carry out their mandated functions. Neither the Mayor, the Council, nor the City Controller have the authority to change the mandate in the City Charter. Only we, the people, can do that. Any attempt to narrow or alter that mandate will be met with a grassroots movement to reinforce the neighborhood councils' mandated existence and funding and to strengthen and enhance their functions.

All within our City's government should let neighborhood councils be recognized and funded to the full extent and intent of the City Charter.

Barbara Monahan Burke
Studio City Neighborhood Council Board Member
(speaking personally)

Date: 2/16/2010
Submitted in 82N Committee
Council File No: 09-0000-5157
Item No.: AN
Deputy: Public

The City Charter is the LAW

Section:	Description
900	Establishes a citywide system of neighborhood councils.
911	Requires the Mayor and Council fund a SPECIAL FUND ensuring the functioning of neighborhood councils at least one year in advance of each subsequent fiscal year.
900	Mandates that neighborhood councils shall have an advisory role on issues of concern to the neighborhood.
900	Recognizes that the neighborhood councils promote citizen participation in government.
900	Recognizes that neighborhood councils make government more responsive to local needs.
901f	Charges neighborhood councils to communicate with constituents, other neighborhood councils and government officials.
904b	Sets forth a statement of the goals, policies and objectives for neighborhood councils. Indicates that these should be consistent with the law, the City Charter. NOTE: City Council has attempted to narrow the scope of neighborhood council activities in a way that is not consistent with the intent of the City Charter.
905	Requires compliance with the Brown Act.
905	Establishes that the regulations and powers set forth in City Charter are binding on all City departments and officials.
906.a(3)	Recognizes that stakeholders reflect the diverse interests within their area
906.a(4)	Requires that neighborhood council communicate with stakeholders on a regular basis.
906.a(6)	Establishes that the neighborhood council system is designed to be participatory.
907 & 909	Establishes a system for input by neighborhood councils prior to decisions by: The Mayor and City Council on the Budget, City Council, City Council Committees, Boards and Commissions
908	Provides that neighborhood councils hold public hearings prior to the City Council making a decision on a matter of local concern.
910	Provides that neighborhood councils monitor delivery of City services and may have meetings with officials of city departments.

Section:	Description
912	Commentary: I, Barbara Monahan Burke believe an initiative would be necessary to change the City Charter concerning the existence and funding required for neighborhood councils.
914	Provides that the City Council may adopt ordinances consistent with the Plan for any "Inconsistencies."

CONCLUSION:

I and other Studio City neighborhood council board members volunteer a minimum of one thousand hours annually to the neighborhood council system and the City of Los Angeles. These services are provided at no cost to the City. They are FREE. In the aggregate, I estimate that the 90 neighborhood council board members and stakeholders donate at least a million hours annually. Through the neighborhood council system the City receives value far in excess of the minimal \$45,000 annual funding provided to each neighborhood council. Without these funds the many neighborhood councils would not be able to function. Please keep the neighborhood council funding in place.

Barbara Monahan Burke, GAC Co-Chair
 Studio City Neighborhood Council
 (speaking personally)