

TO CITY CLERK FOR PLACEMENT ON NEXT

#63

Rule 16 JCP

EDUCATION & NEIGHBORHOODS

MOTION

On January 15, 2008, the City Council considered a recommendation of the Neighborhood Council Review Commission (NCRC) report allowing Neighborhood Councils (NCs) to initiate Council Files (CF:05-0894 S3) and adopted various actions to facilitate the filing of Council files by NCs, as a two year pilot program.

At that time, the Council also considered and approved the amending Motion (Smith-Garcetti) recommending the following:

- For the duration of the 2-year pilot project, each member of a NC that introduces or seconds a Council File must file a California Statement of Economic Interests Form 700 (CA Form 700);
- The Ethics Commission must review the CA Form 700s filed by NCs members for potential conflicts; and
- NCs that do not introduce or second a Neighborhood Council File would be exempt from submitting the CA Form 700.


The City Ethics Commission received letters from various Councilmembers to review the filing of CA Form 700 by NC members. A report from City Ethics Commission staff advises that Los Angeles Administrative Code (LAAC) Section 2.20.1 exempts NCs from having to adopt a conflict of interest code or file financial disclosure statements under the California Political Reform Act (PRA) (CA. Government Code Section 87300 *et seq.*). Absent an ordinance that changes LAAC Section 2.20.1, the motion is unenforceable. To require NCs to file CA Form 700, an ordinance must be adopted.

At its meeting of January 15th, City Council adopted the amending motion. There is substantial support expressed by the members of the City Council to require the filing of CA Form 700 by NCs that elect to file or second Neighborhood Council files. The City Attorney should be requested to prepare the necessary ordinance to accomplish such filings.

I THEREFORE MOVE that the City Council request the City Attorney to prepare and present the necessary documents, including draft ordinance(s), to amend the Los Angeles Administrative Code (LAAC) Section 2.20.1 to require members of Neighborhood Councils that participate in the filing of Neighborhood Council Files (NCFs) to file CA Form 700 for each of the two-years of the NCF pilot period and that such provision be applied to those Neighborhood Councils that introduce or second NCFs;

IFURTHER MOVE that the City Administrative Officer (CAO) be instructed to report back on the feasibility of the City Clerk reviewing the CA 700 Forms, and an examination of the positions and resources necessary to address the concerns and issues as expressed in the City Ethics Report dated February 5, 2008.

PRESENTED BY: 
GREIG SMITH
Councilmember 12th District

SECONDED BY: 

FEB 12 2008

dhp

Rule 16 JCP

Old Council File 05-0894-S3

08-0351