

Topic: Planning MOU Process initial meeting

Date/Location: 9-30-05 / JPL Zoning office

Participants: Ken Draper, Jeff Jacobberger, Rusty Millar, Robert and Jacque Lamishaw, and Jon Perica and Murph Miller (both formerly of LA City Planning, here for informal guidance)

Observer: Mark Elliot

This meeting is the first step in the creation of a memorandum of understanding between Los Angeles neighborhood councils and the Department of City Planning. It follows the successful process that produced a written agreement between neighborhood councils and the Department of Water and Power, signed in early 2005. That MOU not only described the respective responsibilities of each of the parties, it suggested a blueprint for future agreements between neighborhood councils and city departments. This group of neighborhood council leaders, interested in gaining some measure of control over local land use, asked two former employees of the Planning department to attend as informal consultants. Their role is to help ensure that the process addresses only issues that fall under the practical control of the Department, and identify opportunities for neighborhoods (through their councils) to have substantive input.

The group began with the understanding that land use affects neighborhoods directly and locally, (unlike the Water and Power issues). It framed the process as not one of policy-*setting*, but rather, as one said, “a means to communicate what those policies should be.” Salient questions concerned the educative aspect of community participation (e.g., understanding documents like community and specific plans) as well as process considerations such as realistic opportunities for community involvement and (from a proactive perspective) how neighborhoods might begin to initiate policy actions such as changing existing plans.

The Discussion

Communication was discussed as a critical element of any agreement. Effective notification to neighborhoods of pending actions is important, but so is the ability to participate in decision-making by allowing neighborhoods to provide input on a timely basis (in accordance with the Charter). While the overall structure of the process and the primary planning documents are already accessible – including “early notification,” which is already in place, too - knowledge of the planning and land use process among the neighborhoods may not yet be deep or specific enough to allow them to participate effectively at present. The importance of personal connections within the department was stressed as a communication linkage that could be developed to more effectively give neighborhoods an effective voice.

This meeting addressed chiefly the overall goals of the MOU process and how best this core group could move from draft MOU proposal to an agreement acceptable to the neighborhoods citywide. It was agreed that Department participation (and buy-in) from the earliest stage was critical (as suggested by the DWP MOU). One participant noted that the DWP process began with a signed letter of intent that cemented department commitment.

Discussion then addressed who best to approach in the department – and particularly when to approach top officials. An open question is Who will lead the Planning department? The search for a new director is currently underway, and the interim director has a brief term to serve. Yet there is interest in getting something in place immediately to serve as a foundation for future discussions when the director and staff choices are in place. Concurrently, a question was raised regarding which other related departments (such as Building and Safety) could or should become

involved early. Of critical concern, too, was how and when to involve the neighborhood council representatives. Who should be included - and exactly how to approach them? Should land use and planning committee chairs participate? There is no existing database, however.

One participant identified case-related issues and, alternately, more general planning processes as two primary areas of interest. On the former, a list of existing concerns could be compiled to bring into the discussion as it progresses. It was acknowledged that some neighborhood councils have 'in-house' expertise in land use matters. "Developers come to our committee, our chair is an architect, and someone [on committee] used to work for the Planning department," one participant said, referring to the land use expertise at his council.

On the planning process more generally, there was some concern that neighborhood representatives from councils across the city may not know enough about the process to craft an MOU. "Are we in the dark? Do we need to know what their [department] processes are?" Education was described as both an important component of this MOU process and as a critical outcome from the agreement for neighborhoods (looking ahead).

Another important consideration for participants was setting realistic expectations for the process by recognizing the inherent limitations of any agreement. That meant in part identifying what an MOU could and could not address. There was also the issue of whether the MOU was the best avenue to neighborhood efficacy in land use participation. "We need to discuss whether we need this MOU," one neighborhood participant said. (There was also concern that the core participants from the neighborhood council side already serve as consultants to developers, and that this could be perceived by neighborhood people as a "stalking horse" for the development community's interest in the MOU process.)

Another concern was how the process would be viewed by the City bureaucracy. One former Planning employee asked, "What is the neighborhood council 'taskforce'? Where does it get its legitimacy? What is the authority for it?" The reply was, "We're the seed...As the group forms, it will provide guidance ... [regarding] what makes sense and what is doable." The participation of the neighborhoods would give the process legitimacy, it was agreed. There was also the need to apprise decision-makers. "We'll let them know why we're the group to put this together," another participant said, referring to obtaining buy-in from elected City Council office holders. It was agreed that participants would make preliminary approaches to their City Council offices.

From the department perspective, the DWP MOU provides a foundation for future neighborhood council-City formalized relations. "If [the department] says, 'OK, We expected it,' then it gives us [added] legitimacy," one participant said.

The Larger Context

This process is developing against a backdrop of neighborhoods champing at the bit to take a bite at the local level in land use. "It's a hot-button issue," as one participant noted. And some neighborhood councils are already finding their role in local land use decision-making and are securing acceptance among their City Council representatives. An example cited was the anti-mansionization effort that recently culminated in a proposal passed by the City Council to limit residential development (applying to lots that are 8,000 square feet or less to 40% of lot area or 2,400 square feet in Sunland Tujunga.) This policy suggests a fragmented set of neighborhood-specific outcomes that may result if neighborhoods undertake a neighborhood-by-neighborhood approach. (At the same time, it shows that communities that are knowledgeable and persistent may achieve a local political solution to land use issues.)

Adding to the urgency for some participants is that there exist processes underway that could fragment citywide interest in a neighborhood council-department agreement. It was said that selected neighborhood councils may arrive at some sort of a limited agreement with the Department of City Planning before a citywide process could be put into place.

Next Steps

Next steps include setting a next meeting date for the core group planning the MOU process; a larger meeting to include a wider selection of neighborhood council representatives; and a meeting to present the proposal to the Planning Department. A preliminary timeline identified mid-2006 as a target date to complete the process.

Remaining questions included:

- * Who would facilitate the meetings?
- * Shouldn't neighborhood council representation in the process be inclusive and reflective of the City's diverse communities?
- * How inclusive should the process be (e.g., which City officials?)
- * How to define and present "talking points" to neighborhood councils?