

CLOSING DRAFT PROPOSED MOU DOCUMENT 6-10-06

INTRA-CITY MEMORANDUM OF UNDERSTANDING BETWEEN CERTIFIED NEIGHBORHOOD COUNCILS AND DEPARTMENT OF CITY PLANNING

This Memorandum of Understanding (hereinafter "MOU") contains guidelines that are mutually agreed upon this ___ day of _____, 2006 by and between the Los Angeles Department of City Planning (PLANNING) and all participating Certified Neighborhood Councils, (NC, NCs).

RECITALS

Whereas Article IX of the charter of the City of Los Angeles and the implementing Regulations as currently set forth in Ordinance Nos. 174006 and 174975 provide that:

- (1) Information from the City should be sent to certified neighborhood councils as soon as practical so that certified neighborhood councils are afforded as much opportunity as is practical to provide comment before decisions are made;
- (2) Certified neighborhood councils may provide comment and feedback to the City Council, its committees, and to City boards and commissions by using the Early Notification System. The neighborhood council may communicate its views either by way of mailed letter, fax, E-mail or by a representative appearing in person to make a presentation on an item before the City's decision-makers; and
- (3) Neighborhood councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible City departments, subject to their reasonable availability.

Whereas PLANNING and the Neighborhood Councils mutually agree that the People of the City of Los Angeles will benefit from improved communication and cooperation between PLANNING and the Neighborhood Councils;

PLANNING WILL DO THE FOLLOWING:

1. PLANNING REPRESENTATIVES:

- 1.1. PLANNING will designate a person as the primary point of contact with each Neighborhood Council ("PLANNING Liaison"). PLANNING will assign a primary PLANNING Dept. Liaison to each of the seven Los Angeles Planning Districts. PLANNING Liaisons may be assigned to more than one Planning District.
- 1.2. Each PLANNING Liaison will be responsive to each Neighborhood Council whose boundaries fall, in whole or in part, within the Planning District to which they are assigned.
- 1.3. The duties of a PLANNING Liaison shall include
 - A. Attending and participating in board and committee meetings of Neighborhood Councils in their assigned districts regarding matters involving City-wide or Community-wide PLANNING,
 - B. Receiving requests for information, assistance or service from Neighborhood Councils in their district, transmitting the requests to the appropriate person(s) within the PLANNING Department, attempting to provide responses to the Neighborhood Council in a timely manner; and
 - C. Processing requests for speakers or educational materials, (as described more fully in Section 3 below, "EDUCATION," and Section 4 below, "DELIVERY OF SERVICES,")

In order to assist the PLANNING Liaison, Neighborhood Councils shall channel all requests for information through their NC/PLANNING MOU Oversight Committee representative and the Neighborhood Council shall notify the PLANNING Dept. Liaison of any requests made by their constituents through other means.

All Educational or other Community meetings shall be scheduled to be at the most convenient time and location to assure the maximum participation by the affected neighborhoods.

- 1.4. The PLANNING Liaison shall also be responsible for receiving input from the Neighborhood Council Planning and/or Land Use committees and Neighborhood Council Boards regarding PLANNING cases and forwarding such input forthwith to the proper file or individual so that the information is available to all persons accessing the file prior to or during and subsequent Public Hearing conducted in the matter.
- 1.5. The PLANNING Liaison shall forward notification to the appropriate Neighborhood Council of all Draft reports received from other departments relative to any case in that NC area, including, but not limited to, Engineering Dept., DOT, Staff report, etc. These reports shall be available as soon as received from the originating department and either forwarded in toto via email or posted on the City's Planning Department website with email notification to the NC that it is available.
- 1.6. Within 30 days after execution of this MOU, PLANNING will provide notification of the name, telephone number and facsimile number, mailing address and e-mail address for each PLANNING Dept. Liaison to the Neighborhood Councils. An alternate or supervisors name shall also be provided.
- 1.7. Within 15 days after PLANNING thereafter assigns any new person as a PLANNING Liaison, PLANNING will provide the name, telephone number, facsimile number, mailing address and e-mail address for each new PLANNING Liaison.

2. NOTIFICATION BY DEPARTMENT OF CITY PLANNING:

- 2.1. PLANNING will provide semi-monthly early notification of all Planning cases filed or for any matter that the Neighborhood Council Planning and/or Land Use Committee, after a majority vote, has informed PLANNING in writing it has deemed significant to that Neighborhood Council.

This "early notification" must include a contact name and information for the applicant or his/her representative to enable the Neighborhood Council to interact with the applicant to schedule the applicant's input to the Neighborhood Council Planning and/or Land Use Committee. The purpose of notification by PLANNING is to permit Neighborhood Councils to have timely and meaningful input into decisions by PLANNING and to monitor the delivery of services by PLANNING. Both parties shall abide by all of the timeframes set forth by statutes and/or as otherwise stated herein.

- 2.2. PLANNING will amend Page 2 of their Master Land Use application to provide, in addition to the Applicant, Property Owner and Representative information the information for the area Neighborhood Council, Contact name, address, telephone, FAX number and e-mail address to enable the applicant, the Public Counter and the Planning Department to contact or mail documents to the appropriate Neighborhood Council.
- 2.3. PLANNING will require each applicant filing for a Planning Department action to provide an extra copy of all applications, documentation and exhibits, including a complete set of the owners and occupants mailing labels and a copy thereof. This copy will be mailed to the appropriate Neighborhood Council in whose district the Subject property is located. The Public Counter will immediately mail this "extra set", including the Environmental and Planning Case numbers, to the Neighborhood Council contact as listed on the list of Neighborhood Council contacts provided to the Planning department by the affected Neighborhood Council.

Within 30 days of the execution of this agreement PLANNING will notify all known Expeditors, Consultants, Engineers and Mapmakers of this requirement to provide an extra set of case filing documents and PLANNING will amend all Case Filing Instruction hand-out sheets to include this additional requirement.

- 2.4.** PLANNING will provide each applicant for a Planning Department action with a form at the time of filing that advises them to contact the Neighborhood Council(s) and includes the name of the Neighborhood Council having jurisdiction for their project and the appropriate contact information.
- 2.5.** Unless otherwise specified below, PLANNING will provide the early notification at a minimum via e-mail to all of the designated recipients.
- 2.6.** PLANNING shall provide notification through one or more of the following methods;
- A. Electronic mail;
 - B. U.S. mail;
 - C. Facsimile;
 - D. Posting of material on PLANNING website within 2 business days, with a concurrent link sent to recipients identified in Section 2.4 above.
 - E. When PLANNING provides notification by electronic mail, PLANNING will use its best efforts to satisfy requests for notification by an alternate means, including U.S. mail, to other persons who do not have access to e-mail or who are unable to download attachments to e-mail messages.
- 2.7.** PLANNING will use its best efforts to provide advanced notification concerning the following proposed actions or filed applications before they are set for Public Hearing per the following subsections:
- A. Public hearings for City initiated changes to the Master Plan, any Community Plan, Specific Plan, Zone Overlay, ICO, EIR, Code Studies or other City initiated PLANNING action affecting any specific or Citywide Area which would be considered to be significant to the Neighborhood Councils. PLANNING will use its best efforts to notify Neighborhood Councils when initiated, but not less than 180 days before they are finalized.
 - B. PLANNING will keep the Neighborhood Councils informed of the Planning Department Work Program and Budget as it looks at near-term and long-term goals and objectives for modifications or revisions to the Planning Code section of the City of Los Angeles Municipal Codes including providing the Neighborhood Councils with copies of working documents.
 - C. Local Issues:

PLANNING and the Neighborhood Councils recognize that many issues regarding PLANNING services will be specific to individual neighborhoods. In the event the Neighborhood Council has not received notice from PLANNING, the Neighborhood Council Representatives will contact their PLANNING Liaison and copy the Director of Planning.

 - (1) The PLANNING Representative will direct the Neighborhood Council inquiry to the appropriate person or division within PLANNING.
 - (2) PLANNING will use its best efforts to provide a response as soon as possible, but no later than 48 hours after in the inquiry is made.
 - (3) If PLANNING is unable to provide a substantive response within 48 hours, PLANNING will use its best efforts to provide the Neighborhood Council with a status report every week, (5 working days), thereafter until a substantive response can be provided, but in no event more than 30 days from the date of the original request.

- (4) If provided less than 30 days, but at least five (5) working days' notice, PLANNING will use its best efforts to send a knowledgeable representative to attend a meeting of Neighborhood Council or a meeting of the Neighborhood Council Planning and/or Land Use Committee regarding pending issues. If PLANNING is not provided with at least five (5) working days' notice, PLANNING will make its best efforts to accommodate requests that a PLANNING representative attend a meeting.
- (5) PLANNING shall prepare an oral or written periodic report for each Planning district that identifies significant, (as defined in 2.8), new Neighborhood Council issues, development trends or concerns as soon as practical but in no event less than 30 days after such significant issue is recognized by either PLANNING or the Neighborhood Council.

2.8 Planned Significant Projects within the City of Los Angeles

Significant Projects: PLANNING will use its best efforts to provide notification to the Neighborhood Councils of those projects deemed to be Significant Projects 90 days prior to the commencement of actual construction work, including initial site grading, anywhere within the City of Los Angeles. For purposes of this subsection, "Significant Projects" is defined as those projects, programs and activities that are not Categorically Exempt in accordance with the California Environmental Quality Act (CEQA).

2.9 The PLANNING Budget Process

A. PLANNING will use its best efforts to provide Neighborhood Councils with notification relating to the development of its annual budget at the same time as PLANNING provides notification to other reviewing agencies, boards or bodies, including but not limited to the City Planning Commission, City Controller, Mayor or City Council. In addition, PLANNING will use its best efforts to provide specific notification to Neighborhood Councils as follows:

B. Stage One: Fall Budget Workshop.

In August or September of each year, PLANNING will hold a Neighborhood Council Budget Workshop at a time and location designed to be convenient for as many Neighborhood Council members as possible. PLANNING will present information to Neighborhood Councils regarding the multi-year financial plans and the adopted budgets for the current fiscal year. PLANNING will use its best efforts to provide notification of the fall budget Workshop 60 days before the workshop is scheduled to take place. Neighborhood Councils will provide a written response to PLANNING that includes, but is not limited to comments, suggestions, and/or objections for consideration in the development of the upcoming fiscal year's budget 60 days after the Fall Budget Workshop.

C. Stage Two: Winter Budget Workshop:

- (1) In October or November of each year, (Prior to submission to the Mayor's office), PLANNING will host a Neighborhood Council Budget Workshop at a time and location designed to be convenient for as many Neighborhood Council members as possible.
- (2) At the Winter Budget Workshop, PLANNING will provide further clarifications to any questions from the Neighborhood Councils regarding the upcoming fiscal year's budget, based upon the information provided at the Fall Budget Workshop. PLANNING will use its best efforts to provide notification of the Winter Budget Workshop 30 days before the workshop is scheduled to take place.

2.10 Draft Budget for Upcoming Fiscal Year;

When materials for the upcoming fiscal year draft budgets are posted for review on PLANNING'S website, concurrent with notice to the Commission and prior to submission to the Mayor, PLANNING will use its best efforts to provide notification of same to the Neighborhood Councils. The website will also contain the time and meeting location for the Board of Commissioner's Draft Budget and Financial Plans Review. PLANNING shall post matters for review as soon as they are completed.

2.11 Fee Action

- A. For the purposes of this section, "Fee Action" is defined to include changes in application fees, permit fees, fee formulas, fee structures or fee tiers that must be approved by the City Council by ordinance and used by PLANNING in calculating the amount charged to any Planning application. This section includes all fees over which the Planning Department has authority. For purposes of this section, all fees that may be charged by the Planning Department when filing a PLANNING application, including subdivisions, but not specifically mentioned herein shall be subject to notification and review.
- B. PLANNING will use its best efforts to provide notification of any proposed Fee Action 90 days before the proposed fee action is submitted to the Commission and/or the City Council. Such notification will include the proposed Fee Action and upon request include copies of the supporting documentation as provided to the Commission and the City Council for consideration.
- C. PLANNING will use its best efforts to provide thirty (30) days, but in no event less than seven (7) days, notice of any meeting at which the Commission is scheduled to take action on a proposed fee action and to provide thirty (30) days, but in no event less than seven (7) days, notice of any meeting at which the City Council or City Council Committee is scheduled to take action.

2.12 Code Changes:

- A. PLANNING will use its best efforts to provide notification of any proposed additions to, deletions from or amendment changes to the City of Los Angeles Planning & Zoning Codes 90 days before the change or changes are submitted to the City Commission. Such notification will include the proposed change(s) to the code and upon request include copies of the supporting documentation as provided to the Commission and the City Council for consideration.
- B. PLANNING will use its best efforts to provide thirty (30) days, but in no event less than seven (7) days, notice of any meeting at which the Commission is scheduled to take action on a proposed Planning Code action and to provide thirty (30) days, but in no event less than seven (7) days, notice of any meeting at which the City Council is scheduled to take action.
- C. PLANNING will provide for receipt of input from the Neighborhood Councils regarding such Code Changes and will provide for not less than 2 meetings with the Planning MOU Oversight representatives to negotiate such changes prior to their being submitted to the Commission and subsequently to the PLUM Committee.
- D. PLANNING will provide for receipt from the Neighborhood Councils of suggested Planning Code additions, deletions or amendments and further provide meetings to negotiate such change requests. Planning will further use its best efforts to establish such changes when they are determined by the City Planning Commission to be reasonable and prudent.

3. EDUCATION:

- 3.1** PLANNING and the Neighborhood Councils intend for the education component of these Guidelines to be a reciprocal, shared, joint and mutual process. It is essential that the Neighborhood Councils have as full and complete an understanding as possible of how PLANNING operates and the obligations of the NCs Planning and/or Land Use Committees, or their equivalent, in developing meaningful and standardized criteria for the weighing of the pros and cons of proposed development in their communities. The NCs shall offer PLANNING a method for making information available to NCs and stakeholders within 60 days after the signing of this MOU. A training program shall be established and become operational no later than 6 months after the approval of this MOU by the City Planning Commission.
- 3.2** PLANNING may appoint employees or other individuals to educate NCs regarding the organization and workings of PLANNING through workshops, participation in Los Angeles Neighborhood Councils' Congresses, presentations at Neighborhood Council meetings, and distribution of written materials.

PLANNING will use its best efforts to accommodate requests by Neighborhood Councils for speakers at NC meetings and events to make presentations on areas of interest. Topics to be covered may include, but are not limited to, the following local as well as city-wide issues:

- Interpreting and Understanding the PLANNING Codes
- Interpreting and Understanding Community Plans
- Interpreting and Understanding Specific Plans
- Limits of Authority of the PLANNING Departments
- Explanation of "findings" and their relevance
- What resources are available and how to use them
- Using the Code Index
- Identifying and understanding Overlay Zones, Hillside Areas and Fire Areas
- Identifying and understanding Historic Preservation Areas
- Initiating establishment of Specific Plans, Overlays, ICOs, etc.

- 3.3** PLANNING shall publish a monthly downloadable and printable electronic newsletter focused on Neighborhood Council interests as they relate to PLANNING and make the newsletter available on the PLANNING website. A joint committee shall be established between PLANNING and the Neighborhood Councils to provide input to the newsletter content and focus. Printed copies shall be available at all Planning Department Public Counters on request and should also be available at City Council downtown offices and Field Offices, as well as other relevant departments such as Building & Safety, Engineering, etc.
- 3.4** PLANNING will provide each Certified Neighborhood Council with one complete copy of the Planning & Zoning Code book and will provide notice of updates to specific sections as they are available on the City Web-site within five (5) working days after such updates are posted to the site. Such updates must be available for download and printing by the Neighborhood Councils.
- 3.5** PLANNING will provide each Certified Neighborhood Council with one copy of the brochure published by the Department Entitlement Management Unit in 1998 titled "Case Processing Guidebook".
- 3.6** PLANNING will prepare and distribute to each Certified Neighborhood Council a booklet in 3 ring binder format describing all relevant Planning Department materials, processing procedures, standard conditions of approval, time-lines and other public counter hand-out materials designed for use by the lay person or applicant and will provide notice of updates to specific forms or other such documents as they are available on the City Web-site within five (5) working days after such updates are posted to the site. Such updates must be available for download and printing by the NCs.

3.7 PLANNING will provide each Certified Neighborhood Council Planning and/or Land Use Committee, or its equivalent, with one copy for each member of each of the Community Plans for their area showing the Master Planned zoning for the Community and the Legend and explanation of the zones. New copies of this plan will be provided as they are amended and re-printed. Ideally, for ease of use, PLANNING will cause to be created a single cut-and-paste version of the Community plans within any given Neighborhood Council's borders with a single Legend and explanation of the zones therein.

3.8 The activities of PLANNING and the PLANNING codes are governed by numerous federal, state and local statutes, ordinances and other regulations. PLANNING will provide information to Neighborhood Councils relating to proposed changes to County, State and Federal statutes, ordinances and regulations that may affect the Los Angeles City Planning Department and/or stakeholder quality of life immediately they are known to PLANNING or, at a minimum, as part of the next following semi-monthly early notification email.

3.9 Educational Site Visits:

PLANNING shall develop a program to invite members of Neighborhood Councils or stakeholders to participate in site visits to PLANNING facilities. PLANNING will provide information about the site visits to Neighborhood Councils and/or other interested parties. These site visits may include but are not limited to the following locations/facilities:

- A. City Hall: Visits to the Council Chamber, Public Works Chamber, Rotunda, City Clerk, Hearing Rooms and the Council Offices with an introduction to the Councilperson's Planning Deputy and attendance at a City PLUM Committee meeting.
- B. City Hall: Visit to the Subdivisions (Parcel Map & Tracts) Division with an introduction to the Department head and the supervisors of the Environmental, Parcel Map and Tract Divisions.
- C. City Hall/Piper Tech: Visit to the Automated Records and Publications unit and the Piper Tech facility with training on use of the departments' facilities.
- D. Figueroa Building: "Behind the scenes" visit to the PLANNING and Public Counters, Building & Safety, Engineering Department, Grading & Geology Department, reception, Cashier, Cartography unit, minimum of 3rd and 4th floors
- E. Van Nuys: Visit to the Braude Constituent Services Center, PLANNING Department Public Counter and other offices, Records center, Mayor's Office, Council Field Offices and hearing rooms, "Old" Van Nuys City Hall and new grounds and the Oxnard Street office of Building & Safety Compliance Division.
- F. Offices of the Community Planning divisions or such other Planning Department sections and City District Offices as may be decided

4. DELIVERY OF SERVICES:

4.1 PLANNING will recognize official actions taken by Certified Neighborhood Councils with a Neighborhood Council Planning and/or Land Use committee and an elected Board in accordance with their By-Laws.

4.2 Pursuant to section 909 of the Los Angeles City Charter, Neighborhood Councils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their availability.

4.3 PLANNING will hold at minimum an annual meeting with the Neighborhood councils in each of the seven Los Angeles Planning areas to discuss delivery of services at a programmatic level. Such meetings shall be conveniently located within the boundary of the Neighborhood Council area for which the meeting is held.

- A. At these meetings, PLANNING will discuss the status of ongoing work programs including improvements in service, and improvements or changes in organization within the PLANNING Department area affecting the future development of that area.
- B. At these meetings, Neighborhood Councils shall have the opportunity to bring any matters of concern to the attention of PLANNING. PLANNING shall not be obligated to respond to any matter that is in litigation, potential litigation, a security issue, and/or covered by any applicable privilege including, but not limited to the attorney-client privilege.
- C. At these meetings, PLANNING and the Neighborhood Councils shall review PLANNING priorities for changes to the communities zoning or Community Plans and may suggest adjustments.
- D. As appropriate, PLANNING will consider the results of these discussions in development of a PLANNING mission statement.
- E. PLANNING will discuss reliability improvement projects and share information on various incentive programs available to developers and other applicants for energy efficiency, solar, green power, water conservation, inclusionary housing and developer paid street lighting.

4.4 Measurement of Delivery of Services:

- A. PLANNING will identify and provide to the Neighborhood Councils the standards it uses to measure its performance for Case Processing. Performance shall include, but is not limited to:
 - (1.) Comparison of statutory deadlines against actual results,
 - (2.) Loss of applicant submitted documents,
 - (3.) Time between conducting hearing and mailing decision letter,
 - (4.) Time to complete E.A.F. investigation and report,
 - (5.) Time required after filing for the application to be deemed complete,
 - (6.) Number of cases processed within the mandated 75 day limit.
 - (7.) Number of cases appealed and appeals upheld.
 - (8.) Number of Community Plan updated each year.
 - (9.) Number of Citywide Plans updated each year:
 - a. Housing
 - b. Seismic
 - c. Others
 - (10.) Number of other Neighborhood Plans updated each year:
 - a. Specific Plans
 - b. HPOZ
 - c. Design Review
 - d. Others
- B. PLANNING will identify and provide existing, readily-available, non-proprietary reports regarding PLANNING performance.

4.5 Public Counter Services

- A. PLANNING will provide for the intake of all case filings for any type of case at each of the City Planning Public Counters.
- B. All case filings may be presented to any City Planning Public Counter at any time that the City Planning Public Counter is open and staffed. A special provision may be made for Subdivision cases.
- C. Subdivision cases may be filed at any City Planning Public Counter after they have filed the proper form and reports with a Geologist in the Engineering Department and received that Department's stamp on 4 copies of the subdivision map and the entire case file has been reviewed and approved by the Subdivision Department Public Counter.
- D. PLANNING will provide for a City Engineering Department Geologist and a Subdivision Department staff person to be available every day that the City Planning Department is open at Los Angeles City Hall and Figueroa locations.
- E. PLANNING will provide for a City Engineering Department Geologist and a Subdivision Department staff person to be available at a minimum of two days per week at each other Public Counter location. Such Field locations may require an appointment for the review and filing of Subdivision applications.

NEIGHBORHOOD COUNCILS WILL DO THE FOLLOWING:

5. NEIGHBORHOOD COUNCIL COMMITTEES/REPRESENTATIVES:

- 5.1 Each Certified Neighborhood Council with an elected board that elects to participate in this agreement shall be required to have a Planning and/or Land Use Development Committee or its equivalent.
- 5.2 Each Neighborhood Council Planning and/or Land Use committee, or its equivalent, shall be required to have a minimum of three persons complete the PLANNING training class within 60 days of becoming a Committee Member. Any board member or stakeholder may attend the training class.
- 5.3 Each Neighborhood Council Planning and/or Land Use committee shall designate a representative as the point of main contact for communication with PLANNING, ("NC/Planning Representative"), and any other appointed representative who has attended the PLANNING training class may be appointed as an alternate for contact.
- 5.4 Each Neighborhood Council will provide the name, mailing address, phone numbers(s) and e-mail address of its Planning representative and alternate representative to the Planning MOU Taskforce and the designated PLANNING Dept. Liaison that is responsible for interfacing with such Neighborhood Council. In order to assure good communication, updated contact information will be exchanged between the Taskforce, Planning Dept. Liaison and the assigned NC/PLANNING Representatives. Such notification will initially be provided within 15 days of the execution of this MOU and whenever a change of representative occurs.
- 5.5 Each Neighborhood Council Planning and/or Land Use shall make their best effort to contact the applicant or designated applicant representative, (responsible party), within 5 working days of receiving notification, by whatever means, of a PLANNING application filing for a property within that Neighborhood Council District to arrange for that applicant/responsible party to present details of the proposed project/development to that designated Neighborhood Council Planning and/or Land Use committee.

- 5.6 Each Neighborhood Council Planning and/or Land Use committee shall be required to take an action in a timely manner to support or oppose any presented project/development if it deems that sufficient information has been collected to do so.
- 5.7 No Neighborhood Council shall render a decision on any planning matter until the applicant, or his representative, has had an opportunity to present the facts of the requested action to the Neighborhood Council Planning and/or Land Use committee except if the applicant or representative has been contacted and has refused to make such presentation or waives his right to make a presentation
- 5.8 When an applicant/representative has declined to make a presentation, the Neighborhood Council Planning and/or Land Use committee must exercise due diligence in reviewing the Planning Department case file before the committee meeting at which a vote is taken.
- 5.9 If the Neighborhood Council Planning and/or Land Use committee votes to oppose any project, such decision cannot be solely based on the applicant's or representative's refusal to appear.
- 5.10 If required in the Neighborhood Council By-Laws or Board rules for the Neighborhood Council within whose district a project lies, the Neighborhood Council Planning and/or Land Use committee decision will be further ratified or reversed by a vote of the full Board.
- 5.11 Each Neighborhood Council Planning and/or Land Use committee shall be required to make a written statement of their decision, signed by an authorized signatory and forward a copy of same to the respective City Councilperson, the applicant or his designated representative, and the PLANNING Department personnel designated to receive such notifications. The decision letter must state the applicant's name, Planning Dept. Case Number and the address of the subject property. This written notification shall be delivered in a timely manner.
- 5.12 Whenever possible, the Neighborhood Council Planning and/or Land Use committee should send a personal representative to the Public Hearing in order to be able to respond to any questions the Hearing Officer or decision maker may have of the Neighborhood Council Planning and/or Land Use committee representative.
- 5.13 All correspondence from the Neighborhood Council regarding any Planning case must contain reference to the Applicant's name, City Planning Dept. case number, subject property address and hearing date, if set.

6. NOTIFICATION BY NEIGHBORHOOD COUNCILS ON PLANNING ISSUES:

- 6.1 If a Certified Neighborhood Council, or Neighborhood Council Planning and/or Land Use committee of a Certified Neighborhood Council, intends to include on any meeting agenda any matter relating to PLANNING, that Neighborhood Council shall make their best efforts to provide notice to their NC PLANNING Representative and PLANNING Liaison and the applicant or his representative as soon as known to insure that each requested participant has sufficient time to respond.
- 6.2 At any NC meeting, the PLANNING Dept. may present their position on any PLANNING matter raised by the Neighborhood Council, or the City Councilmember may request the opportunity to present his or her position on the matter, including giving any of the foregoing a reasonable amount of time to make a presentation.

7. NEIGHBORHOOD COUNCIL RESPONSE TO PLANNING NOTIFICATIONS:

- 7.1 The purpose of many of the PLANNING notifications described in Section 2 above is to give Certified Neighborhood Councils the opportunity to provide input before decisions are made by PLANNING and the City Council. In reciprocation, the Neighborhood Councils will use their best efforts to provide this input to PLANNING and the City Council in a timely manner.
- 7.2 Where PLANNING has provided the Neighborhood Councils with notification of any case that has been “deemed complete” pursuant to any section of this MOU, each Neighborhood Council will make its best efforts to provide written input to PLANNING within 60 days after receipt, unless otherwise provided by this MOU.

8. NEIGHBORHOOD COUNCILS’ PLANNING OVERSIGHT COMMITTEE (POC):

- 8.1 Each Neighborhood Council that enters into this MOU will agree to the creation of a Neighborhood Councils Planning Oversight Committee, (POC).
- 8.2 The members of the POC shall be the NC Planning Representatives from the Neighborhood Councils that enter into this MOU and each NC may appoint a new representative at any time.
- 8.3 The Planning Oversight Committee shall monitor the compliance with this agreement of both the PLANNING and the Neighborhood Council Planning and/or Land Use committees.

GENERAL PROVISIONS

9. MODIFICATION OF MOU:

- 9.1 This MOU may be modified by mutual agreement of PLANNING and the Neighborhood Councils Oversight Committee. Either PLANNING or the OC may propose amendments to this MOU at any time. Both PLANNING and the OC agree to meet with each other as soon as possible, but in no event later than sixty days (60) after a modification to this MOU has been requested in writing by either party.
- 9.2 Any modification must be in writing, and must be signed by both an authorized representative of PLANNING after approval by the director of the City Planning Department and the Neighborhood Councils Oversight Committee Chair or Authorized Representative after PLANNING is notified in writing that there was a two-thirds or more majority vote by all Neighborhood Councils that are a party to this MOU.
- 9.3 This MOU shall not establish any rights for any third party that is not a signatory to this MOU.

10. NON-PARTICIPATORY AGREEMENT:

- 10.1 PLANNING shall respect the right of any Neighborhood Council to elect not to sign this MOU. PLANNING will continue to support a single Certified Neighborhood Council. PLANNING is not bound by the terms of this agreement when interacting with non-signatory or non-certified Neighborhood Councils.

This MOU contains the full and final agreement of the parties. Each party was represented by legal counsel during the negotiation and execution of this MOU. This MOU was executed in the City of Los Angeles, California by the parties and on the dates set forth below:

Date: _____ By: _____

NEIGHBORHOOD COUNCILS

Date: _____ By: _____

Jacque H. Lamishaw: draft of June 10, 2006