

# LA Charter Reform Commission Report

**MAKE YOUR VOICE HEARD.  
MAKE YOUR VOTE COUNT.  
MAKE LA WORK BETTER.**

April 2, 2026







To the Members of the Los Angeles City Council and the People of Los Angeles:

After months of public hearings, community outreach across every neighborhood, and careful deliberation, the Los Angeles Charter Reform Commission submits this final report with comprehensive recommendations to rebuild public trust, strengthen democracy, and make City Hall work better for everyone.

We heard from thousands of Angelenos who told us clearly: they want a city government that listens to their voices, respects their votes, and delivers results. They want accountability when officials break the rules. They want residents to have real power in decisions that affect their daily lives. They want long-term investments in infrastructure and parks, not short-term fixes. And they want elections with greater representation.

The Charter is a document that will live past the terms of all currently serving elected officials and sets the structure of the City for decades to come. However, reform is not contemplated in a vacuum. Los Angeles is still rebuilding from the devastating wildfires, facing historic budget gaps driven by federal cuts and other fiscal pressures, and protecting its residents amid national political divisions that have brought ICE actions into our neighborhoods. The need for transparent, accountable, and effective city government has never been more urgent.

This report answers those demands with structural reforms grounded in three core principles: **Make your voice heard. Make your vote count. Make LA work better.**

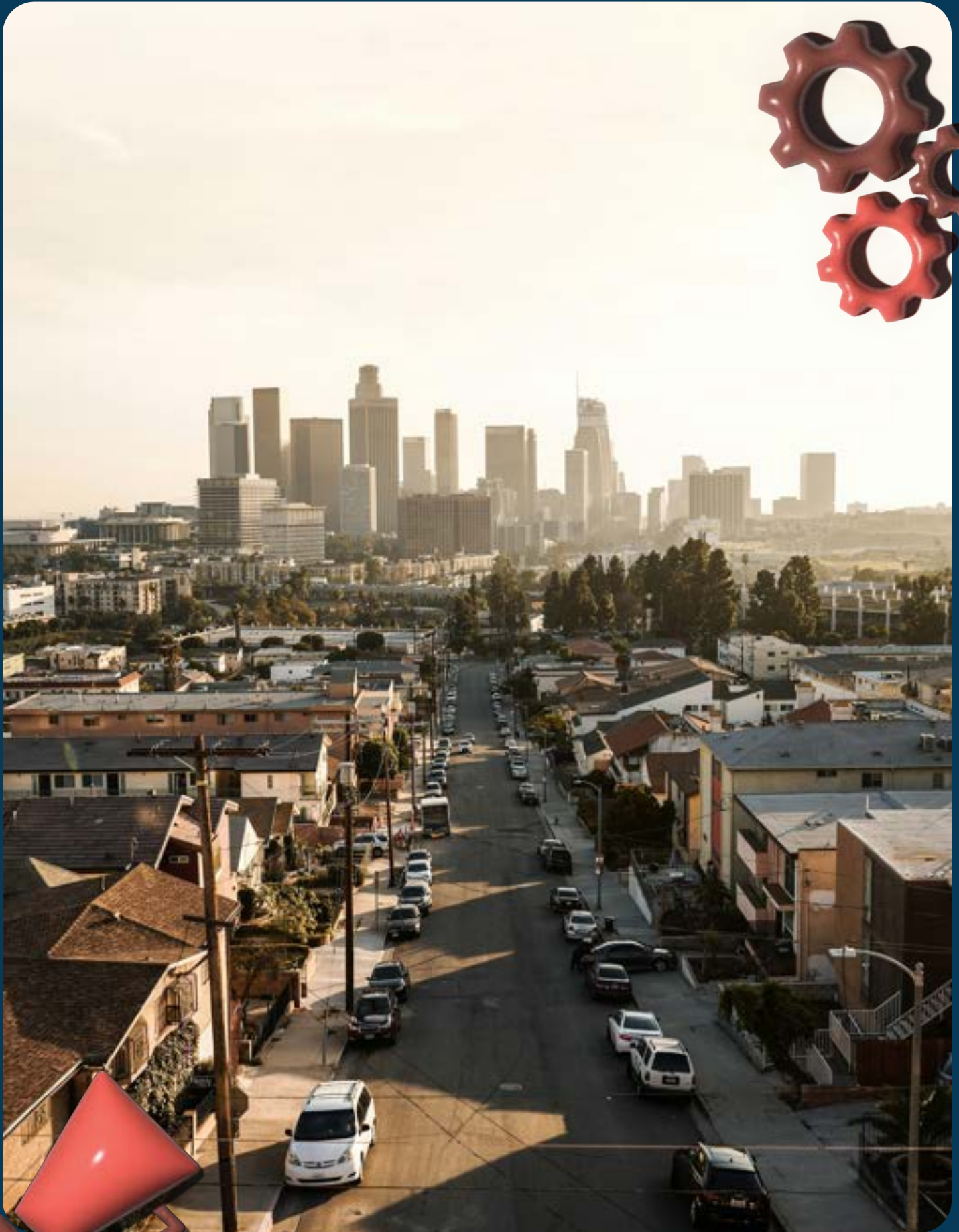
The Charter Reform Commission respectfully urges the City Council to place this entire package before voters, so that the people of Los Angeles can decide the future of their city government.

Respectfully submitted,

Raymond Meza, Chair  
*Los Angeles Charter Reform Commission*

# Table of Contents

<b>01</b>	<b>Executive Summary</b>	<b>5</b>
<b>02</b>	<b>How We Got Here</b>	<b>9</b>
<b>03</b>	<b>Core Themes</b>	<b>21</b>
<b>04-A</b>	<b>Charter Changes</b>	<b>25</b>
<b>04-B</b>	<b>Charter Language</b>	<b>41</b>
<b>05</b>	<b>Appendices</b>	<b>253</b>





**Make your voice heard.  
Make your vote count.  
Make LA work better.**

# Executive Summary

## EXECUTIVE SUMMARY

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# Los Angeles voters face a once-in-a-generation chance to rewrite the City Charter, rebuild public trust after scandals, and make City Hall work better for everyone.



The Charter Reform Commission held nearly a year of town halls, listened to residents from every part of the city, and translated that feedback into a package that updates how LA plans and funds infrastructure and parks, reshapes City Hall’s structure, strengthens ethics and elections rules, and gives residents a bigger role in city decisions.

This package starts from a clear promise: Make your voice heard. Make your vote count. Make LA work better. The reforms expand the City Council so each member serves fewer people, adopt ranked-choice voting so more ballots count, split the City Attorney’s office so LA has both a focused prosecutor and non-political legal counsel, protect and grow dedicated funding for infrastructure and parks, tighten ethics and suspension rules so bad actors face real consequences, and give Neighborhood Councils direct, structured ways to weigh in at City Hall.

If voters approve these changes, LA will move toward a government that sits closer to residents, answers more clearly for its actions, and delivers more visible results—from more responsive representation and stronger watchdogs to more reliable investment in streets, sidewalks, and parks. Taken together, these reforms channel public anger over past scandals into a durable set of rules that put voters, neighborhoods, and public trust at the center of how Los Angeles governs itself.

## What This Report Contains

**Section 1:** Executive Summary — Overview of the Commission’s final recommendations

**Section 2:** How We Got Here — The Commission’s process, outreach, and public engagement

**Section 3:** Core Themes — The foundational principles that guided reform

**Section 4:** Charter Changes — Detailed text and explanations of every proposed amendment

**Section 5:** Appendix — Additional recommendations, summary of outreach, research, and implementation guidance

## Commissioners and Staff

### Commissioners

Raymond Meza – Chair  
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### Outreach Team

City Fabrick

## The Reform Package at a Glance

**Voice:** Expand Council to 25 districts and add a Preamble stating the City's values

**Vote:** Ranked-choice voting, lower voting age to 16, easier ballot access

**Results:** Infrastructure and park funding, CFO coordination, two-year budgeting, bifurcated City Attorney, Ethics Inspector General, police accountability



**Angelenos demanded  
change.**

**The Commission listened.**

# How We Got Here

# Why Charter Reform, and Why Now?

## Understanding the Charter

A **City Charter** is the city’s basic rulebook. It lays out the structure of government: who has power, how decisions are made, what offices exist, what checks exist, and what the public can expect from City Hall.

Think of it this way:

LEVEL	IN PLAIN ENGLISH
U.S. Constitution	The rulebook for the country
California Constitution	The rulebook for the state
Los Angeles City Charter	The rulebook for the city

Only voters can approve Charter changes. They are not just changing policy, they are changing how City Hall itself is organized.

That matters because some problems are not just “bad apple” problems. Some are **systemic** problems. If the rules make it too easy for power to collect in the shadows, or too hard for the public to see what is happening, the same kinds of failures can repeat even after one scandal fades.



## The Pattern That Demanded Reform

Los Angeles did not arrive at Charter reform because of one bad headline or one bad politician. It got here because many Angelenos came to believe that City Hall had become too hard to trust, too hard to follow, and too easy for insiders to work.

Over the last decade especially, the public saw a pattern:

1. Federal bribery and corruption cases involving powerful local officials <sup>2,3</sup>
2. FBI raids and long-running investigations <sup>4,5</sup>
3. Repeated accusations that land-use decisions were shaped by money and access <sup>6</sup>
4. A leaked 2022 recording that showed senior leaders speaking in ugly, cynical ways behind closed doors <sup>7</sup>
5. A broader sense that ordinary residents were the last to know how major decisions were really being made

These are the immediate reasons reform is back on the table.

The deeper reason is structural. Los Angeles grew up differently from older big-city models like New York and Chicago. LA spread outward, district by district, neighborhood by neighborhood, with a government designed partly to avoid old-style party machines. That sounded clean and modern. But over time it produced a system with diffused authority, weak lines of accountability, oversized council districts, and a long-standing custom — known as councilmember prerogative — that gives each member enormous influence over what happens inside their district. In practice, that concentration of local power with little corresponding oversight can make deal-making easier to hide and harder for the public to trace.







## What Broke the Public’s Trust

The loss of trust came from four different kinds of failure:

TYPE OF FAILURE	EXAMPLE
<b>Criminal Failure</b>	Bribery, fraud, racketeering, lying to investigators <sup>8,9</sup>
<b>Ethical Failure</b>	Conflicts of interest, hidden favoritism, using office for private gain <sup>10</sup>
<b>Cultural Failure</b>	Racist remarks, contempt for communities, closed door power games <sup>11</sup>
<b>Structural Failure</b>	Rules that let too much happen informally and too little happen in public view, and nothing gets fixed <sup>12</sup>

**José Huizar**, former chair of the Planning and Land Use Management Committee, pleaded guilty to racketeering and tax evasion after federal prosecutors said he ran a pay-to-play scheme involving developers, luxury trips, and cash. He admitted taking approximately \$1.5 million in bribes and other benefits.<sup>13</sup>

**Mitch Englander**, former Councilmember, pleaded guilty in federal court to lying and obstructing investigation into conduct involving cash, expensive meals, and entertainment from a businessman seeking help with city matters.<sup>14</sup>

**Mark Ridley-Thomas**, former Councilmember and County Supervisor, was convicted in federal court in 2023 on charges tied to a quid pro quo arrangement involving public office and benefits.<sup>15</sup>

**Nury Martinez**, former Council President, resigned after a secretly recorded 2022 conversation revealed racist remarks and cynical talk about power and redistricting.<sup>16</sup> Councilmembers **Kevin de León** and **Gil Cedillo** were also on the recording. Cedillo lost re-election. De León refused to resign despite intense public pressure.<sup>17</sup>

These cases were not all the same. Some involved criminal convictions. Some involved conduct that was shocking even if not charged as bribery. What ties them together is the damage they did to public trust.

## Safeguards and Incentives

Most people who run for office in Los Angeles do so because they want to serve their communities, and most elected officials follow the rules and work hard to solve real problems. The actions of a relatively small number of bad actors, however, have done serious damage to public trust in city government. What the Commission found is that gaps in safeguards, combined with long-standing practices that concentrate power over certain types of decisions—especially in land use and development—without sufficient transparency or independent oversight, can allow a few individuals to jeopardize confidence in the entire system.

In Los Angeles, many significant projects require approvals, variances, zoning changes, or other city decisions. Formally, multiple actors are involved: planners, commissions, committees, the City Council, and sometimes the Mayor. In practice, however, a single council office can wield substantial influence over what happens inside its district, often without corresponding cross-checks or early public visibility.

That structure can unintentionally set up a familiar pattern: a project needs city approval; the developer seeks information, access, and support; the local council office becomes the main point of contact; lobbyists, donors, consultants, and intermediaries cluster around that office; and by the time the public meeting occurs, much of the real leverage may already have been used. This does not mean every project is corrupt or that most officials act improperly. It means the current system concentrates authority at key pressure points where undue influence can grow if safeguards and transparency are not strong enough.

Charter reform is the tool voters can use to change those underlying incentives. By better balancing where authority sits, adding clearer and earlier public disclosure, and strengthening independent oversight, the City can reduce opportunities for pay-to-play and help ensure that the good intentions of most public servants are matched by systems that protect the public's trust.

## Plain-English Definitions

**Corruption:**

Using public power for private benefit

**Bribery:**

Giving or receiving something valuable in exchange for an official act

**Pay-to-play:**

A system where money, access, or favors buy influence

**Conflict of interest:**

When an official's personal interests may conflict with honest public service

**Transparency:**

The public can see what is being decided, by whom, and why

**Accountability:**

Someone can be held responsible when things go wrong

**Councilmember prerogative:**

An unwritten custom that other councilmembers usually defer to the member whose district is directly affected, especially on land use and infrastructure projects

## What Voters Should Expect from Reform

Many Angelenos have concluded that the larger problem is a system with weak spots built into it. A system invites abuse when power is hard to trace, ethics enforcement is weak, deals are shaped in private, one office becomes the key gatekeeper, and the public only sees the final vote, not the real process.

Charter reform is the city's chance to move from damage control to real repair. At its best, this moment is not about embarrassment. It is about maturity. Los Angeles has grown into one of the world's great cities. Its government now must grow up too.

The Commission's recommendations respond to these structural problems with one clear promise: Make your voice heard. Make your vote count. Make LA work better.



### By The Numbers

**14,000+** survey responses  
**50+** public Commission meetings  
**15** Council districts town halls  
**30+ hours** of public testimony  
**70+** expert presentations

All  
**15**  
Council Districts

## The Commission's Work

### The Mandate for Reform

The Los Angeles City Council created the Charter Reform Commission in June 2024 in response to the City Hall leaked tape scandal and mounting public demands for structural accountability reforms. The Commission received a clear mandate: examine the City Charter, identify opportunities to rebuild public trust, modernize the city government, and improve how it serves its residents.

### Commission Composition

The 13-member Commission brought together civic leaders, community advocates, policy experts, labor representatives, business leaders, and neighborhood stakeholders from across Los Angeles. Members were appointed to reflect geographic, demographic, and ideological diversity.

### Public Engagement Process

The Commission conducted its work through:

1. 52 public meetings between June 2025 and March 2026
2. Community town halls in all 15 Council districts
3. Mini-grants to community organizations for grassroots engagement across Los Angeles
4. Expert testimony from government reform advocates, legal scholars, urban planners, and civic organizations
5. Partnering with RewriteLA to hold civic assemblies throughout Los Angeles
6. Written public comment submissions totaling thousands of pages

### What We Heard

Across neighborhoods, languages, and political perspectives, Angelenos told us:

1. **Representation matters** — Council districts are too large; residents feel distant from their representatives
2. **Elections should offer real choices** — Voters are tired of “lesser of two evils” runoffs
3. **Ethics enforcement is too weak** — Scandals happen because consequences are unclear and enforcement lacks teeth
4. **Infrastructure planning is broken** — LA lurches from crisis to crisis without long-term capital planning
5. **Parks are underfunded** — Neighborhood parks are crumbling while the city hosts global events
6. **Police accountability gaps remain** — The City Council should have authority to enforce accountability policies

# 30+

**Hours**  
of public testimony

# 50+

**Public Commission**  
Meetings

# 14,000+

## Survey Responses



## Research and Analysis

The Commission examined charter reform efforts in other major cities, reviewed academic research on municipal governance, consulted with legal experts on charter drafting, and analyzed data on Los Angeles government performance across departments and functions.

## What Voters Should Listen For

As these recommendations reach the ballot, voters should ask:

1. **Does this reform reduce hidden gatekeeping?** If the answer is no, the city may be moving paper around without changing the real problem.
2. **Does it make power easier to follow?** A good reform should make it clearer who decides, who approves, and who can be removed or overruled.
3. **Does it strengthen ethics enforcement?** A rule without enforcement is meaningless.

4. **Does it shrink opportunities for pay-to-play?** That means looking hard at land-use authority, campaign money, lobbying, and disclosure.
5. **Does it improve accountability over who makes decisions and who is responsible for outcomes?** The answer should not be “pass the buck.” The answer should be better checks, cleaner rules, and clearer responsibility.

At bottom, voters are being asked a simple question: **Do we want a City Hall that is easier to understand, harder to abuse, and more answerable to the people it serves?**

# 70+

## Expert Presentations



## Issues for the Future

This Commission's work surfaced deeper structural problems during its deliberations. A future Charter Reform Commission — empowered through the Periodic Charter Review process we recommend — should take up the following:

- 1. The commission system of government.** Los Angeles has struggled with real accountability in part because authority is scattered across an enormous number of commissions — some created by the Charter, others by ordinance. Most Angelenos don't know how many exist, and no comprehensive evaluation has been done. A future body should audit every commission, measure its effectiveness, and recommend which to keep, which to consolidate, and which to eliminate.
- 2. Neighborhood voices.** The 1999 Charter created the Neighborhood Council system to bring residents closer to City Hall. Most stakeholders agree it has not delivered on that promise. A future commission should study how neighborhood voices are — and should be — represented in city government, and propose reforms that give those voices real weight.
- 3. Executive and legislative authority.** Angelenos expect the Mayor to run the City and the Council to make its laws. The Charter blurs those roles. The current commission has made recommendations to address some of that confusion. A future commission should conduct a rigorous review that draws clear lines between the Council's legislative authority and the Mayor's executive power, so residents know who is responsible for what.
- 4. Civil service reform.** Los Angeles cannot deliver services if it cannot hire and keep the people who provide them. Working in partnership with the City's labor organizations, a future commission should review the civil service system so the City can fill entry-level vacancies in a timely manner, recruit and develop mid-career talent, and retains a workforce that reflects and effectively serves the residents of Los Angeles.



**The principles that  
shaped every reform**

# Core Themes

The package of final recommendations can best be encapsulated by the following core themes:

## **Theme 1: Strengthen Democratic Voice and Representation**

### **The Challenge:**

Los Angeles City Councilmembers each represent approximately 260,000 residents—far more than any other city. This ratio makes it difficult for residents to access their representatives and for council members to know their communities deeply.

### **The Reforms:**

1. Expand City Council from 15 to 25 single-member districts
2. Adopt ranked-choice voting to ensure majority support
3. Lower voting age to 16 for City and LAUSD elections
4. Reduce ballot access barriers so more candidates can run
5. Strengthen Neighborhood Council advisory powers

## **Theme 2: Rebuild Trust Through Accountability**

### **The Challenge:**

The City Hall scandals exposed gaps in ethics enforcement, unclear suspension rules, and insufficient oversight mechanisms. Angelenos lost trust in a system that appeared to protect insiders rather than serve the public.

### **The Reforms:**

1. Clarify suspension process and compensation rules for Council members
2. Establish an Inspector General to investigate corruption
3. Give Ethics Commission independent legal counsel and protected budget
4. Prohibit campaign funds for paying certain fines
5. Strengthen police accountability with Council oversight authority
6. Require special elections when vacancies leave more than one year remaining

**SMALLER COUNCIL  
DISTRICTS.  
BIGGER NEIGHBORHOOD  
VOICE.**

## Theme 3: Improve Long-Term Planning and Service Delivery

### The Challenge:

LA lacks coordinated infrastructure planning, parks funding has stagnated, and departments operate in silos without centralized financial strategy. The result is deferred maintenance, reactive crisis management, and inconsistent service delivery.

### The Reforms:

1. Codify citywide Capital Improvement Plan in Charter
2. Establish a Director of Public Works to coordinate infrastructure
3. Allocate minimum 2% of budget to infrastructure
4. Double charter-mandated Recreation and Parks funding
5. Create Chief Financial Officer for long-term fiscal coordination
6. Implement two-year budget cycle with participatory budgeting

## Theme 4: Modernize Government Structure for a City of 4 Million

### The Challenge:

LA's Charter still reflects a city from decades ago. Structural reforms are needed to match the scale, complexity, and diversity of the nation's second-largest city.

### The Reforms:

1. Bifurcate City Attorney into City Attorney and City Prosecutor
2. Enshrine Controller's Fraud, Waste, and Abuse authority
3. Update Neighborhood Council provisions
4. Streamline land use processes
5. Modernize procurement rules
6. Establish periodic charter review every ten years
7. Add Preamble stating city values and principles



**04-A**

# Charter Changes



# PLANNING, INFRASTRUCTURE, AND PARKS

**Invest in the basics. Plan for the future.**

## EMPOWER THE DIRECTOR OF PUBLIC WORKS

**What It Does:** Creates a Director of Public Works position with authority to coordinate infrastructure delivery across departments and manage day to day operations

**Why It Matters:** LA's infrastructure work is fragmented across multiple departments with no central coordination. This reform streamlines planning and execution

**Charter Impact:** Amendments to Article V General Provisions Related to Departments establishing Director authority and responsibilities

## CODIFY A CAPITAL IMPROVEMENT PLAN

**What It Does:** Requires the city to maintain and publish a multi-year Capital Improvement Plan identifying infrastructure priorities, costs, and timelines

**Why It Matters:** Without a formal capital plan, LA responds to crises rather than preventing them. This brings discipline and transparency to infrastructure investment

**Charter Impact:** New Charter section mandating annual Capital Improvement Plan

## ALLOCATE 2% OF BUDGET TO INFRASTRUCTURE

**What It Does:** Dedicates minimum 2% of annual city budget to Department of Public Works for infrastructure improvements

**Why It Matters:** Ensures reliable funding stream for streets, sidewalks, bridges, and public facilities rather than depending on unpredictable general fund allocations

**Charter Impact:** New Section (583) in Article V under Public Works provisions

## DOUBLE PARKS FUNDING TO 0.065%

**What It Does:** Increases charter-required minimum Recreation and Parks budget from 0.0325% to 0.065% of assessed property value

**Why It Matters:** Parks are crumbling while the city prepares to host the World Cup and the Olympics. Doubling the charter minimum creates reliable funding for maintenance, staffing, and improvements

**Charter Impact:** Amendment to Section 593 Financial Support

*LA Charter Reform:  
Build for the long haul, not  
the next crisis*

## Additional Planning Reforms

1. Replace Area Planning Commissions with five-member Board of Neighborhood Appeals
2. Remove “error and abuse” standard in appeals
3. Amend Section 245(e) to allow Council remand with time requirements
4. Allow Recreation and Parks to sell or transfer land that is not being used as a park through streamlined process
5. Amend FAR limit in Section 104(e) to allow Council to exceed 13:1 by ordinance
6. Streamline quasi-judicial processes by moving to ordinance
7. Remove Section 104(g) Business Enterprises restrictions





# GOVERNMENT STRUCTURE

A government built for 4 million people.

## EXPAND CITY COUNCIL TO 25 SINGLE-MEMBER DISTRICTS

**What It Does:** Increases City Council from 15 to 25 members, each representing approximately 155,000 residents instead of 260,000

**Why It Matters:** LA's current ratio is the worst in the nation for large cities. Smaller districts mean closer relationships between residents and representatives, better constituent services, and more diverse representation

**Charter Impact:** Amendment to Article IV restructuring Council composition and redistricting process

## CREATE CHIEF FINANCIAL OFFICER

**What It Does:** Redesignates Chief Administrative Officer as Chief Financial Officer with expanded authority for long-term fiscal strategy and coordinated budget planning and requires that they have 10 years of experience in complex financial matters

**Why It Matters:** LA needs centralized financial leadership to guide multi-year planning, coordinate across departments, and improve fiscal accountability

**Charter Impact:** Amendment to Article II CAO provisions creating CFO position and responsibilities

## BIFURCATE CITY ATTORNEY ROLES

**What It Does:** Splits current City Attorney into two positions: appointed City Attorney (legal counsel and legislative affairs) and elected City Prosecutor (misdemeanor prosecution)

**Why It Matters:** The current structure creates conflicts when the same office advises the city and prosecutes cases. Separation provides clearer roles, reduces conflicts, and allows each function to be performed effectively

**Charter Impact:** Major restructuring of Article II City Attorney provisions

*LA Charter Reform:  
Bring City Hall closer to home.*

**ENSHRINE CONTROLLER’S FRAUD, WASTE, AND ABUSE FUNCTION**

**What It Does:** Formally codifies Controller’s investigative authority for fraud, waste, and abuse as core responsibility

**Why It Matters:** Makes this watchdog function permanent and protected rather than vulnerable to political pressure

**Charter Impact:** Amendment to Controller Section 261

**EXPAND MAYORAL POWERS**

**What It Does:** Allows the Mayor to reorganize departments, inter-departmentally transfer funds and employees, and participate in Council meetings

**Why It Matters:** Centralizes administrative authority in the Mayor’s office to streamline coordination of departments and services

**Charter Impact:** Amendments to multiple sections outlining Mayoral duties





# ELECTIONS AND DEMOCRACY

**More choice. More voice. More democracy.**

## ADOPT RANKED CHOICE VOTING

**What It Does:** Implements ranked-choice voting for City and LAUSD elections, allowing voters to rank candidates by preference. Eliminates primary/runoff system

**Why It Matters:** Saves money by eliminating separate runoff elections, ensures winners have majority support, and gives voters more expressive power

**Charter Impact:** New section under Article IX Elections

## LOWER VOTING AGE TO 16

**What It Does:** Allows 16- and 17-year-olds to vote in City and LAUSD elections

**Why It Matters:** Expands civic participation, builds lifelong voting habits, and gives young people affected by local decisions a voice in making them

**Charter Impact:** Amendment to voter eligibility provisions

## CHANGE BALLOT ACCESS REQUIREMENTS

**What It Does:** Reduces required nominating signatures and extends collection timeframe

**Why It Matters:** Current barriers discourage qualified candidates from running. Lower barriers mean more diverse candidate pools and real voter choice

**Charter Impact:** Amendment to candidate qualification requirements

## MODERNIZE COMMISSIONER APPOINTMENTS

**What It Does:** Extends appointment window from 40 to 60 days for boards and commissions. Eliminates the practice of undated letters of resignation

**Why It Matters:** Provides additional time for thorough vetting and identifying qualified candidates

**Charter Impact:** Amendment to appointment procedures

*LA Charter Reform:  
Stop voting against.  
Start voting for.*





# ETHICS AND ACCOUNTABILITY

**Clear rules. Real consequences.**

## ESTABLISH ETHICS COMMISSION INSPECTOR GENERAL

**What It Does:** Creates Inspector General team within Ethics Commission with senior auditor authority and increases minimum budget to fund position

**Why It Matters:** Provides dedicated investigative capacity to root out corruption and ethics violations with independent authority

**Charter Impact:** Amendment to Ethics Commission Article with budget protections

## INDEPENDENT ETHICS COMMISSION COUNSEL

**What It Does:** Gives Ethics Commission authority to hire its own general counsel and limited staff of attorneys.

**Why It Matters:** Removes potential conflicts when the Ethics Commission investigates matters where the City Attorney has conflicting interests.

**Charter Impact:** Amendment to Ethics Commission authority

## CLARIFY SUSPENSION RULES

**What It Does:** Establishes a formal process requiring introduction of resolution with stated findings for temporary suspension of councilmember pending trial

**Why It Matters:** Current language is vague. Clear rules prevent confusion and ensure due process when accountability is needed

**Charter Impact:** Amendment to suspension provisions

*LA Charter Reform:  
Put a watchdog in City Hall.*

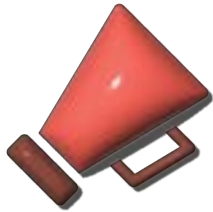
## Campaign Finance Reforms

1. Prohibit using campaign funds to pay certain ethics fines
2. Align maximum civil penalties with administrative penalties
3. Authorize Ethics Commission to place ordinances on the ballot
4. Align City contribution limits with LAUSD adjustment timeline
5. Permit additional public financing models beyond matching funds

## Additional Accountability Measures

1. Require special elections when more than one year remains in term
2. Protected budget and independent counsel for Independent Redistricting Commission
3. Remove Charter Sec. 803 (LAUSD Election of Board Members) & add to Municipal Code
4. Strengthen language access requirements in Charter
5. Align Charter with state law on public banking provisions matching funds





# NEIGHBORHOOD POWER

Real voice. Real power.

## STRENGTHEN NEIGHBORHOOD COUNCILS

**What It Does:** Expands Section 908 to clarify Neighborhood Councils’ advisory role, outreach responsibility, community engagement authority, and representation function

**Why It Matters:** Current Charter language is minimal and outdated. This reform clearly defines what Neighborhood Councils do and protects their role

**Charter Impact:** Major expansion of Article IX Section 908

## COMMUNITY IMPACT STATEMENTS

**What It Does:** Establishes separate queue for Neighborhood Councils to deliver Community Impact Statements at City Council meetings, distinct from general public comment

**Why It Matters:** Ensures Neighborhood Councils’ representative voice is heard and not lost in general public comment

**Charter Impact:** New provision in Council meeting procedures

## EXPAND BONC TO NINE MEMBERS

**What It Does:** Increases Board of Neighborhood Commissioners from seven to nine members, with two at-large commissioners appointed by Neighborhood Councils

**Why It Matters:** Gives Neighborhood Councils direct representation in their oversight body

**Charter Impact:** Amendment to BONC composition

## Additional Neighborhood Reforms

1. Replace “Citizen” with “Civic” participation throughout Article IX
2. Update “Officers” to “Board Members” in DONE provisions
3. Clarify BONC role in contract and lease approval
4. Update Section 904 title to “Development and Maintenance of Plan”
5. Modernize certification and bylaws requirements
6. Allow consent calendars on Neighborhood Council agendas
7. Permit statements to governmental agencies passed in Brown Act meetings
8. Require remote participation options at City Council and commission meetings
9. Allow Neighborhood Councils to submit budget requests through BONC chair
10. Provide Neighborhood Councils the opportunity to submit questions for General Manager candidates during the employment interview
11. Update Section 905 title to “Initial Implementation of the Plan”
12. Change Section 907 title to “Advance Notice and Opportunities for Input”
13. Require BONC training within 30 days for voting eligibility
14. Capitalize “Neighborhood Councils” consistently throughout Charter





# POLICE ACCOUNTABILITY

Safety with accountability.

## COUNCIL AUTHORITY OVER POLICE POLICIES

**What It Does:** City Council will retain policy authority over the Police Department and if there were to be a conflict between instructions issued by the Board of Police Commissioners and ordinances adopted by the City Council that the Council's ordinances would prevail

**Why It Matters:** Closes gap where Police Commission can ignore Council policy directives. Ensures democratic accountability over policing policy

**Charter Impact:** New provision establishing Council authority

## PERSONAL LIABILITY INSURANCE FOR OFFICERS

**What It Does:** Requires City to purchase liability insurance of at least \$1 million per officer, with \$50/month contribution per officer, indexed to CPI. Insurance pays settlements before tapping the General Fund

**Why It Matters:** Reduces taxpayer burden for officer misconduct settlements and creates financial accountability

**Charter Impact:** New section establishing liability insurance requirement

## STRENGTHEN REMOVAL AUTHORITY

**What It Does:** Solidifies Chief of Police authority to pursue removal of officers with documented, repeated misconduct. Gives City Council override authority if Chief and Board of Rights decline to terminate or choose to terminate

**Why It Matters:** Adds accountability layer for officers with patterns of harm. Provides democratic check on administrative decisions

**Charter Impact:** Amendment to disciplinary authority provisions

## PROTECT FIRST AMENDMENT RIGHTS

**What It Does:** Explicitly protects protest and First Amendment rights in the Charter, requires LAPD to protect constitutional rights.

**Why It Matters:** Affirms city's commitment to constitutional rights and establishes clear standards for police response to protests

**Charter Impact:** New Charter provision protecting assembly and speech rights

*LA Charter Reform:  
Voters elect the Council.  
The Council should set policy.*





# BUDGET, PERSONNEL AND OPERATIONS

## Two-Year Operating Budget

### TWO-YEAR OPERATING BUDGET

**What It Does:** Transitions to two-year budget cycle and adopts community-driven participatory budgeting process

**Why It Matters:** Encourages longer-term fiscal planning and creates meaningful opportunities for public participation

**Charter Impact:** Amendment to Budget Articles

### PERIODIC CHARTER REVIEW

**What It Does:** Enshrines charter review every ten years with Commissioner selection process beginning in years ending in four

**Why It Matters:** Ensures Charter remains current and responsive to city's evolving needs

**Charter Impact:** New provision establishing Charter review

### CHARTER PREAMBLE

**What It Does:** Adds statement of values and principles at beginning of Charter

**Why It Matters:** Establishes foundational commitments that guide interpretation and implementation of all Charter provisions

**Charter Impact:** Inserts updated preamble language

## Procurement Reforms

1. Include "best value" in competitive bid criteria (Section 371(a))
2. Remove required ordinance for competitive sealed proposals (Section 371(b))
3. Allow exceptions to lowest bid for critical infrastructure and software (Section 371(e))
4. Allow technical/administrative defects to be cured (Section 470)
5. Extend LAWA lease terms up to 66 years (Section 607(a))
6. Increase purchase order limits for General Managers

## Personnel Reform

The Commission endorsed and forwarded six LA Black Worker Center recommendations to City leadership for consideration during the Meet and Confer process that is necessary to move access to Los Angeles' workforce hiring, recruitment, and equity changes forward.



**04-B**

# Charter Language

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## ***PREAMBLE OF THE CHARTER OF THE CITY OF LOS ANGELES***

We, the people of Los Angeles, affirm that our city is rooted in a legacy of cultural richness, resilience, and shared hope. From the lands of Indigenous peoples to the dreams of generations who came seeking freedom, opportunity, and justice, Los Angeles is shaped by diversity, inclusion, and the strength of its many voices, lived experiences, and bold imaginations.

We envision a city where every individual is seen, heard, and valued; where equity is not merely an aspiration but a daily practice; and where government is transparent, accountable, and grounded in the dignity of all its residents. We affirm that equitable access to information, services, and civic participation across the cultures and languages of its residents is fundamental to governance. We further affirm the importance of compassion, fairness, due process, and support for all residents, regardless of immigration status. We commit to confronting and repairing past and present injustices, healing historical harms, and building more equitable systems that uplift the well-being of all Angelenos.

We commit to fostering the conditions for every person to thrive in safe, healthy, and sustainable communities; to access affordable housing, quality education, meaningful work, and clean air and water; and to shape the civic life of our city. We recognize that the future of Los Angeles depends on our collective resolve to foster belonging, economic and racial justice, environmental stewardship, and civic empowerment.

With these principles, we lay the foundation for a government that is both compassionate and courageous—a city united in purpose and resolve.

With this Charter, we renew our commitment to justice, fairness, stewardship, and shared civic responsibility. We dedicate ourselves to building a Los Angeles that grows more inclusive, more responsive, more accountable, and more worthy of the people it serves, for this generation and those to come.

<b>Empower the Director of Public Works</b>	<b>48</b>
<b>Codify a Capital Improvement Plan</b>	<b>52</b>
<b>Allocate 2% of Budget to Infrastructure</b>	<b>53</b>
<b>Double Parks Funding to 0.065%</b>	<b>54</b>
<b>Replace Area Planning Commissions with five-member Board of Neighborhood Appeals &amp; Allow Neighborhood Appeals Commission to consider issues de novo in appeals</b>	<b>55</b>
<b>Amend Section 245 (e) to allow Council remand with time requirements</b>	<b>56</b>
<b>Allow Recreations and Parks to sell or transfer non-park land through streamlined process</b>	<b>59</b>
<b>Amend FAR limit in Section 104 (e) to allow Council to exceed 13:1 by ordinance</b>	<b>62</b>
<b>Streamline quasi-judicial processes by moving to ordinance</b>	<b>63</b>
<b>Remove Section 104 (g) Business Enterprises restrictions</b>	<b>67</b>
<b>Expand City Council to 25 Single-Member Districts</b>	<b>69</b>
<b>Create a Chief Financial Officer</b>	<b>70</b>
<b>Bifurcate City Attorney Roles</b>	<b>73</b>
<b>Enshrine Controller’s Fraud, Waste and Abuse Function</b>	<b>132</b>
<b>Expand Mayoral Powers</b>	<b>134</b>
<b>Adopt Ranked Choice Voting</b>	<b>140</b>
<b>Lower Voting Age to 16</b>	<b>141</b>
<b>Change Ballot Access Requirements</b>	<b>142</b>
<b>Modernize Commissioner Appointments</b>	<b>143</b>
<b>Establish Ethics Commission Inspector General team &amp; Executive Director</b>	<b>146</b>
<b>Independent Ethics Commission Counsel &amp; secured budget</b>	<b>150</b>
<b>Clarify Suspension Rules</b>	<b>152</b>
<b>Prohibit the use of campaign funds to pay certain ethics fines &amp; Align maximum civil penalties with administrative penalties</b>	<b>153</b>
<b>Authorize Ethics Commission to Place Measures on Ballot</b>	<b>157</b>
<b>Align City contribution limits with LAUSD adjustment timeline</b>	<b>159</b>
<b>Permit additional public financing models beyond matching funds</b>	<b>170</b>
<b>Require special elections when more than one year remains in term</b>	<b>172</b>
<b>Protected budget and independent counsel for Independent Redistricting Commission</b>	<b>173</b>
<b>Remove Charter Section 803 (LAUSD) &amp; add to Municipal Code</b>	<b>174</b>
<b>Strengthen language access requirements in Charter</b>	<b>190</b>
<b>Align Charter with state law on public banking provisions</b>	<b>200</b>
<b>Strengthen Neighborhood Council Powers &amp; consent calendars</b>	<b>202</b>
<b>Community Impact Statements &amp; Require remote participation at City Council and Commission meetings</b>	<b>203</b>
<b>Expand BONC to Nine Members &amp; Clarify BONC role in contract and lease approval &amp; Require BONC training within 30 days for voting eligibility</b>	<b>205</b>
<b>Replace "Citizen" with “Civic” participation throughout Article IX</b>	<b>206</b>

<b>Update “Officers” to “Board Members” in DONE provisions</b>	<b>207</b>
<b>Update Section 904 title to “Development and Maintenance of Plan”</b>	<b>208</b>
<b>Modernize certification and bylaws requirements</b>	<b>209</b>
<b>Permit statements to governmental agencies passed in Brown Act meetings</b>	<b>210</b>
<b>Allow Neighborhood Councils to submit budget requests through BONC chair</b>	<b>211</b>
<b>Provide Neighborhood Councils the opportunity to submit questions to as General Manager candidates during the employment interview</b>	<b>212</b>
<b>Update Section 905 title to “Initial Implementation of the Plan”</b>	<b>213</b>
<b>Change Section 907 title to “Advance Notice &amp; Opportunities for Input”</b>	<b>214</b>
<b>Capitalize “Neighborhood Councils” throughout the Charter</b>	<b>215</b>
<b>Council Authority Over Police Policies</b>	<b>218</b>
<b>Personal Liability Insurance for Officers</b>	<b>219</b>
<b>Strengthen Removal Authority</b>	<b>220</b>
<b>Protect First Amendment Rights</b>	<b>231</b>
<b>Two-Year Operating Budget</b>	<b>234</b>
<b>Proprietary Department Reforms</b>	<b>242</b>
<b>Periodic Charter Review</b>	<b>245</b>

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## Planning, Infrastructure & Parks

## **Empower the Director of Public Works**

### **Sec. 507. Chief Administrative Officers.**

Other than the elected offices, each department and office established by the Charter or created by ordinance, and each of the Public Works bureaus of Contract Administration, Engineering, Sanitation, Street Lighting, and Street Services shall have a chief administrative officer. In departments under the control and management of a board of commissioners, the Director administrative officer administers the affairs of the department. In departments and offices not under the control and management of a board of commissioners, the Director administrative officer has full charge and control of all work of the department or office. Elsewhere in the Charter and in the Los Angeles Administrative Code, Director administrative officers may have different position titles including general manager and director.

### **Sec. 507. Transfer of Powers.**

(b) Exceptions. The power of the Mayor and Council to act as provided in this section shall not extend to:

- (1) Elected Offices;
- (2) Proprietary Departments;
- (3) Los Angeles City Employees' Retirement System;
- (4) Department of Fire and Police Pensions;
- (5) City Ethics Commission;
- (6) The disciplinary functions of the Fire Department and the Police Department as contained in Sections 1060 and 1070; and
- (7) The Police Department and the Fire Department, if the transfer or consolidation would significantly alter or affect the primary purpose or character of the departments.
- (8) Independent Redistricting Commission.

(9) The Director of Public Works

### Sec. 581. Board of Public Works.

Members of the Board of Public Works shall devote their entire time to the duties of office. Subject to the Charter and applicable ordinances and law, the board shall have the power and duty to:

- ~~(a) set policy for and manage the Department of Public Works; provide direction and approval for policy recommendations for the management of the Department of Public Works;~~
- (b) establish procedures for the examination, consideration and preparation of requests for proposals or bids, and for the advertisement and establishment of the amount of the required bond, all as provided by Sections 370 through 378 and related ordinances, for any work or improvements;
- (c) approve the award of contracts;
- (d) fix the time when work shall be commenced and completed in accordance with applicable law;
- ~~(e) exercise the power of eminent domain, subject to Council authorization, and lease or purchase property on behalf of the City for the construction and maintenance of public works projects;~~
- (e) exercise the powers and duties imposed by law or delegated by the Council relating to the award of contracts for work specified in Section 580 and the determination of benefits, damages and costs incident to a proposed change or improvement of any public place, right-of-way or property belonging to the City and the making and levying of assessments upon property to cover the damages and costs;
- (f) conduct hearings and hear appeals as authorized by ordinance relating to the work of the department, including hearings pertaining to special assessments;
- (g) on its own initiative or upon complaint, investigate departmental operations and acts of employees and report findings to the Director of Public Works, the Mayor and the Council;
- (h) approve, in consultation with the Director of Public Works, specifications for public works construction projects;

~~—(j)— accept completed public works projects, provided that the board may delegate to the Director of Public Works the authority to accept projects involving less than one hundred thousand dollars (\$100,000) or such other amount prescribed by the board;~~

(i) make recommendations about short- and long-range public works plans and programs to the Director of Public Works ~~Mayor and Council; and~~

~~—(l)— annually present to the Council at its meeting in the second week of July, a report for the previous fiscal year stating the amount of proceeds from the sale of bonds, the purposes for which those proceeds have been expended, the amount expended, the balance in each bond fund and other information and suggestions as it deems appropriate.~~

~~—The Board of Public Works shall have power to proceed with all such construction and maintenance, and to carry out any of the purposes herein mentioned from any funds under its control and available for such purposes; provided, that nothing in this section shall be construed to abridge the power of the Council to order any work or improvements and to provide the manner of paying therefor, such work or improvement, however, to be done under the superintendence and control of the Board of Public Works.~~

## **Sec. 582. Director of Public Works**

There shall be a chief administrative officer of the Department of Public Works, known as the Director of Public Works, who shall be appointed and removed as provided in Section 508. ~~Instead of~~ In addition to those powers and duties set forth in Section 509 and subject to the provisions of the Charter, ordinances, and the instruction of the board, the director shall have the power and duty to:

(a) ~~enforce all orders, rules and regulations adopted by the board;~~ manage the Department of Public Works;

(b) administer contracts;

(c) supervise and manage construction and maintenance work authorized by the board;

(d) approve those public works contracts within the authority delegated to the Director by the board or by ordinance;

(e) grant street encroachment and other permits necessary for the temporary use of City rights-of-way;

(f) make recommendations to the board about short- and long-range public works plans and programs; exercise the power of eminent domain, subject to Council authorization, and lease or purchase property on behalf of the City for the construction and maintenance of public works projects;

(g) make recommendations to the Mayor and Council about short- and long-range public works plans and programs incorporating feedback from the Board of Public Works where relevant;

(h) oversee the functions of departmental accounting and management-employee services including any bureaus in the department charged with performing those functions, and ~~issue instructions to~~; appoint, discharge, suspend and transfer the employees that perform those functions, all subject to the civil service provisions of the Charter;

(i) support the function of citywide capital improvement planning including, but not limited to, the public right-of-way, ground transportation, city-owned buildings, and public spaces, in coordination with a steering committee for entities outside the department but excluding departments controlling their own funds, as well as the creation and implementation each program plan under the capital improvement program set forth in Section 323;

(j) oversee technology systems procurement and implementation for the department and all its bureaus, except as otherwise provided by ordinance;

(k) accept completed public works projects and recommend operating and maintenance funding at the time of project completion to ensure proper state of repair;

(l) recommend to the ~~board~~ Mayor and Council prior to the beginning of each fiscal year an annual departmental budget covering the anticipated revenues and expenditures of the department, conforming so far as practicable to the forms and dates provided in Article III in relation to the general City budget; ~~and~~

(m) file with the board and the Mayor a written report on the work of the department on a regular basis as requested by the Mayor or board; ~~and~~

(n) oversee construction and maintenance, and to carry out any of the purposes herein mentioned from any funds under the Director's control and available for such purposes; provided, that nothing in this section shall be construed to abridge the power of the Council to order any work or improvements and to provide the manner of paying therefor, such work or improvement, however, to be done under the superintendence and control of the Director of Public Works.

## **Codify a Capital Improvement Plan**

### **Capital Improvement Program**

#### **Sec. 323 Establishment of the Capital Improvement Program.**

A Capital Improvement Program shall be established by ordinance, consistent with the requirements of the Charter. The Department of Public Works shall be the lead agency for the Capital Improvement Program and shall prepare all proposed program plans. Each program plan shall include all capital improvements that the City intends to construct over a minimum of five fiscal years, along with identification of the funding sources the City intends to use to pay for each included capital improvement, which shall be adopted, by ordinance, in conjunction with the adoption of each general City budget. No capital project shall be included in an adopted program plan without identification of funding sufficient for both the capital cost of the project and to sustain ongoing operations and maintenance of the project, through the term of the program plan. Prior to adoption of a program plan, the City Administrative Officer shall certify that the program plan is fiscally feasible based on its projections of all identified funding sources. The general City budget shall carry forward appropriations for projects included in any adopted program plan, through the term of that program plan. Additional appropriations may be made by departments that control their own funds to support capital projects that are part of the Capital Improvement Program provided, however, that nothing in this section is intended to affect or impair the powers and duties of those departments. The process and responsibility for developing, approving, administering, and revising a program plan, criteria for a project's evaluation for and inclusion in a program plan, and any related reporting requirements, shall be determined by ordinance.

## **Allocate 2% of Budget to Infrastructure**

### **Sec. 583 Financial Support.**

- (a) For the financial support of the Department of Public Works, there shall be appropriated an annual sum of not less than 2% of the city's budget
- (b) Additional appropriations may be made from the General Fund.
- (c) All money derived from (a) or (b), plus all other sums received by the department shall be placed to the credit of the Department of Public Works, in a fund to be known as the Public Works Fund.
- (d) Except as provided in Section 342 with regard to funds appropriated from the General Fund to the Public Works Fund, money in the Public Works Fund shall be used only for the financial support of the Department of Public Works.

## **Double Parks Funding to 0.065%**

### **Sec. 593. Financial Support.**

(a) For the financial support of the Department of Recreation and Parks, there shall be appropriated an annual sum of not less than ~~0.0325~~ **0.065%** of assessed value of all property as assessed for City taxes.

(b) Additional appropriations may be made from the General Fund.

(c) All money derived from (a) or (b), plus all other sums received by the department shall be placed to the credit of the Recreation and Parks Fund.

Except as provided in Section [342](#) with regard to funds appropriated from the General Fund to the Recreation and Parks Fund, money in the Recreation and Parks Fund shall be used only for the financial support of the Department of Recreation and Parks.

**Replace Area Planning Commissions with five-member  
Board of Neighborhood Appeals & Allow Neighborhood Appeals Commission to  
consider issues de novo in appeals**

**Sec. 552. Neighborhood Appeals~~Area Planning~~ Commissions.**

The Council shall adopt an ordinance creating a five-member commission that considers appeals of quasi-judicial determinations made by the Department of City Planning not less than five separate bodies to be known as Area Planning Commissions. The ordinance shall establish the boundaries of the area to be served by each Area Planning Commission, which shall be drawn so that all areas of the City are served by an Area Planning Commission. Each Area Planning Commission shall consist of five members. Members shall be appointed and removed in the same manner as members of the City Planning Commission, ~~except that residency in the area served by the Area Planning Commission shall be a qualification for appointment. Except as provided in subsection (d), Area Planning Commissions are quasi-judicial agencies. The Neighborhood Appeals Commission is shall be a quasi-judicial agency, and shall have and exercise power to:~~

~~— Each Area Planning Commission, with respect to matters concerning property located in the area served by the Area Planning Commission, shall have and exercise the power to:~~

~~(a) hear and determine appeals of quasi-judicial determinations subject to procedures prescribed by ordinance; and, where it is alleged there is error or abuse of discretion in any order, requirement, decision, interpretation or other determination made by a Zoning Administrator;~~

~~— (b) hear and make determinations on any matter normally under the jurisdiction of a Zoning Administrator when that matter has been transferred to the jurisdiction of the Appeals Area Planning Commission because the Zoning Administrator has failed to act within the time limits prescribed by ordinance;~~

~~— (c) hear and determine applications for, or appeals related to, conditional use permits and other similar quasi-judicial approvals, in accordance with procedures prescribed by ordinance;~~

~~— (d) make recommendations with respect to zone changes or similar matters referred to it from the City Planning Commission pursuant to Section 562; and~~

~~(e) (b) hear and determine other matters delegated to it by ordinance.~~

## **Amend Section 245 (e) to allow Council remand with time requirements**

### **Sec. 245. City Council Veto of Board Actions.**

Actions of boards of commissioners shall become final at the expiration of the next five meeting days of the Council during which the Council has convened in regular session, unless the Council acts within that time by two-thirds vote to bring the action before it or to waive review of the action, except that as to any action of the Board of Police Commissioners regarding the removal of the Chief of Police, the time period within which the Council may act before the action of the Board shall become final shall be ten meeting days during which the Council has convened in regular session.

(a) **Action by Council.** If the Council timely asserts jurisdiction over the action, the Council may, by two-thirds vote, veto the action of the board within 21 calendar days of voting to bring the matter before it, or the action of the board shall become final. Except as provided in subsection (e), the Council may not amend, or take any other action with respect to the board's action.

(b) **Waiver.** The Council may, by ordinance, waive review of classes or categories of actions, or, by resolution, waive review of an individual anticipated action of a board. The Council may also, by resolution, waive review of a board action after the board has acted. Actions for which review has been waived are final upon the waiver, or action of the board, as applicable.

(c) **Effect of Veto.** An action vetoed by the Council shall be remanded to the originating board, which board shall have the authority it originally held to take action on the matter.

(d) **Exempt Actions.** The following actions are exempt from Council review under this section:

- (1) actions of the Ethics Commission;
- (2) actions of the Board of Fire and Police Pension Commissioners;
- (3) actions of the Board of Administration for Los Angeles City Employees Retirement System;
- (4) actions of the Board of Administration of Water and Power Employees Retirement Plan;
- (5) quasi-judicial personnel decisions of the Board of Civil Service Commissioners;

- (6) actions of a board organized under authority of the Meyers-Milias Brown Act for administration of employer-employee relations;
- (7) individual personnel decisions of boards of commissioners other than the Board of Police Commissioners; and
- (8) actions which are subject to appeal or review by the Council pursuant to other provisions of the Charter, ordinance or other applicable law.
- (9) actions of the Independent Redistricting Commission.

(e) **Exceptions for Actions of the City Planning Commission and Appeals Area Planning Commissions.** The Council shall not be limited to veto of actions of the City Planning Commission or Neighborhood Appeals~~Area Planning~~ Commissions, ~~but~~, subject to the time limits and other limitations of this section, after voting to bring the matter before it; and shall have the same authority to act on a matter as that originally held by the City Planning Commission or Neighborhood Appeals~~Area Planning~~ Commission. If the Council vetoes and remands the matter, then with the exception that after remanding Council's decision on the item, one time, to the City Planning Commission or Neighborhood Appeals Commission shall have for a 30 days period for the Commission to take up the item again and concur or dissent. The action of the City Planning Commission or Neighborhood Appeals Commission on remand shall be presented to the Council in consideration of a final second vote on the matter by Council. Upon presentation of a final second vote, the Council shall have the same authority to act on a matter as that originally held by the City Planning Commission or Neighborhood Appeals Commission and must act within 21 calendar days of said presentation or the action of the City Planning Commission or Neighborhood Appeals Commission on remand becomes final.

### **Sec. 555. General Plan - Procedures for Adoption.**

Procedures pertaining to the preparation, consideration, adoption and amendment of the General Plan, or any of its elements or parts, shall be prescribed by ordinance, subject to the requirements of this section.

(a) **Amendment in Whole or in Part.** The General Plan may be amended in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has significant social, economic or physical identity.

(b) **Initiation of Amendments.** The Council, the City Planning Commission or the Director of Planning may propose amendments to the General Plan. The Director of Planning shall make a report and recommendation on all proposed amendments. Prior to Council action, the proposed

amendment shall be referred to the City Planning Commission for its recommendation and then to the Mayor for his or her recommendation.

(c) **Commission and Mayoral Recommendations.** The City Planning Commission shall hold a public hearing before making any recommendation on a proposed amendment to the General Plan and shall act within the time specified by ordinance. If the Commission recommends disapproval of an amendment initiated by the Commission, it shall report its decision to the Council and Mayor. After the Commission recommends approval of an amendment initiated by the Commission, or takes action concerning an amendment initiated by the Director or the Council, the Commission shall forward its recommendation to the Mayor. The Mayor shall have 30 days to forward his or her recommendation to the Council regarding the proposed amendment to the General Plan. If either the City Planning Commission or the Mayor does not act within the time specified, the Commission or Mayor shall be deemed to have recommended approval of the proposed amendment.

(d) **Council Action.** The Council shall conduct a public hearing before taking action on a proposed amendment to the General Plan.

If the Council proposes any modification to the amendment approved by the City Planning Commission, that proposed modification shall be referred to the City Planning Commission and the Mayor for their recommendations. The City Planning Commission and the Mayor shall review any modification made by the Council and shall make their recommendation on the modification to the Council in accordance with subsection (c) above.

If no modifications are proposed by the Council, or after receipt of the Mayor's and City Planning Commission's recommendations on any proposed modification, or the expiration of their time to act, the Council shall adopt or reject the proposed amendment by resolution within the time specified by ordinance.

(e) **Votes Necessary for Adoption.** If both the City Planning Commission and the Mayor recommend approval of a proposed amendment, the Council may adopt the amendment by a majority vote. If either the City Planning Commission or the Mayor recommends the disapproval of a proposed amendment, the Council may adopt the amendment only by a two-thirds vote. If both the City Planning Commission and the Mayor recommend the disapproval of a proposed amendment, the Council may adopt the amendment only by a three-fourths vote. If the Council proposes a modification of an amendment, the recommendations of the Commission and the Mayor on the modification shall affect only that modification. If the Council has not acted within 75 days of the Mayor's recommendation, and the proposed General Plan Amendment has received a recommendation of approval from both the City Planning Commission, and the Mayor, then the amendment shall be deemed approved.

## **Allow Recreations and Parks to sell or transfer non-park land through streamlined process**

### **Sec. 594. Control and Management of Recreation and Park Lands.**

(a) **Management and Control.** The Department of Recreation and Parks shall operate, manage and control all property now or hereafter owned or controlled by the City for public recreation, including parks, and shall have power in the name of the City to acquire and take by purchase, lease, condemnation, gift, in trust or otherwise, any and all property necessary or convenient for recreation, including park purposes.

(b) **Acquisition of Property.** No real property shall be acquired by the City for recreation sites, including parks, unless first approved by the Board of Recreation and Park Commissioners.

(c) **Restrictions on Transfer of Dedicated Parks.** Except as permitted under subsection (e) of this section. ~~All~~ lands heretofore or hereafter set apart or dedicated as a public park shall forever remain for the use of the public inviolate; but the board may authorize use of the lands for any park purpose, and for:

(1) Easements or rights-of-way for any work, improvement or structure necessary and convenient for giving service to the City or its inhabitants in connection with any public utility owned by the City. Under similar circumstances, similar permission may be given to any private public utility holding a franchise, and limited to the life of the franchise. These easements or rights-of-way shall be subject to regulation by ordinance.

(2) Leases to the County of Los Angeles, the Los Angeles Unified School District, the State of California, or the United States for a period not to exceed 50 years, of a site in any public park for the erection and maintenance of public buildings consistent with public park purposes.

(3) Taking and disposal of molding sand, or other natural resources under terms as the board may prescribe and in a manner as to work no substantial impairment of public use and enjoyment of the premises.

(4) Opening, establishment and maintenance of streets or other public ways in and through the park lands controlled by the board.

(d) **Transfer to Purposes other than Recreation and Park Purposes.** Except as permitted under subsection (e) of this section. ~~N~~no sites under the management and control of the department shall be devoted or transferred to any other purpose in whole or in part, except in compliance with all of the following:

(1) *Procedure.* Any transfer shall require a resolution of the board, approved by the Council by **ordinance motion**, incorporating the prescribed terms and conditions to be observed by the permittee. However, Council approval shall not be required for the granting of leases of property not immediately needed for the purposes of the department for a term not to exceed three years.

(2) *Restrictions on Transfer.* No transfer shall be permitted if it would violate the provisions of subsection (c) of this section, or in any case where the proposed use violates a specific trust or dedication upon which the property was acquired.

(3) *Requirement of Equivalent Property or Funds.* If property to be transferred to another use has been acquired from funds specifically provided for the Department of Recreation and Parks or its predecessors, the department shall be assigned the equivalent in property or funds as a condition of transfer of the property from its control, when required by the board.

(e) **Remaining Land Not Viable Unsuitable for Park Use.** ~~Where lands forming a portion of an~~ An existing public park, or portion of a public park, that is not viable for use for public recreation or open space, and that has been determined by the board to have no plans to be developed for public recreation or open space, have been removed from the jurisdiction of the board by reason of their dedication or use for public purposes incompatible with park use, the remaining lands, or any portion thereof, within the park shall not be subject to the provisions of subsection (c) of this section in the event that:

(1) ~~the board and Council finds and determines, with the approval of the Council, or the Council determines by adoption of a motion, that the public park, or portion thereof, to be transferred that the remaining lands, or specific portion thereof, are unsuitable for further use as a public park; and is not viable for use for public recreation or open space, and that the board has no plans to develop the public park, or portion thereof, for public recreation; and~~

(2) ~~lands of an area at least equal to the lands found to be unsuitable for further use as a public park are acquired in the same portion of the City and set apart or dedicated as a public park the transfer serves the public interest;~~

(3) ~~the transfer is compliant with the California Surplus Land Act;~~

(4) ~~any proceeds from the transfer shall be assigned to the Department for use to develop or improve a public park in the same portion of the City as the property being transferred; and~~

(5) the transfer does not violate a specific trust or dedication upon which the property was acquired; and

(6) the Board shall hold public hearings prior to any transfer under this section in a manner that ensures that the public has the opportunity to participate and comment prior to the approval of the transfer.

## **Amend FAR limit in Section 104 (e) to allow Council to exceed 13:1 by ordinance**

### **Sec. 104. Restrictions on the Powers of the City.**

The rights and powers granted by the Charter shall be subject to the restrictions set forth in this section or elsewhere in the Charter.

(e) **Floor Area Restriction.** The total floor area contained in all the buildings on any one building site shall not exceed 13 times the buildable area of the site unless as otherwise amended by the Council, as such buildable area is defined by ordinance. The Council, by ordinance, may define and implement the provisions of this subsection and may further restrict, ~~and~~ regulate, and amend the total floor area, buildable area, and height or bulk of buildings or structures.

## **Streamline quasi-judicial processes by moving to ordinance**

### **Sec. 561. ~~Office of Zoning Administration~~ Quasi-judicial Review.**

The Department of City Planning shall be responsible for the independent review and approval, conditional approval, or denial of quasi-judicial applications. The duties of quasi-judicial review shall be performed by designated City Planning staff, which shall include, but is not be limited to, the Office of Zoning Administration, a Deputy Advisory Agency, and Hearing Officers, as authorized by ordinance, all of whom shall be appointed by the Director of Planning, subject to the civil service provisions of the Charter. Subject to rules and regulations as may be prescribed by ordinance, the Department of City Planning shall investigate, hear, and determine all applications for quasi-judicial review, and shall have other powers and duties with respect to zoning and land use determinations as prescribed by ordinance.

There shall be a quasi-judicial agency known as the Office of Zoning Administration. The duties of this office shall be performed by one or more Zoning Administrators as authorized by the Council, who shall be appointed by the Director of Planning and subject to the civil service provisions of the Charter. If more than one Zoning Administrator is authorized, a position of Chief Zoning Administrator shall be established, the appointment to which shall be made by the Director of Planning, and the others shall be Associate Zoning Administrators.

Subject to rules and regulations as may be prescribed by ordinance, the Office of Zoning Administration shall investigate and determine all applications for variances from any of the regulations and requirements of the zoning ordinances, and shall have other powers and duties with respect to zoning and land use as prescribed by ordinance.

The Council shall by ordinance provide time limits within which the Department of City Planning a Zoning Administrator must act for each type of case under ~~his or her~~ its jurisdiction. If no determination is made ~~by a Zoning Administrator~~ within the prescribed time, the applicant may request that the matter be transferred to the jurisdiction of the ~~Board of Neighborhood Appeals Commission an Area Planning Commission~~ or other board as prescribed by ordinance.

The Chief Zoning Administrator may adopt rules necessary to carry out the requirements prescribed by ordinance and which are not in conflict or inconsistent with those ordinances. ~~All rules and regulations shall be available for inspection in accordance with the requirements of the California Public Records Act.~~

### **Sec. 562. Variances:**

~~—The Council shall prescribe by ordinance the procedures for the granting of variances subject to the following:~~

~~—(a) **Initial Hearing and Determination.** All applications for variances shall be heard and determined by a Zoning Administrator except as otherwise provided in Section 564.~~

~~—(b) **Appeals Process.** An aggrieved person may appeal a variance decision of the Zoning Administrator to the Area Planning Commission. The grant of a variance by the Area Planning Commission may be further appealed to the City Planning Commission or Council as prescribed by ordinance. There shall be no further appeal from the decision of the Area Planning Commission to deny a variance. However, that action of the Area Planning Commission is subject to Council review pursuant to Section 245.~~

~~—(c) **Findings for Granting a Variance.** The following findings shall be made before a variance may be granted:~~

~~—(1) that the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations;~~

~~—(2) that there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity;~~

~~—(3) that the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question;~~

~~—(4) that the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located; and~~

~~—(5) that the granting of the variance will not adversely affect any element of the General Plan.~~

~~—The grant of a variance may include conditions that will remedy a disparity of privileges and that are necessary to protect the public health, safety or welfare and assure compliance with the objectives of the General Plan and the purpose and intent of the zoning ordinance. A variance shall not be used to grant a special privilege or to permit a use substantially inconsistent with the limitations upon other properties in the same zone and vicinity. The Zoning Administrator may deny a variance if the conditions creating the need for the variance were self-imposed.~~

**Sec. 563. Conditional Use Permits and Other Approvals:**

~~—(a) **Subdivisions.** The procedure for the approval of parcel maps, subdivision maps and other approvals granted pursuant to the State Subdivision Map Act shall be prescribed by ordinance.~~

~~—(b) **Conditional Use Permits and Other Similar Quasi-Judicial Approvals.** The Council shall prescribe by ordinance the procedure for the granting of conditional use permits and similar quasi-judicial approvals subject to the following:~~

~~—(1) *Initial Determination.* Applications for conditional use permits and similar quasi-judicial land use approvals shall be heard and determined either by the Zoning Administrator or Area Planning Commission as provided by ordinance. However, the City Planning Commission may adopt rules and regulations, subject to approval by ordinance, that identify classes or categories of quasi-judicial approvals that have citywide impact, and provide for those approvals to be heard and determined by the City Planning Commission instead of an Area Planning Commission.~~

~~—(2) *Appeals Process.* An aggrieved person may appeal a decision of the Zoning Administrator with respect to a conditional use permit or similar quasi-judicial approval to the Area Planning Commission. Decisions of an Area Planning Commission, except those decisions made by the Area Planning Commission on appeal from a decision of the Zoning Administrator, may be appealed either to the City Planning Commission or Council, as provided by ordinance. However, the process for the approval of conditional use permits and similar quasi-judicial approvals may not include more than one level of appeal from the decision of a decision-making official or body. For purposes of this restriction:~~

~~—(A) The use of hearing examiners or other methods by which recommendations are made to a decision-making official or body does not preclude an appeal from the decision of the decision-making official or body.~~

~~—(B) If the Council is acting as the appellate body, the Council's action may be subject to Mayoral approval and Council override of Mayoral disapproval by a two-thirds vote of the Council, if so provided by ordinance.~~

~~—(C) Council review of an action under Charter Section 245 shall not be considered an appeal for purposes of this section.~~

~~—(D) The restrictions on appeals do not apply to any legislative actions.~~

**Sec. 564. Projects Requiring Multiple Approvals:**

~~—If a project requires approvals by both the Zoning Administrator and either an Area Planning Commission or the City Planning Commission, those approvals that would otherwise be heard and determined by the Zoning Administrator shall be heard and determined by the Area Planning Commission or City Planning Commission, whichever has jurisdiction over the other approvals required for the project. Approvals for a project that requires both quasi-judicial and legislative actions shall be heard and determined by the City Planning Commission, except as provided in Section 565.~~

**~~Sec. 565. Delegation of Legislative Authority to Area Planning Commissions:~~**

~~—The City Planning Commission may adopt rules and regulations, subject to approval by ordinance, identifying classes or categories of legislative actions for projects determined not to have citywide impact, and provide for action on those projects to be taken by an Area Planning Commission in lieu of the City Planning Commission.~~

## Remove Section 104 (g) Business Enterprises restrictions

### Sec. 104. Restrictions on the Powers of the City.

\*\*\*\*\*

~~[Repealed] (g) **Business Enterprises.** The City shall not engage in any purely commercial or industrial enterprise, except upon a majority vote of the voters of the City voting on the question, unless the enterprise was engaged in by the City at the time the Charter becomes effective, or unless engaging in the enterprise is elsewhere specifically authorized in the Charter. Nothing in this subsection shall prohibit the City from engaging directly in retail concessions of food and merchandise, when those concessions are consistent with and support City operations and purposes.~~

## Government Structure

## **Expand City Council to 25 Single-Member Districts**

### **Sec. 241. Council Size.**

(a) The Council shall consist of 15 members, elected by districts as provided elsewhere in the Charter.

(b) Beginning with elections conducted in 2032, the Council shall consist of 25 members, elected by districts as provided elsewhere in the Charter. For purposes of the transition to the larger Council size, notwithstanding any other provision of the Charter, the Council members elected in the election held in 2030 shall serve two-year terms and the entire Council shall be elected in the 2032 election. The Council members elected in 2032 from the even-numbered districts shall initially serve two-year terms and the members elected in 2032 from odd-numbered districts shall serve four-year terms. Members of the Council elected in 2034 from the even-numbered districts shall serve four-year terms, and thereafter all Council members shall serve four-year terms. The two-year terms contained in this section shall not constitute a term of office for purposes of the term limits contained in Section 206 unless a member serves two two-year terms or the member has served three terms of office prior to initiation of the two-year term.

### **Sec. 487. Adoption of Final Redistricting Plan.**

\* \* \*

(f) The final redistricting plan establishing new Council districts shall become effective 31 days from its publication as provided for ordinances in the Charter. Notwithstanding the foregoing, for the purpose of transitioning from 15 to 25 Council districts in 2032, the final redistricting plan adopted by the Commission in 2031 shall be utilized to conduct the 2032 elections but shall become operative for representational purposes on December 13, 2032.

## **Create a Chief Financial Officer**

### *OFFICE OF THE CHIEF FINANCIAL CITY ADMINISTRATIVE OFFICER*

#### **Sec. 290. Appointment and Removal; Qualifications; Assistants.**

The Chief Financial City Administrative Officer shall be appointed by the Mayor, subject to confirmation by Council. The Chief Financial Officer shall serve a ten-year term and may be appointed, in the manner described above, to a second ten-year term. During the term in office, the Chief Financial Officer may only be ~~and~~ removed by the Mayor for cause, with the concurrence of the Council by a two-thirds vote as provided in Section 508. The Chief Financial City Administrative Officer shall have administrative and executive ability as demonstrated by at least ten five years of experience in complex financial duties at the executive or administrative level within ten years immediately preceding appointment to the position of Chief Financial City Administrative Officer. The Chief Financial City Administrative Officer may appoint and remove as many assistants as may be authorized by the Charter and ordinance.

#### **Sec. 291. Powers and Duties.**

The Chief Financial City Administrative Officer shall have the power and duty to:

- (a) keep the Mayor and the Council advised of the condition, finances and future needs of the City, and make recommendations as are appropriate;
- (b) assist in the preparation of the annual proposed budget in accordance with policies prescribed by the Mayor;
- (c) develop work programs and standards required in the proper planning of the budget;
- (d) prepare reports on revenue and costs and, throughout the year, conduct studies and investigations that will assist in the preparation of the budget;
- (e) assist the Council in the review of the proposed budget;
- (f) assist the Mayor and Council in the consideration of any appropriations or other budget adjustments subsequent to the adoption of the budget, as set forth elsewhere in the Charter;

(g) plan and direct a system of budgetary administration to assure the proper and effective expenditure of funds;

(h) subject to the approval of the Mayor, prescribe rules and standards governing the matters under the jurisdiction of the Office of the ~~Chief Financial City Administrative~~ Officer with which all officers and departments of the City must comply;

(i) furnish the Mayor or Council aid, information or recommendation as requested in writing by the Mayor, the Council, or Council Committee; ~~and~~

~~(j) act as the financial authority in coordinating the development and adoption of the Capital Improvement Program, in conjunction with the Department of Public Works and other departments established by ordinance. The CFO shall publish a financial feasibility analysis based on its projections of all identified funding sources;~~

~~(k) prepare a mid-term biennial budget report, as set forth elsewhere in the charter;~~

~~(l) on an annual basis, prepare a multi-year financial plan consisting of a General Fund Revenue and Expenditures Outlook, an analysis of economic conditions, identification of projected budget imbalances, and a fiscal improvement plan focused on the long-term fiscal condition of the city.~~

~~(m) perform other duties assigned to the office in the Charter.~~

Except as provided in Section 292, the powers and duties of the ~~Chief Financial City Administrative~~ Officer set forth in this section shall not apply to the Proprietary Departments.

### **Sec. 292. Administrative Management Research.**

The ~~Chief Financial City Administrative~~ Officer shall conduct research in administrative management for the improvement of the organization, policies and practices of all appointed offices, departments and other agencies of City government, including, without limitation, the Proprietary Departments, for the purpose of evaluating programs and developing performance measures concerning the duties of the various positions, the methods and the standards of efficiency. The ~~Chief Financial City Administrative~~ Officer shall recommend to the Mayor, Council and the respective departments and agencies those changes that will promote economy and efficiency in the conduct of City government.

### **Sec. 293. Additional Responsibilities.**

Notwithstanding Section [213](#), additional responsibilities related to management-employee relations, [debt management](#), or other responsibilities that are not the responsibility of other departments, offices and commissions may be assigned to the Office of the [Chief FinancialCity Administrative](#) Officer by ordinance. Responsibilities of other departments, offices and commissions may be transferred to the Office of the [Chief FinancialCity Administrative](#) Officer only pursuant to Section [514](#).

## **Bifurcate City Attorney Roles**

### **CITY PROSECUTOR**

#### **Sec. 200. City Officers.**

All officers of the City, both elected and appointed, shall be subject to recall as provided in Article IV. The officers of the City shall be:

A Mayor  
The Members of the Council  
A City Attorney

#### **A City Prosecutor**

A City Clerk  
A Controller  
A Treasurer

The members of the boards or commissions of the departments and the chief administrative officer of each department and office

An Executive Director of the Board of Police Commissioners  
Other officers as prescribed by ordinance

#### **Sec. 201. City Offices.**

The City Offices shall be:

Office of the Mayor  
Office of the City Council  
Office of the City Attorney

#### **Office of the City Prosecutor**

Office of the Controller  
Office of the City Administrative Officer  
Office of the City Clerk  
Office of Finance

#### **Sec. 202. Election of Officers at Large.**

The following officers of the City shall be elected by the electors of the City, at large:

Mayor

City Prosecutor Attorney  
Controller

### **Sec. 205. Term of Office.**

(a) The Mayor, City Prosecutor, Controller and members of the Council shall hold their offices for a term of four years except as provided in subsection (b).

(b) Notwithstanding any other provision of the Charter, in order to transition to new election dates starting in 2020, members of the Council elected in 2015 shall be elected for a term expiring in December 2020 and the Mayor, City Prosecutor, Controller and members of the Council elected in the year 2017 shall be elected for a term expiring in December 2022.

(c) The terms of office for those members of the Council from even-numbered districts shall commence during each fourth anniversary of the year 2020. The terms of office for the Mayor, City Prosecutor, Controller and those members of the Council elected from odd-numbered districts shall commence during each fourth anniversary of the year 2022. The term of an official elected to City office shall commence on the second Monday in December next following his or her election.

(d) Except where a vacancy in office is created pursuant to Section 207, the incumbents of the elected and appointed offices shall hold office until their successors have qualified.

### **Sec. 206. Term Limits.**

No person may serve more than two terms of office as Mayor. No person may serve more than two terms of office as City Prosecutor. No person may serve more than two terms of office as Controller. No person may serve more than three terms of office as member of the City Council. These limitations on the number of terms of office shall apply only to terms of office that began on or after July 1, 1993. These limitations on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office. For purposes of this Section, the term of office of officials elected in 2015 and 2017 as described in Section 205(b) shall count as one term.

### **Sec. 210. Acting Incumbency in City Offices.**

The City Controller, City Attorney, City Prosecutor, Treasurer, City Clerk and City Administrative Officer shall each designate an assistant or deputy, who shall become the acting incumbent in case of any vacancy in the office. The designation of acting incumbent shall be made in writing filed with the City Clerk, and may be changed from time to time. Upon a vacancy, the acting incumbent shall serve until the office is filled in accordance with Sections

409, 508(b) or 508(c). Any person so designated must possess the qualifications prescribed for the office and shall take the oath prescribed by the Charter before assuming his or her duties as acting incumbent. If a vacancy in the office occurs, and no acting incumbent has been designated, or if the designated acting incumbent is unable to serve, the Council may designate the acting incumbent for the office.

### **Sec. 218. Compensation of Elected Officers and Limitation on Outside Activities.**

(a) Compensation. The Mayor, City Prosecutor, Controller and members of the Council shall receive compensation for their services only as provided in this section and shall not receive any other compensation for those services.

(1) *Salaries.* Members of the City Council shall be paid a salary equal to that prescribed by law for judges of the Municipal-Superior Court of the Los Angeles Judicial District or its successor in the event that court is dissolved or reconstituted.

The Controller shall be paid a salary that is 10% more than that of a Council member. The City Prosecutor shall be paid a salary that is 20% more than that of a Council member. The Mayor shall be paid a salary that is 30% more than that of a Council member.

The Controller shall be responsible for ascertaining the salary of Municipal-Superior Court judges and for setting and adjusting the salaries of elected officers in accordance with this section. Salaries shall be paid in bi-weekly increments unless the Council, by ordinance, prescribes otherwise.

(2) *Other Benefits.* The Council may, by ordinance, subject to referendum as specified in Article IV of the Charter, confer benefits other than salary upon elected officers as additional compensation for their services. However, benefits from the Los Angeles City Employees' Retirement System may not be provided for elected officers that would exceed benefits generally provided to members of the System who are non-represented officers or employees of the City or, if there are no non-represented officers or employees, that would exceed benefits generally provided to other members of the System.

(3) *Operative Date of Changes in Salaries.* The salaries of elected officers shall be adjusted in the manner provided in this section upon the effective date of any change in the salaries of Municipal Court judges.

(b) Restrictions on Outside Activities. The Mayor, City Prosecutor, Controller, and members of the Council shall devote their entire time to duties related to their offices. They shall not

receive any compensation, including honoraria, for their services other than that provided in this section, except that which may be provided for their serving on governmental entities where payment is authorized for other governmental officers or employees serving in that capacity.

**Sec. 270. Qualifications.**

The City Prosecutor must be qualified to practice in all the courts of the state, and must have been so qualified for at least five years. The City Prosecutor shall devote their entire time to the duties of the office.

***CITY PROSECUTOR***

**Sec. 271. Powers and Duties.**

The powers and duties of the City Prosecutor shall be as follows:

(a) The City Prosecutor shall prosecute on behalf of the people all criminal cases and related proceedings arising from violation of the provisions of the Charter and City ordinances, and all misdemeanor offenses arising from violation of the laws of the state occurring in the City.

(b) Notwithstanding any other provision of the Charter, in the course of investigating any violations of state or local law that the City Prosecutor has authority to enforce, the City Prosecutor shall have the power to subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence, require the production of any books, papers, records or other items, and require responses to written interrogatories relevant to the investigation, except that the powers granted by this subsection shall not include the power to investigate City offices, departments, officers, or employees or to compel the production of documents or testimony from City offices, departments, officers, or employees. The Chief of Police, or other officer designated by ordinance, shall cause all such subpoenas or other written orders to be served. The Council shall prescribe by ordinance suitable penalties for disobedience of subpoenas, and the refusal of witnesses to testify, produce evidence, or respond to written interrogatories.

(a) The City Prosecutor shall institute, attend and conduct, on behalf of the people, all criminal cases arising upon violations of Charter provisions or City ordinances, in the court of original jurisdiction and on appeal.

- (b) The City Prosecutor shall draw complaints in such cases, and prosecute all recognizances and bail bonds forfeited in said cases. He or she shall prosecute all actions for the recovery of fines, penalties and forfeitures and other money accruing to the City under penal statutes or ordinances.
- (c) Whenever it shall be authorized by the laws of this State, the City Prosecutor shall prosecute any or all misdemeanor offenses arising upon violation of the laws of the State and appeals arising therefrom. He or she shall draw complaints for misdemeanors committed against the laws of this State, prosecute all recognizances and bail bonds forfeited in such misdemeanor cases and prosecute all actions for the recovery of fines, penalties and forfeitures accruing to the City or the County of Los Angeles.
- (d) If any person held in custody and charged with having committed a criminal offense against the Charter provisions or City ordinances, or with having committed a misdemeanor or other offense in the City against State law applies for a writ of habeas corpus, a copy of the application for such writ must be served upon the City Prosecutor at such times and in such manner as may be provided by such law. It shall be the duty of the City Prosecutor to conduct all proceedings relating to the application for or hearing upon such writ on behalf of the people. In all matters of habeas corpus in which the constitutionality of any law or ordinance has been raised, and in all appeals in which the constitutionality of any law or ordinance has been raised, the City Prosecutor must immediately notify the City Attorney thereof. The City Attorney may in his discretion become associated with the City Prosecutor in any such action or proceeding and have charge of such litigation.
- (e) Subject to approval of the City Council, the City Prosecutor shall be allowed such investigation funds as necessary to perform the duties set forth herein; and may employ special investigators in connection therewith.
- (f) The City Prosecutor shall draft penal ordinances and shall render opinions relative to penal ordinances upon the request of the City Council and department heads.

#### **Sec. 274. Employment of Assistants**

The City Prosecutor may appoint assistants, deputies, clerks and other persons as the Council shall prescribe by ordinance. Each Assistant City Prosecutor must, at the time of appointment, be

qualified to practice in all courts of the state and must have been so qualified for at least two years immediately preceding the appointment. Employment in the City Prosecutor's office shall be subject to Section 1050 of Article X of the Charter.

### **Sec. 275. Employment of Other Legal Counsel.**

Upon recommendation of a board enumerated in Section 272(c), and the written consent of the City Prosecutor, the City may contract with prosecutors outside of the City Prosecutors's Office to assist the City Prosecutor in providing legal services to that department. The City may otherwise contract with outside legal counsel to assist the City Prosecutor in the discharge of his or her duties under the Charter only upon written approval of the Council and the City Prosecutor, and consistent with budgetary appropriations.

## ***CITY ATTORNEY***

### **Sec. 270. Qualifications.**

The City Attorney shall be appointed and removed as provide in Section 508. The City Attorney must be qualified to practice in all the courts of the state, and must have been so qualified for at least five years ~~immediately preceding his or her election~~. The City Attorney shall devote ~~their his or her~~ entire time to the duties of the office.

### **Sec. 271. Powers and Duties.**

The powers and duties of the City Attorney shall be as follows:

(a) The City Attorney shall represent the City in all legal proceedings against the City. The City Attorney shall initiate appropriate legal proceedings on behalf of the City.

(b) The City Attorney shall be the sole and exclusive legal advisor to the City, and to all City boards, departments, officers, and entities. The City Attorney shall give advice or opinion in writing when requested to do so by any City officer or board.

~~(c) The City Attorney shall prosecute on behalf of the people all criminal cases and related proceedings arising from violation of the provisions of the Charter and City ordinances, and all misdemeanor offenses arising from violation of the laws of the state occurring in the City.~~

~~(e\_d)~~ The City Attorney shall approve in writing the form of all surety or other bonds required by the Charter, or by ordinance, before the bonds are submitted to the proper body, board or officer for final approval, and no such bond shall be approved without approval as to form by the City Attorney. Except as otherwise provided in the Charter, the City Attorney shall approve in writing the form of all contracts before the contracts are entered into by or on behalf of the city.

(d) The City Attorney shall keep records of all actions and proceedings in which the City or any officer or board is an interested party, and copies of all written opinions given by the City Attorney's office. The City Attorney shall comply with all requests for information from the Mayor or Council, and shall report on a regular basis to the Mayor and Council on all matters of litigation, in a form and at times specified by ordinance. In all litigation involving potential financial liability of the City, the City Attorney shall keep the Mayor and Council informed as to the status and progress of litigation.

~~—(f) Notwithstanding any other provision of the Charter, in the course of investigating any violations of state or local law that the City Attorney has authority to enforce, the City Attorney shall have the power to subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence, require the production of any books, papers, records or other items, and require responses to written interrogatories relevant to the investigation, except that the powers granted by this subsection shall not include the power to investigate City offices, departments, officers, or employees or to compel the production of documents or testimony from City offices, departments, officers, or employees. The Chief of Police, or other officer designated by ordinance, shall cause all such subpoenas or other written orders to be served. The Council shall prescribe by ordinance suitable penalties for disobedience of subpoenas, and the refusal of witnesses to testify, produce evidence, or respond to written interrogatories.~~

## **Sec. 272. Control of Litigation.**

The civil client of the City Attorney is the municipal corporation, the City of Los Angeles. The City Attorney shall defend the City in litigation, as well as its officers and employees as provided by ordinance. The City Attorney may initiate civil litigation on behalf of the City ~~or the People of the State of California~~, and shall initiate civil litigation on behalf of the City when requested to do so by the authority having control over the litigation as set forth below. The City Attorney shall manage all litigation of the City, subject to client direction in accordance with this section, and subject to the City Attorney's duty to act in the best interests of the City and to conform to professional and ethical obligations. In the course of litigation, client decisions, including a decision to initiate litigation, shall be made by the Mayor, the Council, or boards of commissioners in accordance with this section. However, the decision to settle litigation shall be made in accordance with Section [273](#).

(a) **Council.** The Council shall make client decisions in litigation involving matters over which the Charter gives the Council responsibility.

(b) **Mayor.** The Mayor shall make client decisions in litigation involving matters over which the Charter gives the Mayor responsibility.

(c) **Boards.** The boards of the Proprietary Departments, the Ethics Commission, the Board of Fire and Police Pension Commissioners, the Board of Administration of the Los Angeles City Employees' Retirement System, the Board of Administration of the Water and Power Employees' Retirement System, and the Independent Redistricting Commission shall make client decisions in litigation exclusively involving the policies and funds over which the Charter gives those boards control.

(d) **Interpretation of Section.** The City Attorney shall have the authority to make the determination regarding who is authorized to make client decisions on behalf of the City in accordance with the principles of this section and accepted principles of representation of municipal entities.

### **Sec. 273. Settlement of Litigation.**

(a) **Boards.** The boards of the Proprietary Departments, the Ethics Commission, the Board of Fire and Police Pension Commissioners, the Board of Administration of the Los Angeles City Employees' Retirement System, the Board of Administration of the Water and Power Employees' Retirement System, and the Independent Redistricting Commission shall have the authority to approve or reject settlement of litigation exclusively involving the policies and funds over which the Charter gives those boards control. The settlement of all other litigation shall be in accordance with subsections (b) and (c) of this section.

#### **(b) Settlements Involving Only Money Damages.**

(1) The Mayor shall have authority to approve or reject settlements involving only the payment or receipt of money damages not exceeding an amount set by ordinance, and shall make client decisions with respect to settlement of such litigation. The Mayor may delegate this authority to the City Attorney.

(2) A claims board comprised of the Mayor as chair, the President of the Council and the City Attorney, or their designees, shall have the authority to approve or reject settlement of litigation involving only the payment or receipt of money damages exceeding the amount that is within the Mayor's authority under the preceding

subsection, and below an amount set by ordinance. The claims board shall make client decisions with respect to settlement of such litigation.

(3) The Council shall have the authority to approve or reject settlement of litigation that involves only the payment or receipt of money damages exceeding the amount that is within the authority of the claims board under the preceding subsection, subject to veto of the Mayor, and Council override of the Mayor's veto by a two-thirds vote of the Council. The Council shall make client decisions with respect to settlement of such litigation. The claims board shall make recommendations to the Council concerning settlement of litigation within the scope of this subsection.

(c) **Other Settlements.** The Council shall have the authority to approve or reject settlement of litigation that does not involve only the payment or receipt of money, subject to veto of the Mayor, and Council override of the Mayor's veto by a two-thirds vote of the Council.

#### **Sec. 274. Employment of Assistants.**

The City Attorney may appoint assistants, deputies, clerks and other persons as the Council shall prescribe by ordinance. Each Assistant City Attorney must, at the time of appointment, be qualified to practice in all courts of the state and must have been so qualified for at least two years immediately preceding the appointment. Employment in the City Attorney's office shall be subject to Section [1050](#) of [Article X](#) of the Charter.

#### **Sec. 275. Employment of Other Legal Counsel.**

Upon recommendation of a board enumerated in Section [272](#)(c), and the written consent of the City Attorney, the City may contract with attorneys outside of the City Attorney's Office to assist the City Attorney in providing legal services to that department. The City may otherwise contract with outside legal counsel to assist the City Attorney in the discharge of his or her duties under the Charter only upon written approval of the Council and the City Attorney, and consistent with budgetary appropriations.

## **ARTICLE IV**

## **ELECTIONS**

Section

### *General Provisions Relating to Elections*

- [400](#) Types of Elections.
- [401](#) Election Days – City of Los Angeles and Board of Education.
- [402](#) Ordinance Ordering the Holding of an Election.
- [403](#) Officers of Election.
- [404](#) Returns of Election.
- [405](#) Employment of Additional Persons.
- [406](#) Recounts.
- [407](#) Eligibility for Office.
- [408](#) Eligibility to Vote.
- [409](#) Filling Vacancies in the Offices of Mayor, City ~~Prosecutor Attorney~~  
Controller and Member of the City Council.
- [410](#) Filling Vacancies in the Office of Members of the Board of Education.
- [411](#) Substantial Compliance with Election Requirements.
- [412](#) City Election Code; Amendments.

#### **Sec. 407. Eligibility for Office.**

(a) **Election.** To be eligible for nomination or election to any office under the Charter, a person must be a registered voter of the City or of the School District in the case of candidates for the Board of Education, at the time of his or her nomination and election, and have been a resident of the City, in the case of candidates for Mayor, Controller, or City ~~Prosecutor Attorney~~, or of the Council district or Board district from which he or she is nominated or elected in the case of candidates for City Council and Board of Education, for at least 30 days immediately preceding the first day upon which candidates could file a Declaration of Intention to run for office at that election. When an election is to be held to fill a vacancy in an elected office and the Charter does not require the filing of a Declaration of Intention to run for that office, the 30 day residency requirement shall be measured from and precede the first day upon which candidates are permitted to secure Nominating Petitions for that office from the City Clerk.

#### **Sec. 409. Filling Vacancies in the Offices of Mayor, City ~~Prosecutor Attorney~~, Controller and Member of the City Council.**

Vacancies in the offices of Mayor, City ~~Prosecutor Attorney~~, Controller and members of the City Council shall be filled by appointment or election in the manner set forth in this section.

(a) **Appointment.** The Council may fill a vacancy by appointing a person to hold the office for the portion of the unexpired term remaining until the next second Monday in December of an even-numbered year. If any portion of the term remains after that date, the Council shall also call a special election or elections to fill the remainder of the term, and shall consolidate the election

with the primary nominating election and general municipal election next following the appointment. If a vacancy is filled by appointment after the first date fixed by law for filing a Declaration of Intention to become a candidate at the next primary nominating election, the person appointed shall hold the office for the remainder of the unexpired term.

(b) **Special Election.** The Council may call a special election, and special runoff election, if necessary, by ordinance for the purpose of filling the vacancy for the remainder of the unexpired term. The Council shall provide in the ordinance for the consolidation of the election with any other election and for the procedure for nominating candidates, including the amount of the filing fee, if any, to be paid by candidates and other matters pertaining to the election. The Council also may appoint a person to hold the office temporarily until the vacancy election is conducted and the election results are certified and declared.

(c) **Recall.** Any person appointed or elected to fill a vacancy may be removed from office by the recall in the same manner as if he or she had been elected to office.

(b) **Appointment.** The eligibility requirements of subsection (a) shall also apply to persons appointed to fill a vacancy in an elected office; however, the 30 day residency requirement shall be measured from and precede the date of appointment.

(c) **Disqualification.** No person shall be eligible to file a Declaration of Intention to run for City office or for election or appointment to any elected City office, who, within the prior five years:

(1) was convicted of a felony or entered a plea of guilty or no contest to a felony charge; or

(2) was convicted of a violation of the conflict of interest or governmental ethics provisions of the Charter, City ordinances, or state or federal law, unless the court at the time of sentencing specifically determines that this provision shall not apply.

(d) Any person disqualified under these provisions from seeking election or appointment to an elected City office shall likewise be ineligible for the same period of time to hold any appointed position in the City government.

#### **Sec. 421. Declaration of Intention.**

(a) **Form and Timing.** Each candidate for nomination to any elected office shall sign and file with the City Clerk a sworn Declaration of Intention to become a candidate for the office designated in the Declaration. The Declaration of Intention must be made on a form furnished by the City Clerk, and shall include an affidavit by the candidate that he or she possesses all

necessary legal qualifications to be a candidate for the designated office. The Declaration of Intention shall be filed not earlier than 120 days, nor later than 115 days prior to the primary nominating election.

(b) **Restrictions; Withdrawal.** A candidate may not file a Declaration of Intention to become a candidate for more than one office at the same primary nominating election. Prior to the issuance of a Nominating Petition, a candidate may withdraw the Declaration of Intention to become a candidate for the office designated therein by filing a written statement with the City Clerk. In that case, a candidate may file a new Declaration of Intention to become a candidate for another office not later than 115 days prior to the primary nominating election.

(c) **Statement of Economic Interests.** Each candidate for Mayor, City ~~Prosecutor Attorney~~, Controller and member of the City Council shall file a Statement of Economic Interests that itemizes investments, interests in real property and income, except for gifts, received in the previous 12 month period. The Statement shall be filed with the City Ethics Commission no later than the final filing date for filing the Declaration of Intention. A Declaration of Intention shall not be valid unless a Statement of Economic Interests has been submitted by the final filing date for the Declaration of Intention.

#### **Sec. 424. Primary Nominating Election Ballot.**

The ballot for any primary nominating election conducted by the City Clerk shall be as follows:

(a) **Order of Placement.** The names of candidates who have qualified for placement on the ballot, except candidates who have withdrawn or died or otherwise been disqualified, together with any measures or propositions as ordered by the Council or otherwise required by law, shall appear on the ballot. The offices to be filled shall be arranged on the ballot as follows: Mayor, City ~~Prosecutor Attorney~~ Controller, member of the Council, member of the Board of Education, followed by any other offices to be filled in the order determined by the Council. Measures and propositions shall appear on the ballot in the order determined by the Council.

(b) **Nonpartisan Ballot.** There shall be nothing on any ballot indicative of the party affiliation, source of candidacy or support of any candidate.

(c) **Write-in Candidates.** Each ballot shall provide an opportunity for voters to write-in, for each office on the ballot, the name of any person whose name does not appear on the ballot and for whom the voter wishes to vote.

#### **Sec. 470. Limitations on Campaign Contributions in City Elections.**

(a) **Purpose.** The purpose of this section is to encourage a broader participation in the political process and to avoid corruption or the appearance of corruption in city decision making, and protect the integrity of the City's procurement and contract processes by placing limits on the amount any person may contribute or otherwise cause to be available to candidates for election to the offices of Mayor, City ~~Prosecutor Attorney~~, Controller and City Council and promote accountability to the public by requiring disclosure of campaign activities and imposing other campaign restrictions.

This section is intended to supplement the Political Reform Act of 1974.

(b) **Definitions.**

(1) The definitions set forth in the Political Reform Act of 1974 as amended (Government Code Sections 82000 through 82055) shall govern the interpretation of this section, unless otherwise specified herein.

(2) The term elected City office, as used herein, shall mean the offices of Mayor, City ~~Prosecutor Attorney~~, Controller and member of the City Council.

(3) The term election shall include a primary nominating election, a general municipal election, a special election and a recall election.

(c) **Campaign Contribution Limitations.** In addition to the provisions of the Charter, the City may adopt additional restrictions by ordinance.

(1) No intended candidate for any elected City office, and no committee acting on behalf of such candidate, shall solicit or accept, or cause to be solicited or accepted, any contribution for use in any election for such office unless and until such candidate shall have filed a Declaration of Intent to Solicit and Receive Contributions in connection with candidacy for a specific elected City office. That declaration shall be filed with the City Ethics Commission on a form prescribed by the City Ethics Commission. Once the election takes place, the declaration is thereafter void. No person may file such declaration for more than one elected City office nor have more than one such declaration on file at the same time. A candidate may, however, file a form canceling one declaration and may thereafter file a new declaration.

(2) The candidate and the treasurers of the candidate's controlled committees shall file with the City Ethics Commission on a form prescribed by the City Ethics Commission a statement under oath that the candidate and the treasurers have read and understood Section 470. This statement shall be filed concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions.

(3) No person shall contribute a total of more than five hundred dollars (\$500) to any candidate for City Council and to his or her controlled committee for a single election. A candidate for City Council and his or her controlled committee shall not accept any contribution or contributions totaling more than five hundred dollars (\$500) from any person for a single election. Nothing in this section is intended to limit the amount a candidate may contribute to his or her campaign for City Council from his or her personal funds.

(4) No person shall contribute a total of more than one thousand dollars (\$1,000) to any candidate for Mayor, City ~~Prosecutor Attorney~~ or Controller and to his or her controlled committee for a single election. A candidate for Mayor, City ~~Prosecutor Attorney~~ or Controller, and or his or her controlled committee, shall not accept any contribution or contributions totaling more than one thousand dollars (\$1,000) from any person for a single election. Nothing in this section is intended to limit the amount a candidate can contribute to his or her candidacy for Mayor, City ~~Prosecutor Attorney~~ or Controller from his or her personal funds.

(5) [Repealed.]

(6) No person shall make a contribution in connection with a single election for an elected City office which would cause the aggregate amount of such contributions by that person to exceed a sum equal to five hundred dollars (\$500) multiplied by the number of City Council offices appearing on the ballot at that election plus one thousand dollars (\$1,000) multiplied by the number of City-wide offices appearing on the ballot at that election, but in no case less than one thousand dollars (\$1,000), in connection with all candidates in that election seeking election to all elected City offices; provided, however, that a candidate shall not be limited by this subsection (6) in the amount he or she may contribute or expend in connection with his or her own campaign, subject to the provisions of subsection (c) (10) of this section.

(7) Contributions From Persons Other than Individuals.

(A) No candidate for City Council, together with the controlled committee of such candidate, shall accept more than a total of one hundred fifty thousand dollars (\$150,000) in contributions from persons, other than individuals, in connection with any election.

(B) No candidate for City ~~Prosecutor Attorney~~ or Controller, together with the controlled committee of such candidate, shall accept more than a total of four

hundred thousand dollars (\$400,000) in contributions from persons, other than individuals, in connection with any election.

(C) No candidate for Mayor, together with the controlled committee of such candidate, shall accept more than a total of nine hundred thousand dollars (\$900,000) in contributions from persons, other than individuals, in connection with any election.

(D) If a candidate for elected City office declines matching funds and receives contributions or spends an amount exceeding the applicable expenditure ceilings, this subsection shall not apply to any of the candidates for the same office.

(8) No person shall make, and no person or candidate shall solicit or accept any loan of more than five hundred dollars (\$500) for use in connection with an election for City Council, or of more than one thousand dollars (\$1,000) for use in connection with an election for Mayor, City ~~Prosecutor Attorney~~ or Controller. Further, no person shall make, and no person or candidate shall solicit or accept any loan for use in connection with an election for City office for a period of more than 30 days. Loans to a candidate or to a candidate's controlled committees shall be counted against the contribution limitations applicable to the candidate. A candidate is not prohibited from obtaining a personal loan of any amount from a licensed financial lending institution in the regular course of business, unless the loan is made for political purposes. This subsection (8) shall not limit the amount or duration of loans from the candidate to his or her own campaign.

(9) Any contributions solicited or accepted pursuant to this section shall be expended only in connection with the candidacy for the office specified in the candidate's Declaration of Intent to Solicit and Receive Contributions. Contributions solicited or accepted pursuant to this section for one individual shall not be expended for the candidacy of any other individual seeking City office or in support of or in opposition to any City ballot measure. No candidate, committee controlled by a candidate, or elected City officer shall use contributed funds to make any contribution to any other candidate running for office or to any committee supporting or opposing a candidate for office. Provided, however, a candidate shall not be prohibited from making a contribution from his or her own personal funds to his or her own candidacy, to the candidacy of any other candidate for elected City office or in support of or in opposition to any City ballot measure.

(10) [Repealed. (Moved to City Attorney)]

(11) No elective City officer or candidate for elective City office, nor any of his or her City controlled committees, shall solicit or accept any contribution to the officer or candidate, or to any of his or her City controlled committees, from any lobbyist or lobbying firm registered to lobby the City office for which the candidate is seeking election, or the current City office, commission, department, bureau or agency of the candidate or officer. No person required by ordinance to be registered as a lobbyist or lobbying firm shall make any contribution to an elective City officer or candidate for elective City office, or to any of his or her City controlled committees, if the lobbyist or lobbying firm is required by ordinance to be registered to lobby the City office for which the candidate is seeking election, or the current City office, commission, department, bureau or agency of the candidate or officer.

(12) (A) The following persons shall not make a campaign contribution to any elected City official, candidate for elected City office, or City committee controlled by an elected City official or candidate:

(i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least \$100,000 and requires approval by the City Council;

(ii) Subcontractors that are expected to receive at least \$100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and

(iii) Principals of persons defined in subparagraphs (i) and (ii).

(B) The following persons shall not make a campaign contribution to the Mayor, the City ~~Prosecutor Attorney~~, the Controller, a City Council member, a candidate for any of those elected City offices, or a City committee controlled by a person who holds or seeks any of those elected City offices:

(i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least \$100,000 and requires approval by the elected City office that is held or sought by the person to whom the contribution would be given;

(ii) Subcontractors that are expected to receive at least \$100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and

(iii) Principals of persons defined in subparagraphs (i) and (ii).

(C) The following persons shall not engage in prohibited fundraising for any elected City official, candidate for elected City office, or City committee controlled by an elected City official or candidate as further provided by ordinance:

(i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least \$100,000 and requires approval by the City Council;

(ii) Subcontractors that are expected to receive at least \$100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and

(iii) Principals of persons defined in subparagraphs (i) and (ii).

(D) The following persons shall not engage in prohibited fundraising for an elected City official, candidate for the elected City office, or City committee controlled by a person who holds or seeks the elected City office as further provided by ordinance:

(i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least \$100,000 and requires approval by the elected City office that is held or sought by the person for whom the fundraising would be conducted;

(ii) Subcontractors that are expected to receive at least \$100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and

(iii) Principals of persons defined in subparagraphs (i) and (ii).

(E) The prohibitions in paragraphs (A) and (B) shall apply from the time the bid or proposal is submitted until the contract is signed, the bid or proposal is withdrawn by the bidder or proposer, or the City rejects all proposals for the contract, whichever is earlier. The prohibitions shall continue for 12 months after the contract is signed for the successful bidder or proposer, its principals, its subcontractors of at least \$100,000, and the principals of those subcontractors.

(F) For purposes of this subdivision, a principal of a person who is a bidder, proposer, or subcontractor means the person's board chair, president, chief

executive officer, chief operating officer, or the functional equivalent of those positions; any individual who holds an ownership interest in the person of 20 percent or more; and any individual authorized by the bid or proposal to represent the person before the City.

(G) This subdivision shall not apply to:

(i) Contributions to or fundraising on behalf of elected officials or candidates for elected City office where that official's approval is required only by section [262](#), [271\(d\)](#), or [370](#) of the Charter other than contracts required to be approved by the City Council that have an anticipated value of at least \$100,000 and proprietary department contracts that have an anticipated value of at least \$100,000;

(ii) Contributions to or fundraising on behalf of members of the City Council where the City Council's approval authority is only through Charter section [245](#) except as further restricted by ordinance;

(iii) Any contract governed by Charter section [609\(e\)](#);

(iv) A governmental entity; and

(v) A candidate for elected City office who is a bidder, proposer, subcontractor or subcontractor's principals with regard to using personal funds or engaging in fundraising on the candidate's own behalf for the candidate's election for City office.

(H) Every contract solicitation regarding a contract subject to this provision shall include notice of the prohibitions of this subdivision. At the time of submitting a bid or proposal for a contract subject to this section, the bidder or proposer must complete a form identifying the names of its principals, subcontractors of at least \$100,000, the principals of those subcontractors, and certify that the bidder or proposer will comply with and notify its principals and subcontractors of the prohibitions in this subdivision; and provide any other information determined necessary.

(I) In addition to any other penalties that may apply, any person found to have violated this section is subject to contract debarment as further provided by ordinance. If the determination is made to impose debarment, the minimum terms of debarment shall be one year for the first violation, two years for the second

violation, three years for the third violation, and four years for the fourth violation.

(J) The City Council may adopt ordinances as necessary to carry out the purposes of this provision. Nothing contained in this subdivision (c)(12) shall be construed or applied to limit the authority of the City Council by ordinance to adopt additional regulations, including sanctions, for the conduct or activities that is the subject matter addressed herein.

(d) **Cash Contributions.** No person shall make, and no candidate or committee shall solicit or accept, any cash contribution in excess of twenty-five dollars (\$25).

(e) **Anonymous Contributions.** Total anonymous contributions to a candidate or committee which exceed in the aggregate two hundred dollars (\$200) with respect to a single election shall not be used by the candidate or committee for whom such contributions were intended, but instead, such excess shall be paid promptly to the City Treasurer for deposit in the General Fund of the City.

(f) **Adjustment of Limits.** The amounts specified in subsections (c) and (d) of this section may be modified from time to time by ordinance to reflect changes in the consumer price index for the Los Angeles-Long Beach metropolitan statistical area.

(g) **Campaign Contribution Checking Account.** No more than one campaign contribution checking account shall be established by each candidate for elected City office, and by each committee supporting or opposing such candidate. The account shall be established at an office of a bank or savings and loan institution located in the City of Los Angeles. Upon opening such account, the candidate shall file with the City Ethics Commission within ten days of opening the campaign bank account, the name of the bank or savings and loan institution and the account number. Funds shall only be disbursed from such account by checks signed by the candidate, treasurer or designated agent of the treasurer. A candidate, treasurer or designated agent of the treasurer shall deposit into the campaign checking account all contributions received in connection with a City election. A candidate, treasurer or designated agent of the treasurer shall pay all campaign expenditures for a City election with monies from this campaign checking account.

If a candidate has other controlled committees and such committees have checking accounts, the candidate shall notify the City Ethics Commission in writing of these committees and the names and addresses of the banks or savings and loan institutions and the account numbers of any such accounts. A candidate shall notify the City Ethics Commission of these committees, the banks or savings and loan institutions, and the account numbers concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions. If committees are thereafter formed or

accounts thereafter opened, then the candidate shall notify the City Ethics Commission on the next regular business day on which the office is open. No contribution shall be commingled with the personal funds of the candidate or any other person.

This subsection shall not prohibit the establishment of savings accounts or certificates of deposit, provided that no campaign expenditures may be made therefrom.

(h) **Treasurer.** A candidate having campaign committees for elected City office shall appoint a treasurer of each committee. No expenditure shall be made by or on behalf of a committee without the authorization of the treasurer or that of his or her designated agents. No contribution or expenditure shall be accepted or made by or on behalf of a committee at a time when there is a vacancy in the office of treasurer. It shall be the duty of the candidate and the treasurer to approve and authorize such payments and to retain such authorizations, detailed accounts, records, bills and receipts.

(i) **Accountability.** The candidate and the treasurer shall maintain such detailed accounts, records, bills and receipts as are necessary to prepare campaign statements. The candidate and the treasurer shall retain the detailed accounts, records, bills and receipts for the periods specified in the Political Reform Act of 1974 as amended. Every candidate and committee shall make available on demand to any public officer having legal authority to enforce this section, details of checking and financial accounts of each committee controlled by the candidate and all records supporting such details.

(j) **Petty Cash Fund.** Subsection (g) notwithstanding, a candidate, campaign treasurer and other designated agents authorized to issue checks on a campaign contribution checking account may disburse to the candidate or committee establishing the checking account an amount not greater than fifty dollars (\$50) per week to be used for petty cash purposes by the candidate or committee.

(k) **Assumed Name Contributions.** No contribution shall be made, directly or indirectly, by any person or combination of persons, acting jointly in a name other than the name by which they are identified for legal purposes, nor in the name of another person or combination of persons. No person shall make a contribution in his, her or its name of anything belonging to another person or received from another person on the condition that it be used as a contribution. In the event it is discovered by a candidate or committee treasurer that a contribution has been received in violation of this subsection, the candidate or treasurer shall promptly pay the amount received in violation of this subsection to the City Treasurer for deposit in the General Fund of the City.

(l) **Campaign Expenditures – Uncontrolled by Candidate or Committee.** Persons or organizations not subject to the control of a candidate or committee but who make independent

expenditures for or against a candidate or committee shall comply with the applicable disclaimer requirements established by ordinance.

(m) **Suppliers of Goods and Services – Disclosure of Records Required.** No person who supplies goods or services or both goods and services to a candidate or committee for use in connection with the campaign for an elected City office shall knowingly refuse to divulge or disclose to the City Ethics Commission or to any public officer having legal authority to enforce this section, the details and the records supporting such details of any expenditures made by the candidate or committee in payment for such goods or services or both.

(n) **Duties of City Ethics Commission.** The City Ethics Commission shall administer the provisions of this section. In addition to other duties required under the terms of this section, the City Ethics Commission shall:

(1) Report apparent violations of this section and applicable state law to the City Attorney or Prosecutor.

(2) Conduct audits and investigations of reports and statements filed by candidates and committees supporting or opposing candidates for City offices as required under both the Political Reform Act of 1974 as amended and this section. The City Ethics Commission shall employ investigators where necessary to fully investigate candidate spending and reporting.

(3) Enforce or cause to be enforced the provisions of this section pursuant to Section 90002(c) of the Government Code. The City Ethics Commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items necessary to the audit and investigation of candidates for election to City office.

(o) **Enforcement.**

(1) *Criminal Enforcement* – Any person who knowingly or willfully violates any provisions of this section is guilty of a misdemeanor. Any person who causes any other person to violate any provision of this section, or who aids and abets any other person in the violation of any provision of this section, shall be liable under the provisions of this section. Prosecution for violation of any provision of this section must be commenced within two years after the date on which the violation occurred.

(2) *Civil Enforcement.*

(A) Any person who intentionally or negligently violates any provision of this section shall be liable in a civil action brought by the City Attorney or by a person residing within the City. Where no specific civil penalty is provided, a person may be liable for an amount up to two thousand dollars (\$2,000) for each violation.

(B) Any person who intentionally or negligently makes or receives a contribution, or makes an expenditure, in violation of any provision of this section shall be liable in a civil action brought by the City Attorney or by a person residing within the City for an amount up to three times the amount of the unlawful contribution or expenditure.

(C) If two or more persons are responsible for any violation, they shall be jointly and severally liable.

(D) Any person, before filing a civil action pursuant to this subsection, must first file with the City Attorney a written request for the City Attorney to commence the action. The request shall contain a statement of the grounds for believing a cause of action exists. The City Attorney shall respond within 40 days after receipt of the request, indicating whether the City Attorney intends to file a civil action. If the City Attorney indicates in the affirmative, and files suit within 40 days thereafter, no other action may be brought unless the action brought by the City Attorney is dismissed without prejudice.

(E) Not more than one judgment on the merits with respect to any violation may be obtained under this subsection. Actions brought for the same violation or violations shall have precedence for purposes of trial in the order of the time filed. Such actions shall be dismissed once judgment has been entered or a settlement approved by the court in a previously filed action. The court may dismiss a pending action without prejudice to any other action for failure of the plaintiff to proceed diligently and in good faith. The action may be so dismissed on motion by the City Attorney or any plaintiff in an action based on the same violation.

(F) In determining the amount of liability under this subsection, the court may take into account the seriousness of the violation and the degree of culpability of the defendant.

(i) No civil action alleging a violation of subsection (c) of this section, in connection with a contribution or expenditure shall be filed more than four years after an audit could begin as set forth in the Political Reform Act of 1974 as amended.

(ii) No civil action alleging a violation of any provisions of this section other than subsection (c) of this section shall be filed more than four years after the date of the violation.

**(p) Effect of Violation on Outcome of Election.**

(1) If a candidate is convicted of a misdemeanor violation of any provision of this section, the court shall make a determination as to whether the violation had a material effect on the outcome of the election. If the court finds such a material effect, then:

(A) if such conviction becomes final before the date of the election, the votes for such candidate shall not be counted, and the election shall be determined on the basis of the votes cast for the other candidates in that race;

(B) if such conviction becomes final after the date of the election, and if such candidate was declared to have been elected, then such candidate shall not assume office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter;

(C) if such conviction becomes final after the candidate has assumed office, then the candidate shall be removed from office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter; and

(D) the person so convicted shall be ineligible to hold any elected City office for a period of five years after the date of such conviction.

(2) The City Clerk shall not issue any certificate of nomination or election to any candidate until his or her pre-election campaign statements required by the Political Reform Act of 1974, as amended, or if no campaign statement is required, the written declaration permitted under Section 84205 of the Government Code, have been filed in the form and at the place required by the Political Reform Act of 1974.

(q) **Verification.** All declarations, reports and statements filed under this section shall be signed and verified by the filer under penalty of perjury. The candidate and any person signing declarations, reports and statements under this provision shall read, know and understand the contents of all such declarations, reports and statements.

(r) **Injunction.** The City Attorney or Prosecutor on behalf of the people of the City of Los Angeles or any person residing in the City of Los Angeles may sue for injunctive relief to enjoin violations or to compel compliance with the provisions of this section. The Court may award a

plaintiff or defendant who prevails his or her costs of litigation, including reasonable attorney's fees; provided, however, that no such award may be granted against the City of Los Angeles.

(s) **Severability.** If any provision or portion of this section is for any reason held to be invalid or unconstitutional by the decision of any court, such decision shall not affect the remaining portions of this section.

**Editor's note:** Charter Amendment H, regarding Charter Section [470\(c\)\(12\)](#), applies to contract solicitations issued or released on or after May 8, 2011. Charter Section [470\(c\)\(12\)](#) applies to amendments when contract discussions with the awarding authority began on or after January 28, 2012.

### **Sec. 700. City Ethics Commission.**

(a) **Establishment.** There shall be a City Ethics Commission that shall have the powers, duties and responsibilities set forth in this Article and elsewhere in the Charter. The commission shall have five members, each of whom shall be a part-time commissioner.

(b) **Appointment.** The Mayor, the City ~~Prosecutor Attorney~~, the Controller, the President of the Council and the President Pro Tempore of the Council shall each appoint one member to the commission. All appointments shall be subject to confirmation by a majority vote of the Council. An appointing authority shall not appoint their relative or the relative of any other elected City officer, a campaign consultant, or a major donor. For purposes of this provision: a relative includes a spouse, domestic partner, child, parent, sibling, or in-law; a campaign consultant includes an individual who has provided compensated advice or services to a political campaign or to a committee controlled by a City officeholder in the prior 12 months; and a major donor includes an individual who has qualified as a major donor under the Political Reform Act in the prior 12 months. A President and Vice President of the commission shall be selected by the commission and shall serve in those capacities as set forth in Section [503](#).

### **Sec. 702. Duties and Responsibilities of the Ethics Commission.**

The commission shall have responsibility for the impartial and effective administration and implementation of the provisions of the Charter, statutes and ordinances concerning campaign financing, lobbying, conflicts of interest and governmental ethics.

The City Ethics Commission shall have the following duties and responsibilities:

(a) to receive documents required to be filed pursuant to, and to otherwise administer, the provisions of Section [470](#) and to conduct audits as otherwise set forth in that Section;

(b) to receive documents required to be filed pursuant to, and to otherwise administer, the provisions of the City's municipal lobbying ordinance;

(c) to act as the filing officer and to otherwise receive documents in any instance where the City Clerk would otherwise be authorized to do so pursuant to Chapters 4 and 7 of the California Political Reform Act of 1974 (Government Code Section 81000, et seq.), as amended;

(d) to audit disclosure statements and other relevant documents and investigate alleged violations of state law, the Charter and City ordinances relating to limitations on campaign contributions and expenditures, lobbying, governmental ethics and conflicts of interest and to report the findings to the City ~~Prosecutor Attorney~~ and other appropriate enforcement authorities. Audits shall be conducted of every candidate receiving public matching funds and may be conducted of other candidates and committees involved in City elections;

#### **Sec. 708. Legal Services.**

The City Attorney shall provide legal services to the Commission The Commission shall be authorized to retain its own General Counsel and a limited staff of attorneys, independent of the City Attorney, who shall be housed within and serve exclusively at the direction of the Commission. In addition to this general authorization ~~except that, notwithstanding Section 275,~~ the Commission may retain its own legal counsel to provide advice to the Commission and to take such action as the Commission may direct when necessary under the two circumstances described in this Section. First, independent of the City Attorney, the Commission may employ or contract for staff counsel to give advice to the Commission and to take such action as the Commission may direct on matters that directly involve the conduct of the City Attorney, ~~Prosecutor Attorney~~, the City Attorney's office, the City Prosecutor's Office, or the City ~~Prosecutor Attorney~~ election campaign. Second, the Commission may retain its own legal counsel for legal services in carrying out the Commission's responsibilities and duties under Section 706 on a specific investigative or enforcement matter. In this second circumstance, the Commission and the City Attorney shall approve a panel of law firms or attorneys from which the Commission may select legal counsel for these services.

#### **Sec. 710. Appointment of Special Prosecutor.**

(a) Notwithstanding Section 275, when the City Attorney determines that the City Attorney's office has a possible conflict of interest and that the office should not investigate or prosecute an alleged violation of the Charter, City ordinance or regulation, or statute relating to campaign financing, lobbying, conflicts of interest or governmental ethics, the City Attorney shall notify the City Ethics Commission, which by a four-fifths vote of all of its members may determine to

appoint a special prosecutor to conduct the investigation. A special prosecutor shall not be appointed when it appears from a preliminary investigation that an alleged violation will warrant only an action for civil damages or administrative penalties.

(b) The commission's appointment of a special prosecutor shall be made from a list of special prosecutors approved by the commission at the beginning of each odd-numbered year. The special prosecutor, upon appointment, shall have the authority to file and prosecute criminal and civil actions in the name of the People.

(c) Each fiscal year the budget of the City Ethics Commission shall include the sum of five hundred thousand dollars (\$500,000) for expenditure to support any special prosecutor appointed pursuant to this section. In the event that all of these funds have been or are likely to be expended before the end of any fiscal year, the commission may request an additional appropriation from the Council. Under no circumstance shall the amount appropriated or provided under contract for a special prosecutor exceed five hundred thousand dollars (\$500,000) in any fiscal year without Council approval. The Council shall have 30 days (excluding weekends and holidays) following its receipt to accept, reject, or modify a request for additional funds from the commission. If Council does not act within that time period, the request is deemed approved. The Mayor shall act on the Council's action or inaction if the request is deemed approved within five days (excluding weekends and holidays). If the Mayor vetoes the Council's action, the Council shall have five days (excluding weekends and holidays) to override the veto by a two-thirds vote.

(d) A special prosecutor appointed pursuant to this section may be removed from office only by the action of the commission, and only for good cause, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the special prosecutor's duties.

### **Sec. 803. Election of Board Members.**

The election of Members of the Board of Education of the Los Angeles Unified School District shall be conducted in accordance with Sections [400](#) through [440](#) of the Charter and applicable ordinances consistent with the Charter. In order to encourage a broader participation in the political process by placing limits on the amount any person may contribute or otherwise cause to be available to candidates for election to the Board of Education, the following campaign finance provisions apply to elections of the members of the Board of Education. This section is intended to supplement the Political Reform Act of 1974.

(a) **Definitions.**

(1) "Behested" means and will be treated in the following manner for purposes of this section:

(A) An expenditure behested by a candidate or candidate's controlled committee is not an independent expenditure and shall be treated as a contribution to the candidate or committee that behests the expenditure. A payment is behested if it is made:

(i) at the request or suggestion of the candidate, committee, or the candidate or committee's agent;

(ii) in concert with, with the cooperation of, or in consultation with, the candidate, committee, or the candidate or committee's agent; or

(iii) under any arrangement, coordination, or direction between the candidate, committee, or the candidate or committee's agent.

(B) An expenditure is behested without limitation under the following circumstances:

(i) active involvement or participation by a candidate in the creation or design of a communication financed by the spender, including consultation between the spender and the candidate about content;

(ii) solicitation by the spender and/or provision by the candidate of materials specifically for use in the communication or procuring the candidate's consent to include specific materials in the communication; or

(iii) arranging with the candidate for preparation of any materials used in the communication.

(C) There is a rebuttable presumption that an expenditure is behested, and therefore not independent, if:

(i) it is made by or through any agent of the affected candidate or member of the candidate's controlled committee in the course of his/her involvement in the current campaign;

(ii) in the election cycle during which the expenditure is made, both the spender or the spender's agent and the candidate on whose behalf the expenditure is made retain the same individual or entity to provide non-ministerial, campaign related professional services (non-ministerial, campaign related professional services include, but are not limited to:

polling or other campaign research, media consulting or production, direct mail consultation, and fundraising);

(iii) the expenditure finances a communication that replicates, reproduces, republishes, distributes, or disseminates, in whole or substantial part, a broadcast, written, graphic, or other form of campaign material designed, produced, paid for, or distributed by the affected candidate, his or her committee, or agent;

(iv) the expenditure is based on information about a candidate's campaign plans, projects, or needs not generally available to the public; or information provided directly or indirectly by that candidate, committee, or their agents to the spender or spender's agent, with an express or tacit understanding that the expenditure was being considered;

(v) the spender or spender's agent discusses or negotiates the content, timing, location, mode, intended audience, volume of distribution, or frequency of placement of a communication financed by the spender with the candidate whose election or nomination is advocated by the spender or whose opponent's defeat is advocated by the spender;

(vi) in the election cycle during which the expenditure is made, the spender or spender's agent is serving or has served in a formal executive, policy-making, or advisory position with the candidate's campaign or has participated in strategic or policy-making discussions with the candidate's campaign relating to that candidate's pursuit of nomination or election to office, and the candidate is pursuing the same office as a candidate whose nomination or election the expenditure is intended to influence;

(vii) the expenditure is made after a request to the spender or spender's agent by the candidate, the candidate's controlled committee, or their agents for an expenditure on the candidate's behalf; or

(viii) the expenditure is made in connection with or as a consequence of fundraising events or campaign activities co-sponsored by the candidate and the spender or the spender's agent.

(D) An expenditure will not be deemed behested merely when:

(i) a spender or spender's agent interviews a candidate on legislative or policy positions or issues affecting the spender or discusses

campaign-related issues with the candidate, such as platforms, polling information, which organizations support the candidate and which support his/her opponent, or the identity of the consultants the candidate plans to hire, provided that prior to making a subsequent expenditure based on that information, the spender or his agent has not communicated with the candidate, candidate's controlled committee, or their agents concerning the expenditure;

(ii) the spender solicits and/or obtains a photograph, biography, position paper, press release, or similar material from the candidate, candidate's controlled committee, or their agents and, without the prior knowledge, control, or involvement of the candidate, candidate's controlled committee, or their agents, subsequently utilizes or incorporates that information to create a communication in support of the candidate or in opposition to his or her opponent;

(iii) the spender made prior contributions to the candidate;

(iv) the spender communicates to the candidate, the candidate's controlled committee, or the agent of either, the intent to make an independent expenditure without discussing any of the items mentioned in Subparagraph (C)(v) of this section;

(v) a member of an organization that makes an expenditure renders volunteer personal services to or works for the affected candidate's campaign, unless the volunteer or campaign worker was also involved in the activities of the spender-organization's political action committee or makes payments on behalf of the spender-organization, or is serving or has served the affected candidate's campaign in one of the capacities described in Subparagraph (C)(vi) of this section;

(vi) the expenditure was made in response to an unsolicited request from political party leaders or their agents that the committee "support" the candidate or make an expenditure relating to the candidate;

(vii) the expenditure finances the cost of preparing or disseminating candidate evaluations to voters or conducting a political survey; or

(viii) the spender employs or is under contract with a political consultant or pollster who rendered services to a candidate in prior years.

(2) "Board of Education office" means the office of a member of the Board of Education of the Los Angeles Unified School District.

(3) "Candidate or Committee Agent" means any person who has express or implied authority to make or to authorize the making of expenditures on behalf of the candidate. There shall be a rebuttable presumption that the following have that authority: current or former officers of the candidate-controlled committee, employees of the campaign, persons who have received compensation or reimbursement from the campaign, or any person who has been placed in a position within the campaign organization where it would reasonably appear that in the ordinary course of campaign-related activities he or she may authorize expenditures. A candidate's agent is also any person who is serving or has served in an advisory, decision-making, or strategic role with a candidate's campaign, with or without compensation, where that person's duties and/or actions reflect or require direct knowledge of the candidate's campaign strategy, plans, or needs.

(4) "Election" means any primary nominating election, a general election, a special election and a recall election.

(5) "Independent expenditure" means an expenditure made by any person in connection with a communication that expressly advocates the election or defeat of a clearly identified candidate; or, taken as a whole and in context, unambiguously urges a particular result in an election, but which is not made to or at the behest of the affected candidate or committee.

(6) "Loan" means and will be treated in the following manner for purposes of this section:

(A) A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to the contribution limitations of this section.

(B) The proceeds of a loan made to a candidate by a commercial lending institution in the regular course of business on the same terms available to members of the public and which is secured or guaranteed shall not be considered to be a contribution within the meaning of the contribution limitations of this section.

(C) Extensions of credit (other than loans referred to in Subdivision (6)(B)) for a period of more than 30 days are subject to the contribution limitations of this article.

(7) "Member communications" means payments made pursuant to Government Code Section 85312.

(A) For purposes of this article, payments for member communications that are behested by candidates, with the exception of payments for a regularly published newsletter or periodical limited solely to individual members not exceeding the amount of payments regularly made to publish a regular newsletter or periodical, shall be considered contributions to that candidate or candidate controlled committee for purposes of the contribution limits reporting requirements contained in this article.

(B) For purposes of this article, member communications that are not behested by a candidate, a candidate's controlled committee, or an agent of a candidate or a candidate's controlled committee are not considered contributions to a candidate.

(C) Member communications that are not behested by a candidate, a candidate's controlled committee, or an agent of a candidate or a candidate's controlled committee and are not payments for a regularly published newsletter or periodical limited solely to individual members and do not exceed the amount of payments regularly made to publish a regular newsletter or periodical, are considered expenditures and are required to be reported pursuant to Subsection (s).

(8) "Non-Candidate Spending" means any combination of independent expenditures and/or member communications that are not behested by a candidate.

**(b) Campaign Contribution Limitations.**

(1) No intended candidate for the Board of Education, and no committee acting on behalf of such candidate, shall solicit or accept, or cause to be solicited or accepted, any contribution for use in any election for such office unless and until such candidate shall have filed a Declaration of Intent to Solicit and Receive Contributions in connection with candidacy for a specific Board of Education office. That declaration shall be filed with the City Ethics Commission on a form prescribed by the City Ethics Commission. Once the election takes place, the declaration is thereafter void. No person may have on file at the same time more than one declaration for any single election. A candidate may, however, file a form canceling one declaration and may thereafter file a new declaration.

(2) The candidate and the treasurers of the candidate's controlled committees shall file with the City Ethics Commission on a form prescribed by the City Ethics Commission a statement under oath that the candidate and the treasurers have read and understood Section [803](#). This statement shall be filed concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions.

(3) No person shall contribute a total of more than \$1,000 to any candidate for the Board of Education and to his or her controlled committee for a single election. A candidate for the Board of Education shall not accept any contribution or contributions totaling more than \$1,000 from any person for a single election. Nothing in this section is intended to limit the amount a candidate can contribute to his or her candidacy for the Board of Education from his or her personal funds.

(4) [Repealed.]

(5) No person shall make a contribution in connection with a single election for a Board of Education office, which would cause the aggregate amount of such contributions by that person to exceed a sum equal to \$1,000 multiplied by the number of Board of Education offices appearing on the ballot at that election, but in no case less than \$2,000, in connection with all candidates in that election seeking election to all Board of Education offices; provided, however, that a candidate shall not be limited by this Subdivision (5) in the amount he or she may contribute or expend in connection with his or her own campaign.

(6) No person shall make, and no person or candidate shall solicit or accept any loan of more than \$1,000 for use in connection with an election for the Board of Education. Further, no person shall make, and no person or candidate shall solicit or accept any loan for use in connection with an election for a Board of Education office for a period of more than 30 days. Loans to a candidate or to a candidate's controlled committees shall be counted against the contribution limitations applicable to the candidate. A candidate is not prohibited from obtaining a personal loan of any amount from a licensed financial lending institution in the regular course of business, unless the loan is made for political purposes. Every loan to a candidate or the candidate's controlled committee shall be by written agreement, which shall be filed with the candidate's or committee's campaign statement on which the loan is first reported. This Subdivision (6) shall not limit the amount or duration of loans from the candidate to his or her own campaign.

(7) Any contributions solicited or accepted pursuant to this section shall be expended only in connection with the candidacy for the office specified in the candidate's Declaration of Intent to Solicit and Receive Contributions. Contributions solicited or accepted pursuant to this section for one individual shall not be expended for the candidacy of any other individual seeking another Board of Education office or in support of or in opposition to any Los Angeles Unified School District ballot measure. No candidate, committee controlled by a candidate, or elected member of the Board of Education shall use contributed funds to make any contribution to any other candidate running for office or to any committee supporting or opposing a candidate for office.

Provided, however, a candidate shall not be prohibited from making a contribution from his or her own personal funds to his or her own candidacy, to the candidacy of any other candidate or in support of or in opposition to any Los Angeles Unified School District ballot measure.

(c) **Adjustment of Limits.** Every four years, the City Ethics Commission shall review whether the contribution limitations contained in this section should be adjusted to reflect changes in the Consumer Price Index (CPI) for the Los Angeles-Long Beach Metropolitan Statistical Area. The first review shall begin at the end of the calendar year 2011. If the contribution limitations are not adjusted during any review period, the limitations may be adjusted in a subsequent four-year review period, up to the overall increase in the CPI since the last adjustment. Any change to the contribution limitations shall be effective for any subsequent election for which the fundraising period has not yet opened as provided in Subsection (q). The City Ethics Commission shall forward a report with its findings to the Council by March 1, following each review. Within 60 days after the City Ethics Commission forwards its report to the Council, the Council shall hold a public hearing concerning the matter and act to approve or disapprove the report. If the Council fails to disapprove within the 60 day period, the report shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or if the Mayor fails to act, or if approved by the Council on override of the Mayor's veto, the amount specified in the report shall have the force of law as the contribution limitations applicable to this section, subject to all penalties and remedies in this section.

(d) **Cash Contributions and Anonymous Contributions.** No person shall make, and no candidate or committee shall solicit or accept, any cash contribution in excess of \$25. Total anonymous contributions to a candidate or committee which exceed in the aggregate \$200 with respect to a single election shall not be used by the candidate or committee for whom such contributions were intended, but instead, such excess shall be paid promptly to the City Treasurer for deposit in the General Fund of the City.

(e) **Campaign Contribution Checking Account.** No more than one campaign contribution checking account shall be established by each candidate for a Board of Education office, and by each committee supporting or opposing such candidate. The account shall be established at an office of a bank or savings and loan institution located in the City of Los Angeles. Upon opening such account, the candidate shall file with the City Ethics Commission within ten days of opening the campaign bank account, the name of the bank or savings and loan institution and the account number. Funds shall only be disbursed from such account by checks signed by the candidate, treasurer or designated agent of the treasurer. A candidate, treasurer or designated agent of the treasurer shall deposit into the campaign checking account all contributions received in connection with a Board of Education election. A candidate, treasurer or designated agent of

the treasurer shall pay all campaign expenditures for a Board of Education election with monies from this campaign checking account.

If a candidate has other controlled committees and such committees have checking accounts, the candidate shall notify the City Ethics Commission in writing of these committees and the names and addresses of the banks or savings and loan institutions and the account numbers of any such accounts. A candidate shall notify the City Ethics Commission of these committees, the banks or savings and loan institutions, and the account numbers concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions. If committees are thereafter formed or accounts thereafter opened, then the candidate shall notify the City Ethics Commission on the next regular business day on which the City Ethics Commission office is open. No contribution shall be commingled with the personal funds of the candidate or any other person.

This subsection shall not prohibit the establishment of savings accounts or certificates of deposit, provided that no campaign expenditures may be made therefrom.

(f) **Treasurer.** A candidate having campaign committees for election to the Board of Education shall appoint a treasurer of each committee. No expenditure shall be made by or on behalf of a committee without the authorization of the treasurer or that of his or her designated agents. No contribution or expenditure shall be accepted or made by or on behalf of a committee at a time when there is a vacancy in the office of treasurer. It shall be the duty of the candidate and the treasurer to approve and authorize such payments and to retain such authorizations, detailed accounts, records, bills and receipts.

(g) **Training for Candidates and Treasurers.** Every candidate for the Board of Education, and every treasurer of such candidate's controlled committee, shall attend a training program conducted or sponsored by the City Ethics Commission prior to the election at which the candidate's name will appear on the ballot.

(h) **Accountability.** The candidate and the treasurer shall maintain such detailed accounts, records, bills and receipts as are necessary to prepare campaign statements. The candidate and the treasurer shall retain the detailed accounts, records, bills and receipts for the periods specified in the Political Reform Act of 1974 as amended. Every candidate and committee shall make available on demand to any public officer having legal authority to enforce this section, details of checking and financial accounts of each committee controlled by the candidate and all records supporting such details.

(i) **Petty Cash Fund.** Subsection (e) notwithstanding, a candidate, campaign treasurer and other designated agents authorized to issue checks on a campaign contribution checking account may disburse to the candidate or committee establishing the checking account an amount not greater than \$50 per week to be used for petty cash purposes by the candidate or committee.

(j) **Assumed Name Contributions.** No contribution shall be made, directly or indirectly, by any person or combination of persons, acting jointly in a name other than the name by which they are identified for legal purposes, nor in the name of another person or combination of persons. No person shall make a contribution in his, her or its name of anything belonging to another person or received from another person on the condition that it be used as a contribution. In the event it is discovered by a candidate or committee treasurer that a contribution has been received in violation of this subsection, the candidate or treasurer shall promptly pay the amount received in violation of this subsection to the City Treasurer for deposit in the General Fund of the City.

(k) **Campaign Expenditures - Uncontrolled by Candidate or Committee.** Persons or organizations not subject to the control of a candidate or committee but who make independent expenditures for or against a candidate or committee shall indicate clearly on any material published, displayed or broadcast that it was not authorized by a candidate or a committee controlled by a candidate.

(l) **Recall Petition.** In the event a recall petition is filed, the committee or individual filing the petition shall be subject to the same campaign disclosure provisions as are applicable to candidates for the Board of Education.

(m) **Suppliers of Goods and Services - Disclosure of Records Required.** No person who supplies goods or services or both goods and services to a candidate or committee for use in connection with the campaign for a Board of Education office shall knowingly refuse to divulge or disclose to the City Ethics Commission or to any public officer having legal authority to enforce this section, the details and the records supporting such details of any expenditures made by the candidate or committee in payment for such goods or services or both.

(n) **Aggregation of Payments.** For the purposes of the contribution limitations contained in this section, contributions and/or expenditures from two or more persons will be aggregated and considered to be made by a single person for the purposes of the contribution limitations and reporting provisions contained in this section, if any of the circumstances listed below is applicable:

(1) Contributions and/or expenditures from a person will be aggregated with contributions and/or expenditures from any other person that controls his, her, or its contribution or expenditure activity;

(2) Contributions and/or expenditures from a sponsored committee, as defined in Government Code Section 82048.7, shall be aggregated with contributions and/or expenditures from its sponsoring organization;

(3) Contributions and/or expenditures from an entity shall be aggregated with contributions and/or expenditures from any other entity that has the same individuals constituting a majority of the members of each entity's board of directors;

(4) Contributions and/or expenditures from an entity shall be aggregated with contributions and/or expenditures from any other entity that has the same officers or with whom it shares a majority of officers. For the purposes of this subdivision, an officer does not include an individual who serves only as a member of the entity's board of directors;

(5) Contributions and/or expenditures from a corporation or limited liability company shall be aggregated with contributions and/or expenditures from any other corporation or limited liability company that has the same majority shareholder and/or member or that holds a majority of voting rights in that corporation or limited liability company;

(6) Contributions and/or expenditures from a corporation shall be aggregated with contributions and/or expenditures from any parent or subsidiary corporation, provided that at least one of the corporations is not publicly traded;

(7) Contributions and/or expenditures from an individual shall be aggregated with contributions and/or expenditures from any corporation, limited liability company, firm, joint venture, syndicate, business trust, company or other business entity not described in Subdivisions (8) or (9) below, in which the individual owns an investment of 50% or more or holds a majority of voting rights;

(8) Contributions and/or expenditures from an individual shall be aggregated with contributions and/or expenditures from any sole proprietorship the individual owns; or

(9) Contributions and/or expenditures from a general partner shall be aggregated with contributions and/or expenditures from any general or limited partnership in which the general partner owns an investment of 50% or more or in which the general partner holds a majority of voting rights.

(o) **Family Contributions.** Contributions by a husband and wife shall be treated as separate contributions. Contributions by children under eighteen years of age shall be treated as contributions by their parents and attributed proportionately to each parent (one-half to each parent or the total amount to a single custodial parent).

(p) **Return of Contributions.** A contribution shall not be considered to be received if it is not negotiated, deposited, or utilized, and is returned to the donor within 14 days of receipt.

(q) **Restrictions on When Contributions May Be Received.** No candidate for the Board of Education, or the controlled committee of that candidate, shall solicit or accept or cause to be solicited or accepted any contribution more than 18 months before the date of the election at which the candidate seeks office. No candidate for the Board of Education, or his or her controlled committee, shall solicit or receive or cause to be solicited or received a contribution to his or her own campaign committee from any person later than nine months after the date of the election. Contributions solicited or received or caused to be solicited or received by a candidate for the Board of Education, or his or her controlled committee, following his or her election shall be used to retire campaign debt.

(r) **Campaign Disclosure, Reporting and Recordkeeping.**

(1) In addition to the campaign statements required to be filed pursuant to the Political Reform Act, commencing with Government Code Section 81000, as amended, candidates for the Board of Education, their controlled committees and committees primarily formed to support or oppose these candidates shall file a pre-election statement on the Friday before the election. This statement shall have a closing date of the Wednesday before the election and shall cover activity and payments occurring through that day. Candidates for the Board of Education, their controlled committees and committees primarily formed to support or oppose these candidates shall also file campaign statements as follows in connection with a primary nominating election held in March:

(A) For the period ending September 30 of the year prior to the election, a statement shall be filed no later than October 10, for the period from July 1 through September 30.

(B) For the period ending December 31 of the year prior to the election, a statement shall be filed no later than January 10, of the year of the election for the period from October 1 through December 31.

(2) No contribution shall be deposited into a campaign checking account of a candidate for the Board of Education unless the name, address, occupation and employer of the contributor is on file in the records of the recipient of the contribution.

(3) Each candidate, and each committee making independent expenditures or member communications in support of or opposition to a candidate, who sends a mailing or distributes more than 200 substantially similar pieces of campaign literature, shall send a copy of the mailing or other literature to the City Ethics Commission at the same time the mailing or other literature is given to the post office or otherwise distributed. During the election campaign, the Commission shall merely serve as a repository for this literature and shall not judge or comment on the contents of the literature.

(4) Any candidate for the Board of Education and the candidate's controlled committee required to file campaign statements with the City Ethics Commission shall file those campaign statements online, using the Commission's Electronic Filing System (EFS), after the candidate and/or committee has received contributions or made expenditures of \$25,000 or more in connection with election to a Board of Education office.

(A) Once a candidate or committee is required to file campaign statements online, that candidate or committee shall continue to file statements online until the committee has officially terminated. Committees and other persons not required to file online by this subsection may do so voluntarily.

(B) A person required to file online shall continue to file a paper copy of each campaign statement, as required by the California Political Reform Act and this article, until the person is no longer required to file campaign statements with the City Ethics Commission. The paper copy shall continue to be the original campaign statement for audit and other legal purposes.

(C) In addition to any late filing penalties that may be imposed for a late filing of a paper copy pursuant to the California Political Reform Act or this article, any person who fails to comply with the online filing requirement of this subsection will, in addition, be subject to an additional late filing penalty of \$25 per day after the deadline for the late filing of the online copy.

(D) The information contained on a campaign statement filed online shall be the same as that contained on the paper copy of the same statement that is filed with the City Ethics Commission.

**(s) Disclosure of Payments for Independent Expenditures and Non-Behested Member Communications.**

(1) Any person, including any committee, who makes or incurs independent expenditures of \$1,000 or more in support of or in opposition to any candidate for the Board of Education, or one or more payments for member communications as defined by this section, totaling \$1,000 or more in support of or in opposition to a candidate for the Board of Education, shall notify the City Ethics Commission within 24 hours by certified mail or fax or e-mail each time one or more payments, which meet this threshold, are made.

(2) The notification shall consist of a declaration specifying each candidate supported or opposed by the expenditure, the amount spent to support or oppose each candidate, whether the candidate was supported or opposed, and that the expenditure was not behested by the candidate or candidates who benefited from the expenditure. This declaration shall be made under penalty of perjury and signed by the person or officer and the treasurer of the group making the expenditure. In addition, the date and amount of the payment, a description of the type of communication for which the payment was made or incurred, the name and address of the person making the payment, the name and address of the payee, and a copy of the mailing or advertisement, or a copy of the script or recording of the call, transmission, or advertisement, shall also be provided to the City Ethics Commission. The notification also shall include disclosure of contributions of \$100 or more received by the committee since the day after the closing date of the committee's last campaign disclosure report filed within the Commission or since the first day of the current calendar year, whichever date occurs later; however, contributions that are received, but earmarked for any other candidate outside the Los Angeles Unified School District need not be disclosed. The notification also shall include disclosure of contributions of \$100 or more made in the current calendar year by the person to Board of Education candidates or their controlled committees.

(3) City Ethics Commission staff will notify all candidates by phone, fax or e-mail in the affected race within one business day after receiving the notice of payments for independent expenditures and uncoordinated member communications of \$1,000 or more. The notification will indicate the candidate who was supported or opposed by the expenditure as indicated on the signed declaration and include a copy of the communication provided by the person or group making the expenditure.

(4) For purposes of the notification required in Subdivision (1), payments by an organization for its regularly published newsletter or periodical, if the circulation is limited to the organization's members, employees, shareholders, other affiliated individuals and those who request or purchase the publication, shall not be required to be reported.

(5) Any committee, including but not limited to a candidate controlled committee and an independent expenditure committee, that makes or incurs payments for 1,000 or more recorded telephone calls or any other forms of electronic or facsimile transmission of substantially similar content, or that makes or incurs expenditures of \$1,000 or more for a radio or television advertisement, in support of or opposition to any candidate(s) for Board of Education office, shall send a copy of the script or recording used for each communication to the Ethics Commission within 24 hours of the first time the calls, transmissions, or advertisements are made or aired.

(t) **Verification.** All declarations, reports and statements filed under this section shall be signed and verified by the filer under penalty of perjury. The candidate and any person signing declarations, reports and statements under this provision shall read, know and understand the contents of all these declarations, reports and statements.

(u) **Duties of City Ethics Commission.** The City Ethics Commission shall administer the provisions of this section. In addition to other duties required under the terms of this section, the City Ethics Commission shall:

(1) Conduct audits and investigations of reports and statements filed by candidates and committees supporting or opposing candidates for Board of Education offices as required under the Political Reform Act of 1974, as amended, and [Article VII](#) and this section of the Charter. The City Ethics Commission shall employ investigators where necessary to fully investigate any person subject to this section.

(2) Enforce or cause to be enforced the provisions of this section pursuant to Section 90002(c) of the Government Code, in accordance with [Article VII](#) of the Charter.

(3) Report apparent violations of this section and applicable state law to the City ~~Prosecutor~~ ~~Attorney~~ or another appropriate law enforcement agency.

(v) **Enforcement.**

(1) **Criminal Enforcement** - Any person who knowingly or willfully violates any provisions of this section is guilty of a misdemeanor. Any person who knowingly or willfully causes any other person to violate any provision of this section, or who aids and abets any other person in the violation of any provision of this section, shall be liable under the provisions of this section. Prosecution for violation of any provision of this section must be commenced within four years after the date on which the violation occurred. No person convicted of a misdemeanor under this section shall act as a lobbyist or as a City contractor for a period of four years following the date of the conviction unless the court at the time of sentencing specifically determines that this provision shall not be applicable. For purposes of this section, a plea of nolo contendere shall be deemed a conviction.

(2) **Civil Enforcement.**

(A) Any person who intentionally or negligently violates any provision of this section shall be liable in a civil action brought by the City ~~Prosecutor~~ ~~Attorney~~, the City Ethics Commission or by a person residing within the boundaries of the Los Angeles Unified School District for an amount not more than \$5,000 per

violation, or for more than three times the amount the person failed to report properly or unlawfully contributed, gave or received.

(B) Any person who intentionally or negligently makes or receives a contribution, or makes an expenditure, in violation of any provision of this section shall be liable in a civil action brought by the City ~~Prosecutor Attorney~~ or by a person residing within the City for an amount up to three times the amount of the unlawful contribution or expenditure.

(C) If two or more persons are responsible for any violation, they shall be jointly and severally liable.

(D) Any person, other than the City ~~Prosecutor Attorney~~, before filing a civil action pursuant to this subsection, shall first file with the City Ethics Commission a written request for the City Ethics Commission to commence the action. The request shall contain a statement of the grounds for believing a cause of action exists. The City Ethics Commission shall respond within 40 days after receipt of the request, indicating whether it intends to file a civil action. If the City Ethics Commission indicates in the affirmative, and files suit within 40 days thereafter, no other action may be brought unless the action brought by the City Ethics Commission is dismissed without prejudice.

(E) Not more than one judgment on the merits with respect to any violation may be obtained under this subsection. Actions brought for the same violation or violations shall have precedence for purposes of trial in the order of the time filed. Such actions shall be dismissed once judgment has been entered or a settlement approved by the court in a previously filed action. The court may dismiss a pending action without prejudice to any other action for failure of the plaintiff to proceed diligently and in good faith. The action may be so dismissed on motion by the City ~~Prosecutor Attorney~~ or any plaintiff in an action based on the same violation.

(F) In determining the amount of liability under this subsection, the court may take into account the seriousness of the violation and the degree of culpability of the defendant. If a judgment is entered against the defendant or defendants in an action, a private plaintiff shall receive 50% of the amount recovered. The remaining 50% shall be deposited into the City's General Fund. In an action brought by the City ~~Prosecutor Attorney~~ or the City Ethics Commission, the entire amount shall be paid to the General Fund.

(G) No civil action alleging a violation of this section shall be filed more than four years after the date the violation occurred.

(H) Any person residing within the Los Angeles Unified School District, including the Los Angeles ~~Prosecutor Attorney~~, may sue for injunctive relief to enjoin violations or to compel compliance with the provisions of this section. The court may award to a party, other than an agency, who prevails in any civil action authorized by this article, his or her costs of litigation, including reasonable attorneys' fees; provided, however, that no such award may be granted against the City of Los Angeles.

**(w) Effect of Violation on Outcome of Election.**

(1) If a candidate is convicted of a misdemeanor violation of any provision of this section, the court shall make a determination as to whether the violation had a material effect on the outcome of the election. If the court finds such a material effect, then:

(A) if such conviction becomes final before the date of the election, the votes for such candidate shall not be counted, and the election shall be determined on the basis of the votes cast for the other candidates in that race;

(B) if such conviction becomes final after the date of the election, and if such candidate was declared to have been elected, then such candidate shall not assume office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter;

(C) if such conviction becomes final after the candidate has assumed office, then the candidate shall be removed from office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter; and

(D) the person so convicted shall be ineligible to hold any elected City office or the office of a member of the Board of Education for a period of five years after the date of such conviction.

(2) The City Clerk shall not issue any certificate of nomination or election to any candidate until his or her pre-election campaign statements required by the Political Reform Act of 1974, as amended, or if no campaign statement is required, the written declaration permitted under Section 84205 of the Government Code, have been filed in the form and at the place required by the Political Reform Act of 1974.

(x) **Late Filing Penalties.** If any person files an original statement or report after any deadline imposed by this article, he or she shall, in addition to any other penalties or remedies established by the article, be liable to the City Ethics Commission in the amount of \$25 per day after the deadline until the statement or report is filed. Liability need not be enforced by the Commission if on an impartial basis it determines that the late filing was not willful and that enforcement of the liability will not further the purposes of the article, except that no liability shall be waived if a statement or report is not filed within 30 days.

(y) **Severability.** If any provision or portion of this section, or its application to any person or circumstance, is held invalid by any court, the remainder of this section or the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected.

#### SECTION HISTORY

Amended by: Charter Amendment L, approved March 6, 2007, effective April 4, 2007; Subsec. (b)(4) repealed, Charter Amendment N § 3, approved March 8, 2011, effective April 8, 2011; Subsec. (r)(1), Charter Amendment E, approved November 6, 2018, effective December 14, 2018; Subsec. (r)(1), Charter Amendment EE, approved November 6, 2018, effective December 14, 2018.

### **Sec. 804. Compensation.**

The total compensation for members of the Board of Education shall be set by a compensation committee provided in this section:

(a) The committee shall be constituted as follows:

- (1) The committee shall be comprised of a total of seven members.
- (2) Each member of the committee shall reside within the Los Angeles Unified School District.
- (3) Two members of the committee shall be parents or guardians of pupils who attend a school within the Los Angeles Unified School District:
  - (A) One of whom shall be a parent or guardian of a pupil who attends a school within the boundaries of the City of Los Angeles;
  - (B) One of whom shall be a parent or guardian of a pupil who attends a school outside of the boundaries of the City of Los Angeles.

(4) One member of the committee shall have expertise in the area of compensation, such as an economist, market researcher or personnel manager;

(5) Two members of the committee shall have experience in the business community:

(A) One of whom is an executive of a corporation, incorporated in California and located within the Los Angeles Unified School District, which ranks among the largest private sector employers in the Los Angeles Unified School District;

(B) One of whom is an owner of a small business (of less than 25 employees) located within the Los Angeles Unified School District.

(6) Two members of the committee shall be members or officers of a labor organization or union.

(b) The appointments shall be made as follows:

(1) The Mayor of the City of Los Angeles shall appoint the member referenced in Subdivision (a)(5)(A) and one of the two members referenced in Subdivision (a)(6);

(2) The Mayors of Cities of Bell, Cudahy, Huntington Park, Maywood and South Gate shall collectively appoint the member referenced in Subdivision (a)(5)(B);

(3) The Mayors of the Cities of Gardena, Carson, Lomita, Monterey Park, San Fernando and West Hollywood shall collectively appoint one of the two members referenced in Subdivision (a)(4);

(4) The Chair of the Los Angeles County Board of Supervisors shall appoint the member referenced in Subdivision (a)(3)(B);

(5) The President of the Los Angeles City Council shall appoint the member referenced in (a)(3)(A) and one of the two members referenced in Subdivision (a)(6).

All appointments shall be subject to confirmation by a majority vote of the Los Angeles City Council. Within 10 days of any vacancy, the appointing authority shall appoint a person to serve the unexpired portion of the term. Within 15 days of the appointment of a member to fill a vacancy, the appointment shall be subject to confirmation by a majority vote of the Los Angeles City Council.

(c) The appointing authorities shall strive insofar as practicable to provide a balanced representation of the geographic, gender, racial and ethnic and other diversity of the Los Angeles Unified School District in appointing committee members.

(d) Not later than 30 days after the effective date of this Charter section, the appointing authorities shall appoint the committee members. The Council shall approve or disapprove the appointments not later than 15 days after the appointments are received. Every five years, thereafter, beginning on the first Monday following April 1, 2007, a new committee shall be appointed.

(e) Ninety days after the Council confirms the committee members, the committee shall, by a single resolution adopted by a majority of the membership of the committee, establish the annual salary and the medical, dental, insurance and other similar benefits of the Board of Education members. The committee shall be dissolved 60 days after adoption of the resolution.

(f) In establishing the annual salary and other benefits, the committee shall consider all of the following:

(1) The amount of time members of the Board of Education serve, directly or indirectly related to the performance of his or her duties.

(2) The amount of the annual salary and other benefits for other elected and appointed officers and officials in the State of California with comparable responsibilities, the judiciary, and to the extent practicable the private educational sector, recognizing, however, that public officers do not receive, and do not expect to receive, compensation at the same levels as individuals in the private sector with comparable experience and responsibilities.

(g) The annual salary and benefits specified in that resolution shall become effective on the date the committee is dissolved as provided in Subsection (e).

(h) On an annual basis, in years when the committee is not performing a compensation review, the Board of Education may increase the compensation and other benefits of individual or all Board members beyond the amount established by the committee, in an amount not to exceed two percent of the applicable total combined amount of compensation and benefits. Any increase made pursuant to this subsection shall be effective upon approval by the Board of Education.

(i) The salary and benefits for members of the Board of Education shall be payable out of the funds of the Los Angeles Unified School District.

(j) All committee members shall receive their actual and necessary expenses incurred in the performance of their duties, paid by funds from the Los Angeles Unified School District. The committee members shall receive no other compensation for the performance of their services as committee members.

(k) Public notice shall be given of all meetings of the committee, and the meetings shall be open to the public pursuant to the Ralph M. Brown Act, Government Code Section 54950, et seq., or its successor open meeting legislation.

#### SECTION HISTORY

Amended by: Charter Amendment L, approved March 6, 2007, effective April 4, 2007.

### **Sec. 805. Powers of the Board.**

The Board of Education shall have power to control and manage the public schools of the Los Angeles Unified School District in accordance with the Constitution and laws of the state.

### **Sec. 806. Board of Education Term of Office.**

(a) Members of the Board of Education shall hold their office for a term of four years except as provided in subsection (b).

(b) Notwithstanding any other provision of the Charter, in order to transition to new election dates starting in 2020, Board of Education members elected in 2015 shall be elected for a term expiring in December 2020 and members elected in 2017 shall be elected for a term expiring in December 2022.

(c) The terms of office for those members of the Board of Education from odd-numbered districts shall commence during each fourth anniversary of the year 2020. The terms of office for those members of the Board of Education from even-numbered districts shall commence during each fourth anniversary of the year 2022. The term of a member of the Board of Education shall commence on the second Monday in December next following his or her election.

(d) No person shall serve more than three terms of office as a member of the Board of Education. This limitation on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office. The limitation on the number of terms of office shall apply only to terms of office that begin on or after March 1, 2007. For purposes of this subsection, the term of office of

Board of Education members elected in 2015 and 2017 as described in subsection (b) of this section shall count as one term.

#### SECTION HISTORY

Added by Charter Amendment 1, approved March 3, 2015, effective April 2, 2015 and Charter Amendment 2, approved March 3, 2015, effective April 2, 2015.

Amended by: Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

## ***LOS ANGELES UNIFIED SCHOOL DISTRICT INDEPENDENT REDISTRICTING COMMISSION***

### **Sec. 810. Commission Establishment and Purpose.**

(a) There shall be a Los Angeles Unified School District Independent Redistricting Commission (the “Commission”) that shall have the powers, duties, and responsibilities set forth in the City Charter and by ordinance.

(b) The purpose of the Commission is to strengthen the governance of the Los Angeles Unified School District by developing Board of Education district boundaries through a fair, transparent, inclusive, and independent redistricting process that empowers public participation and public access to its proceedings.

#### SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

### **Sec. 811. Commission Organization, Powers, and Duties.**

(a) The Commission shall consist of 14 members and four alternate members.

(b) A new Commission shall be established every ten years after each federal decennial census. The members of the Commission shall be selected no later than April 1 of each year ending in the number zero.

(c) The term of office of each member of the Commission shall begin on the date of that commissioner’s respective selection and shall expire upon the selection of the first member of the succeeding Commission.

(d) The Commission shall have the power and duty to:

(1) adopt the boundaries of the Board of Education districts of the Los Angeles Unified School District following each federal decennial census;

(2) comply with the redistricting criteria and process set forth in the Charter and by ordinance;

(3) act in an impartial manner that ensures the integrity and fairness of the redistricting process;

(4) educate and inform the public about redistricting, solicit and encourage public participation in the redistricting process, and hold public meetings and hearings that are accessible and provide the public the opportunity to participate and provide comment throughout the process;

(5) make recommendations to the Mayor, City Council, and City Ethics Commission regarding redistricting matters; and

(6) perform other redistricting functions as prescribed by ordinance.

(e) The Commission may provide for youth participation on the Commission with participants selected through a process, and possessing the powers and duties, as provided by ordinance.

#### SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

### **Sec. 812. Commissioner Qualifications and Restrictions.**

(a) Each Commission member shall be at least 18 years old, unless a lower minimum age requirement is established by ordinance. Each Commission member shall be a resident of the Los Angeles Unified School District at the time of selection, and shall have resided in the Los Angeles Unified School District for at least three years immediately preceding the person's submission of an application. A Commissioner is not required to be a registered voter or a citizen of the United States.

(b) A person shall not be eligible to apply to or serve on the Commission if the person has been an employee of the Los Angeles Unified School District or a member of a Los Angeles

Unified School District commission at any time in the four years immediately preceding the person's submission of an application.

(c) A person shall not be eligible to apply to or serve on the Commission if the person or person's spouse or family has engaged in the prior political and lobbying activities described in the California Elections Code provisions regarding eligibility requirements for independent redistricting commissions. Additional eligibility requirements may be provided by ordinance.

(d) Applicants to the Commission shall demonstrate collaborative skills, experience in civic engagement, and the ability to analyze complex data.

(e) While serving on the Commission, a member of the Commission shall not endorse, work for, volunteer for, or make a campaign contribution to, any member of the Board of Education or candidate for elective Board of Education office, or serve on a redistricting commission for any other governmental body.

(f) A member or former member of the Commission shall not do any of the following:

(1) Be a candidate for an elective Board of Education office unless more than five years have elapsed from the commissioner's last date of service on the Commission or ten years have elapsed from the date of the commissioner's selection to the Commission, whichever is less.

(2) Be a candidate for an elective Board of Education office for any district for which the election will be conducted using district boundaries that were adopted by the Commission on which the member served.

(g) For a period of four years after the last date of service on the Commission or ten years after the date of selection to the Commission, whichever is less, a member or former member of the Commission shall not do any of the following:

(1) Accept appointment to another commission of the Los Angeles Unified School District.

(2) Accept employment as a paid staff member of, or receive compensation as a consultant to, a member of the Board of Education or candidate for elective Board of Education office.

(3) Receive a non-competitively bid contract with the Los Angeles Unified School District.

(4) Act as a registered Los Angeles Unified School District lobbyist.

(5) Accept appointment to a Los Angeles Unified School District office.

(h) Alternate members of the Commission shall be subject to the same eligibility requirements, standards of conduct, and restrictions as other Commission members.

#### SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

### **Sec. 813. Commissioner Selection and Removal.**

(a) An application process to identify prospective commissioners shall commence no later than April 1 of each year ending in the number nine.

(b) The City Clerk shall manage the Commission application process, with the City Ethics Commission providing oversight. The City Clerk and City Ethics Commission may delegate these responsibilities to their staff or consultants.

(c) The City Clerk shall conduct an outreach and education program to ensure that there is publication and awareness of the Commission application process, with efforts to reach underserved communities and with efforts conducted in multiple languages as identified by ordinance. The City Clerk shall monitor and make public the demographic data of application submissions and enhance outreach as reasonably needed to ensure that the applicant pool has a sufficient number of qualified applicants and reasonably reflects the Los Angeles Unified School District's diversity.

(d) An interested person meeting the eligibility requirements for service on the Commission may submit an application to the City Clerk. The City Clerk shall review the applications and establish an applicant pool consisting of those individuals who meet the objective eligibility requirements specified in subsections (a) through (c) of Section [812](#).

(e) The City Clerk shall post the names of individuals in the applicant pool for public review and establish a process by which the public may provide information regarding the eligibility of an individual in the applicant pool. The City Ethics Commission shall review the information provided by the public and determine whether any individual shall be removed from the applicant pool.

(f) Following the public review period, the City Ethics Commission shall evaluate the applications of the individuals in the applicant pool to identify individuals who satisfy the eligibility requirements specified in subsections (a) through (d) of Section [812](#) and who shall be included in the Commission Selection Pool. After the establishment of the Commission Selection Pool, the City Ethics Commission shall have the authority to receive information from the public and make determinations regarding the continuing eligibility of individuals in the Commission Selection Pool.

(g) The City Clerk shall conduct a random drawing at a public meeting to select one person residing in the geographic region of each of the seven Board of Education districts. The result of this selection process shall be the selection of seven members of the Commission, one from the geographic region of each of the seven Board of Education districts.

(h) The seven selected commissioners shall review the applications of all remaining applicants in the Commission Selection Pool to select seven additional members of the Commission. These selections shall be made at a public meeting by a two-thirds vote of the seven initial commissioners based on the applicant's relevant experiences and backgrounds, familiarity with the Los Angeles Unified School District's neighborhoods, ability to be impartial, and to ensure that the Commission reflects the Los Angeles Unified School District's diversity, including racial, ethnic, sex, gender, sexual orientation, age, income, professional, and geographic diversity. However, formulas or ratios shall not be applied for this purpose. These selections also shall be made in a manner that ensures that at least four of the 14 members of the Commission are parents or guardians of pupils who attend a school within the Los Angeles Unified School District at the time of selection.

(i) After the 14 commissioners have been selected, the Commission shall select four persons from the remaining applicants in the Commission Selection Pool to serve as alternate commissioners. The selection of alternate commissioners shall be made in a manner that ensures geographic diversity among the alternate commissioners.

(j) The Commission may remove a commissioner for substantial neglect of duty, gross misconduct in office, inability to discharge the duties of office, failure to comply with the commissioner eligibility requirements and restrictions described in Section [812](#), unexcused absences, or failure to abide by transparency requirements. Removal under this provision requires a two-thirds vote of the Commission after providing the member notice of a public hearing and an opportunity to respond in writing and at the public hearing. The removed member may appeal the Commission's decision to the City Ethics Commission.

(k) The Commission may immediately remove a commissioner who has been charged with a felony offense, or who has been charged with a criminal misdemeanor related to a violation of official duties as described in Section [207\(c\)](#). Removal under this provision requires a two-thirds

vote of the Commission. The removed member may appeal the Commission's decision to the City Ethics Commission.

(l) The position of a member of the Commission shall become vacant if the member pleads guilty to or no contest to or is convicted of a felony.

(m) If a vacancy occurs on the Commission, the Chair of the Commission shall conduct a random drawing at a public meeting to select one of the alternate commissioners to serve as a commissioner.

#### SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

#### **Sec. 814. Redistricting Criteria.**

(a) The Commission shall adopt Board of Education district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965. Each district shall have a reasonably equal population with other districts, except where deviation is required to comply with the federal Voting Rights Act or as allowable by law.

(b) In addition to following the requirements of subsection (a), the Commission shall adopt Board of Education district boundaries using the following criteria as set forth in the following order of priority:

(1) To the maximum extent practicable, districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the maximum extent practicable, and where it does not conflict with the preceding criterion in this subsection, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A "community of interest" is a population that shares common social or economic interests that should be included within a single election district for purposes of its effective and fair representation. Characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services. Characteristics of communities of interest may also include, but are not limited to, cultural districts, shared socioeconomic characteristics, similar voter registration rates

and participation rates, and shared histories. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the Los Angeles Unified School District. District boundaries should be easily identifiable and understandable by residents.

(4) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(c) The Commission shall not adopt district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party, and the place of residence of an incumbent or candidate shall not be considered in the development of district boundaries.

(d) Other additional criteria should be considered by the Commission when adopting district boundaries, including consideration of the community and cultural association with economic and cultural landmarks and resources. All decisions concerning additional criteria shall be considered and approved in public meetings. The Commission's consideration of additional criteria should be considered in compliance with and subordinate to the applicable requirements of subsections (a) through (c).

(e) After the Commission has adopted district boundaries, the Commission shall number each Board of Education district such that, for as many residents as possible, the number of the Board of Education district they reside in remains the same.

#### SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

### **Sec. 815. Public Meetings, Outreach, and Accessibility.**

(a) The Commission shall comply with the Ralph M. Brown Act and other applicable open meeting laws.

(b) The Commission shall take steps to encourage residents to participate in the redistricting process, including those in underrepresented communities and non-English speaking communities.

(c) The Commission shall hold public hearings and workshops in a manner that ensures that the public has the opportunity to participate and comment in each phase of the redistricting process.

(d) The Commission shall provide live translation of Commission meetings in English and Spanish and as further provided by ordinance. The Commission shall provide materials in the languages required by federal and state law and as provided by ordinance.

(e) The Commission shall develop and implement an Accessibility Plan to ensure that people with disabilities and seniors are able to access and fully participate in Commission meetings and hearings. The Commission shall develop this plan prior to the initiation of public hearings.

(f) For purposes of providing testimony, members of the Board of Education shall be subject to the same public comment procedures as members of the public.

(g) **Ex Parte Communications.**

(1) A member of the Commission shall not communicate with any individual or organization regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with another commissioner, Commission staff, legal counsel, or consultants retained by the Commission. This provision does not prohibit communications with City and Los Angeles Unified School District staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(2) The Executive Director of the Commission, any mapping staff member or mapping consultant of the Commission, and other Commission staff as designated by the Commission shall not communicate with any member of the Board of Education or elected City officer, candidate for elective Board of Education or City office, or staff of any such member or candidate, either directly or through an agent, regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with City and Los Angeles Unified School District staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(3) A member or employee of the City Ethics Commission, City Clerk, or other City department involved in the process for selecting members of the Commission shall not

communicate with any member of the Board of Education or elected City officer, candidate for elective Board of Education or City office, or staff of any such officer or candidate, either directly or through an agent, regarding any matter related to the selection process outside of a public meeting before that process has been completed. This provision does not prohibit communications to the extent those communications are related to administrative matters, legal advice, or educational presentations made to the public.

(4) The Commission may adopt other rules regarding communications provided the rules comply with the Brown Act, do not conflict with the provisions in this subsection, and are adopted in a public meeting of the Commission.

#### SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

### **Sec. 816. Commission Conduct of Business, Administration, and Personnel.**

(a) Each member and alternate member of the Commission shall be a designated employee in the conflict of interest code for the Commission adopted pursuant to the California Political Reform Act, and shall file with the City Ethics Commission a statement of economic interests and other financial disclosure statements as required by law.

(b) The affirmative votes of a majority of the Commission shall be required for any official action, except the following actions which shall require the approval of two-thirds of the Commission:

- (1) a vote for the final redistricting plan;
- (2) a vote to remove a commissioner;
- (3) a vote for the selection of the seven commissioners described in Section [813\(h\)](#);
- (4) a vote to hire the Executive Director, mapping consultant or mapping staff member, and any other position designated as key staff by the Commission; and
- (5) a vote to authorize the delegation of hiring or contracting authority, to the extent such authority is delegable under state and City law.

(c) The alternate members of the Commission may fully participate in Commission deliberations but may not vote and may not be counted towards the establishment of a quorum.

(d) The Commission shall select one commissioner to serve as the Chair of the Commission. The Commission may designate other officers from its membership.

(e) Consideration of principles for the development of district boundaries for draft and final redistricting plans shall be conducted in a public meeting and approved by a vote of the Commission.

(f) The Commission shall post proposed map principles and any proposed final map on the Commission's website for a minimum of seven days before consideration at a Commission hearing or meeting.

(g) The Commission shall hire an Executive Director and redistricting, technology, and outreach staff, whose positions shall be exempt from the civil service provisions of the Charter.

(h) The Commission shall have the authority to hire consultants through a competitive process consistent with the contracting provisions of the Charter and as provided by ordinance.

(i) The City Clerk shall provide support to the Commission in accessing City resources, coordinating with City and Los Angeles Unified School District departments and personnel, and other administrative matters as needed. The executive office of the Board of Education also shall provide support to the Commission.

(j) The Commission may utilize the City Attorney as legal counsel or may request the City Attorney to retain legal counsel for the Commission.

#### SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

### **Sec. 817. Adoption of Final Redistricting Plan.**

(a) The Commission shall adopt its final redistricting plan establishing new Board of Education district boundaries no later than September 30 of each year ending in the number one.

(b) If the Commission does not adopt a final redistricting plan by the deadline in subsection (a), the City Attorney shall immediately petition the Superior Court for an order prescribing new Board of Education district boundaries in accordance with the redistricting criteria described in

Section [814](#), and those boundaries shall apply to Board of Education elections until the Commission is able to adopt a final redistricting plan.

(c) The Commission shall issue, with the final plan, a report that explains the basis on which the Commission made its decisions in achieving compliance with the redistricting criteria described in Section [814](#).

(d) Upon adoption of a final redistricting plan, the Commission shall submit the plan, final report, and any other accompanying materials to the City Clerk and publish this material on the Commission's redistricting website.

(e) The City Clerk shall post the Commission's final redistricting plan and report on the City's website. The City Clerk shall publish the final plan and description of the new Board of Education district boundaries in the same manner as an ordinance of the City.

(f) The final redistricting plan establishing new Board of Education districts shall become effective 31 days from its publication as provided for ordinances in the Charter.

(g) The final redistricting plan shall be subject to referendum in the same manner as a City ordinance.

(h) No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Board of Education prior to the expiration of the term of office for which the member was elected.

(i) District boundaries adopted by the Commission shall not be altered until after the next federal decennial census occurs except to settle a legal claim or in response to an order of a court.

(j) Any territory annexed to or consolidated with the Los Angeles Unified School District shall be added to an adjacent district or districts by the Commission. The addition shall be effective upon the completion of the annexation or consolidation proceedings.

#### SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

### **Sec. 818. Commission Funding.**

(a) The City Council and Mayor shall provide sufficient funds to meet the needs for the formation and operation of the Commission, including to compensate Commission staff, consultants and legal counsel, conduct outreach to solicit broad public participation in the redistricting process, and, if necessary, defend the actions of the Commission in any legal proceeding.

(b) The City Council and Mayor shall provide funds to all City departments involved with the formation of the Commission, providing support to the Commission, and maintaining the records of the Commission.

(c) The Los Angeles Unified School District shall reimburse the City for costs incurred by the City, including City departments, for the formation and operation of the Commission.

(d) Commissioners shall be compensated as provided by ordinance.

#### SECTION HISTORY

Added by Charter Amendment LL, approved November 5, 2024, effective January 8, 2025.

### **Sec. 819. Commission Recommendations.**

(a) The Commission may recommend changes to the independent redistricting process described in the City Charter and Administrative Code by submitting a report to the City Ethics Commission with findings, analysis, and data that support the Commission's recommendations.

(b) The City Ethics Commission shall review the Commission's recommendations and may transmit a report to the City Council containing recommendations for amendments to the City Charter and Administrative Code regarding redistricting. To the extent the recommendations include amendments to the Administrative Code, the Ethics Commission shall also prepare and transmit, with the assistance of the City Attorney, any proposed ordinance that would be required to effectuate the recommended amendments.

(c) **Administrative Code Amendments.** Within 60 days of submission of an Ethics Commission report and accompanying proposed ordinance recommending amendments to the Administrative Code regarding redistricting, the City Council shall hold a public hearing concerning the matter and act to approve, without change, or disapprove the proposed ordinance. If the Council fails to disapprove within the 60-day period, the proposed ordinance shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or the Mayor fails to act, or approved by the Council on override of the Mayor's veto, the proposed ordinance shall be deemed approved.

(d) **Charter Amendments.** An Ethics Commission report recommending an amendment to the City Charter regarding redistricting shall be considered by the City Council in time to allow for submittal of the charter amendment to the voters at the next available election. An amendment to the City Charter requires the approval of the voters of the City.

## **Enshrine Controller's Fraud, Waste and Abuse Function**

### ***CONTROLLER***

#### **Sec. 261. Powers and Duties.**

The Controller shall:

(a) appoint assistants, deputies, clerks and other persons as the Council shall prescribe by ordinance;

(b) prescribe the method of keeping all accounts of the offices, departments, boards or employees of the City in accordance with generally accepted accounting principles, except that any change of the system of accounting shall first be authorized by the Council;

(c) regularly review the accounting practices of offices and departments and upon finding serious failings in accounting practices, be empowered to take charge of the accounting function, and thereafter assist the office or department in implementing appropriate accounting standards and practices;

(d) maintain a complete set of accounts which shall be deemed the official books and accounts of the City, which shall show at all times the financial condition of the City, the state of each fund, including funds of departments responsible for managing their own funds, the source from which all money was derived and for what purposes all money has been expended;

(e) in compliance with generally accepted government auditing standards, audit all departments and offices of the City, including proprietary departments, where any City funds are either received or expended; be entitled to obtain access to all records and personnel, including from City contractors and subcontractors that are either expending or receiving City funds, in order to carry out this function; establish an auditing cycle to ensure that the performance, programs and activities of every department are audited on a regular basis, and promptly provide completed audit reports to the Mayor, Council, and City Attorney and make those reports available to the public;

(f) maintain a reconciliation between the accounts in all offices and departments with the accounts in the Controller's office, and from time to time, verify the condition of all City funds in the City Treasury, and report to the Mayor and Council thereon;

(g) allocate among the several respective funds all public money at any time in the City Treasury not otherwise specifically allocated and appropriated by law or ordinance, and promptly notify the Treasurer of the allocation or appropriation;

(h) report to the Mayor and Council, at times established by law, the condition of each fund, and make other reports as the Mayor or Council requests;

(i) maintain each fund on a parity with its obligations at all times by transferring from the Reserve Fund as a loan to any fund which may become depleted through tardy receipt of revenues, and upon receipt of revenues sufficient to make an allocation as will restore each fund to parity, retransfer the amount of the loan to the Reserve Fund;

(j) monitor the level of debt incurred by the City and report periodically to the Mayor and Council on City debt; ~~and~~

(k) conduct performance audits of all departments and may conduct performance audits of City programs, including suggesting plans for the improvement and management of the revenues and expenditures of the City. Nothing in this subsection shall preclude the Mayor or Council from conducting management studies or other review of departmental operations; and

(l) manage and maintain a whistleblower hotline; receive and investigate allegations of fraud, waste, abuse, inefficiency, and ineffectiveness; engage in prevention activities, including, but not limited to, conducting risk-based proactive investigations and fraud awareness training.

## **Expand Mayoral Powers**

### **Sec. 214. Creation of Additional Departments and Officers.**

The Council may by ordinance create additional departments, offices and boards, and consistent with the Charter, provide for the election or appointment of officers other than those designated in the Charter, whenever the public necessity or convenience may require. The Council may by ordinance prescribe the duties of those officers, provided that those duties shall not include any of the duties of any officer designated in the Charter, except as authorized under Section [514](#). Nothing in this section shall limit the Mayor's powers authorized in Section 514.

### **Sec. 231. Powers and Duties.**

The Mayor shall have the power and duty to:

(a) exercise management authority over all departments, agencies and appointed offices of the City, except where the Charter provides otherwise;

(b) appoint and remove staff as may be needed to perform the duties and carry out the responsibilities of the Mayor's office, subject only to budgetary appropriation;

(c) unless provided otherwise in the Charter, appoint chief administrative officers of City departments and appointed offices, and the members of the boards of commissioners created by the Charter, each subject to Council confirmation as provided in the Charter;

(d) unless otherwise provided in the Charter, appoint the members of standing commissions and boards created by ordinance that are advisory to or manage a department or appointed office, or perform regulatory functions, subject to Council confirmation as provided in the Charter;

(e) remove from office any chief administrative officer or commissioner, except where otherwise provided in the Charter;

(f) publicly address the Council on the state of the City, annually prior to the submission of the proposed budget;

(g) prepare and submit the Mayor's proposed annual budget to the Council for consideration in accordance with [Article III](#) of the Charter;

(h) represent the City in intergovernmental relations in accordance with City policy and supervise the City's intergovernmental relations function;

(i) declare a local emergency and coordinate the City's emergency response activities in accordance with procedures established by ordinance, and supervise emergency preparedness activities in the various departments and offices, including the Mayor's office, in a manner consistent with City policy;

(j) establish procedures and implement policies not inconsistent with the Charter or ordinance as are necessary to effectively manage and supervise the responsibilities entrusted to the Mayor through the issuance of executive directives, which, in the absence of conflicting provisions in the Charter or ordinance, and until revised or rescinded by the Mayor, shall be binding on all departments, commissions, appointed officers and employees of the City. Executive directives shall be filed with the City Clerk and be published in the manner described in Section 251. Executive directives shall take effect 15 days after publication;

(k) certify in writing to the Council, for each appointment that requires Council confirmation, that in the Mayor's opinion the appointee is especially qualified by reason of training and experience for the position, and that the appointment is made solely in the interest of the City; **and**

(l) introduce a motion to propose an action of the Council by ordinance, order, or resolution during any meeting of the Council;

(m) attend any closed session held during a meeting of the Council, and take part in the discussions, but not to vote; and

(n) perform other duties and have other powers as are provided elsewhere in the Charter or by ordinance.

### **Sec. 233. Temporary Transfer of Employees.**

The Mayor may make temporary transfers of employees, not to exceed ~~120~~ 365 days in any calendar year, from one appointed office or department to another, except the Proprietary Departments, to relieve temporary shortages in personnel, or to meet temporary demands for additional employees caused by temporary or seasonal requirements in any office or department. The Mayor shall notify the City Clerk at the time the transfer of employees is made, and the City Clerk shall notify the President of the Council, the City Administrative Officer and the Board of Civil Service Commissioners of the transfer. The compensation of employees so transferred shall be a charge upon the office or department to which the employees are transferred for the period of the transfer. In the event of objection in writing to the temporary transfer by any of the appointing authorities involved, the Mayor shall determine whether or not the transfer shall be made.

## Sec. 242. Conduct of Business.

The Council shall be the sole judge of the election and qualification of its members. Meetings and records of the proceedings of the Council and of the committees of the Council shall be open to the public, except that closed sessions may be held as permitted by law. The Council shall have the exclusive power to organize its business, prescribe the rules of its proceedings and preserve order at its meetings, subject to the following:

(a) The Council shall hold regular meetings at least three days each week. Meetings may be held in City Hall or elsewhere in the City. By resolution, the Council may establish periods during which the Council or its committees will be in recess. The Council and its committees may also each hold special meetings with proper notice.

(b) The Council, by ordinance or resolution, shall establish a sufficient number of committees to enable it to carry out its duties. The duty of the Council and its committees is to become fully informed of the business of the City so as to oversee all the functions of the City government, and to report to the Council any information or recommendations necessary to enable the Council to properly legislate. Committees shall have the power of investigation, but shall have no administrative control over the various functions of the City government. The administration of the City government shall be vested in the officials designated in the Charter to perform those functions. The President of the Council shall appoint the members and the chair of the committees and each Council member shall be appointed to at least one committee.

(c) The Mayor, by proclamation, may cause the Council to hold a special meeting, with proper notice. When such a special meeting is caused to be held by the Mayor, the Council has power to legislate only on subjects specified in the proclamation.

## Sec. 342. Transfers of Appropriated Funds.

Funds appropriated in the general City budget or thereafter by the Council for expenditure by any officer, board or department may be transferred to the Reserve Fund or the Unappropriated Balance, or appropriated for the same or other purposes by other authorized officers, boards or departments and the budget or other spending authority amended accordingly:

(a) for transfers not in excess of \$271,460 or 4 percent of the budget of the account receiving the transfer, whichever is greater, but not to exceed \$400,000, or a greater an amount established by ordinance, on the approval of the Mayor, provided that the Mayor shall give notice of such transfer at the time it is made to the City Clerk who shall notify the President of the Council, the Controller and the City Administrative Officer of the transfer;

(b) for transfers in excess of an amount established by ordinance, on the approval of the Mayor and a majority vote of the Council; or

(c) for transfers in excess of an amount established by ordinance, on the majority vote of the Council, subject to the approval of the Mayor, or passage by the Council over the Mayor's veto by a two-thirds vote.

If any order making a transfer is not returned to the City Clerk by the Mayor, for presentation to the Council, with objections in writing, within ten days after it has been presented, it shall become effective and be as valid as if the Mayor had approved and signed it.

The monetary limitations of \$271,460 and \$400,000 in subsection (a) shall commence at the beginning of the City's 2026-2027 fiscal year and shall be subject in subsequent fiscal years to an annual adjustment at the beginning of the fiscal year based upon the Consumer Price Index for All Urban Consumers for the Los Angeles area published by the United States Department of Labor, Bureau of Labor Statistics.

#### **Sec. 514. Transfer and Direction of Powers.**

(a) ~~**Charter-Created Powers and Duties.** The Mayor may propose the transfer of any of the powers, duties and functions of the departments, offices and boards of the City set forth in the Charter or established by ordinance to another department, office or board created by the Charter or by ordinance. The Mayor may direct any department, office or board of the City set forth in the Charter or established by ordinance to perform the powers, duties and functions of another another department, office or board created by the Charter or by ordinance. ~~The Any transfer or direction shall be effectuated by executive directive, which shall be processed and take effect in the manner described in Subsection (j) of Section 231 be effective if approved by ordinance adopted by a two-thirds vote of the Council, or if the Council fails to disapprove the matter within 45 days after submittal by the Mayor of all documents necessary to accomplish the transfer, including the proposed ordinance transferring powers, duties or functions, and any related ordinances or resolutions concerning personnel or funds affected by the transfer.~~ The Council on its own initiative may, by ordinance, adopted by a two-thirds vote of the Council, subject to the veto of the Mayor or by a three-fourths vote of the Council over the veto of the Mayor, make any such transfer.~~

(b) **Exceptions.** The power of the Mayor and Council to act as provided in this section shall not extend to:

- (1) Elected Offices;
- (2) Proprietary Departments;
- (3) Los Angeles City Employees' Retirement System;
- (4) Department of Fire and Police Pensions;
- (5) City Ethics Commission;
- (6) The disciplinary functions of the Fire Department and the Police Department as contained in Sections [1060](#) and [1070](#); and
- (7) The Police Department and the Fire Department, if the transfer or consolidation would significantly alter or affect the primary purpose or character of the departments.

(8) Independent Redistricting Commission.

~~—(c) **Ordinance Created Powers and Duties.** Powers, duties and functions established by ordinance may be transferred or eliminated by an ordinance proposed by the Mayor or Council. If the Mayor proposes a transfer or elimination, the action shall be effective if approved by ordinance adopted by a majority vote of the Council, or if the Council fails to disapprove the matter within 45 days after submittal by the Mayor of all documents necessary to accomplish the transfer or elimination, including the proposed ordinance transferring powers, duties or functions, and any related ordinances or resolutions concerning personnel or funds affected by the transfer or elimination.~~

## **Elections & Democracy**

## **Adopt Ranked Choice Voting**

### **Sec. 428. Ranked Choice Voting for Municipal Elections.**

Beginning with elections conducted in 2032, or upon a later date that the Los Angeles County Registrar can support ranked choice voting, the City shall conduct elections for City offices and members of the Board of Education using ranked choice voting, also known as instant runoff voting.

“Ranked choice voting” shall refer to an electoral system in which voters rank candidates in order of preference, votes are counted in rounds, the candidate with the fewest votes is eliminated in each round, and each voter’s ballot counts as one vote for its highest-ranked continuing candidate in each round. When two or fewer candidates remain, the candidate with the greatest number of votes is elected.

Procedures for conducting the elections using ranked choice voting/instant runoff voting, shall include:

(a) the ballot format and the rules for casting and counting the votes, consistent with best practices used in other California cities;

(b) a process to release unofficial preliminary round-by-round results, including the cast vote record report, starting on election night via the internet and other methods convenient to the public that maximizes transparency, unofficial preliminary ballot-level ranking data in a machine-readable and searchable open format no later than when the counting of ballots is complete, and official final round-by-round results and ballot-level ranking data in a machine-readable and searchable open format upon certification of the results; and

(c) a voter and community education and language accessibility program to familiarize voters with ranked choice voting.

## **Lower Voting Age to 16**

### **Sec. 408. Eligibility to Vote.**

(a) To be eligible to vote at any of the elections held under the Charter, a person must be registered in the manner and have the qualifications required by the general laws of this state respecting the registration and qualification of voters for state and county elections.

(b) **Youth Voting.** Notwithstanding Subsection (a) or any other provision of the Charter, the City Council may, by ordinance, authorize persons aged 16 and above, who are otherwise eligible to vote under state law, to vote in elections for City offices and for members of the Board of Education.

## **Change Ballot Access Requirements**

### **Sec. 421. Declaration of Intention.**

(a) **Form and Timing.** Each candidate for nomination to any elected office shall sign and file with the City Clerk a sworn Declaration of Intention to become a candidate for the office designated in the Declaration. The Declaration of Intention must be made on a form furnished by the City Clerk, and shall include an affidavit by the candidate that he or she possesses all necessary legal qualifications to be a candidate for the designated office. The Declaration of Intention shall be filed not earlier than ~~120~~ 127 days, nor later than 115 days prior to the primary nominating election.

### **Sec. 422. Nominating Petition.**

(a) **Form and Requirements.** The City Clerk shall prepare and furnish a Nominating Petition to each candidate who has filed a valid Declaration of Intention. The Nominating Petition shall specify the name of the office and the name of the candidate to be nominated, and shall otherwise comply with the requirements of the City Election Code. In order to qualify a candidate for placement on the primary nominating ballot, the Nominating Petition shall be signed by at least ~~500~~ 350 registered voters of the City, in the case of nomination to an office elected at large, or of the Council district or Board district in the case of nomination to the City Council or Board of Education. Only signatures of registered voters living within the Council district or Board district, as the case may be, shall be counted in determining the sufficiency of those petitions. Voters may sign more than one petition for a candidate for the same office. A petition presented to the City Clerk shall not be valid if it contains blanks for more than one thousand signatures.

(b) **Filing and Certification.** Nominating Petitions shall be filed with the City Clerk not more than ~~115~~ 120 days and not less than 90 days prior to the primary nominating election. No Nominating Petition shall be filed with the City Clerk until any filing fee requirement has been satisfied. The City Clerk shall examine the Nominating Petition, and determine whether it contains the requisite number of signatures of qualified registered voters, in accordance with procedures contained in the City Election Code. When the City Clerk has completed the examination of the petition, the Clerk shall prepare a dated certificate showing the result of the examination.

(c) **Supplementing the Petition.** The City Election Code shall govern the process by which and circumstances under which an insufficient Nominating Petition may be supplemented. However, no supplement to a Petition shall be allowed after the expiration of the time for filing the Nominating Petition set forth in the Charter, and no signature may be withdrawn from a Nominating Petition after its presentation to the Clerk.

## **Modernize Commissioner Appointments**

### **Sec. 502. Appointment and Removal of Commissioners.**

(a) **Appointment.** Unless otherwise provided in the Charter, commissioners of Charter created boards and of standing commissions created by ordinance that are advisory to, or manage a department or appointed office, or perform regulatory functions, shall be appointed by the Mayor, subject to the approval of the Council. The Mayor shall appoint the commissioners of all other ordinance created commissions, unless otherwise provided in the ordinance.

Within ~~60~~ 45 days of a vacancy created by the expiration of a term of office or otherwise, the Mayor shall submit to the Council for its approval the name of the Mayor's appointee to serve for the next ensuing term or remainder of the unexpired term created by the vacancy.

If the Council does not disapprove the appointment within 45 days after its submission to the Council, the appointment shall be deemed approved. If the Council disapproves an appointment, the Mayor shall make and submit to the Council a new appointment within 45 days of Council disapproval. Each subsequent Council disapproval of a mayoral appointment shall create a new 45 day period.

(b) **Appointment by President of the Council.** In the event the Mayor fails to submit an appointment to the Council within any of the ~~45-day appointment~~ periods provided in this section, the President of the Council shall, within an additional 45 days, submit an appointment for that office to the Council for its approval. If the Council does not disapprove the appointment made by the President of the Council within 45 days after submission, the appointment shall be deemed approved by the Council.

If the Council disapproves the appointment made by the President of the Council within the 45 day period, the President of the Council shall make a new appointment to the office involved within 45 days of the disapproval of the previous appointment. Each subsequent disapproval of an appointment made by the President of the Council shall create a new 45 day period.

(c) **Appointment by Council Resolution.** Upon failure of the President of the Council to submit an appointment to the Council for its approval as provided in this section, that appointment shall be made by the Council, by resolution, within 45 days from the expiration of the 45 day period within which the President of the Council failed to act.

(d) **Removal.** Members of a board or commission, other than the City Ethics Commission and the Police Commission, who are appointed by the Mayor subject to approval by the Council, may be removed by the Mayor without Council confirmation. Members of the Police Commission may be removed by the Mayor, but a removed member may, within ten calendar

days of the removal, appeal the action to the Council. Within ten Council meeting days of receipt of the appeal, the Council may reinstate the commissioner by a two-thirds vote of the Council. Failure of the Council to reinstate the commissioner during this time period shall constitute a denial of the appeal. Action on an appeal shall be by an action separate from the approval of the appointment of a successor to the removed member. Members of the City Ethics Commission may be removed in accordance with Section 700. Members of the Independent Redistricting Commission may be removed in accordance with Section 483.

(e) **Financial Disclosures.** Council shall not approve an appointee before the appointee's financial disclosure statements have been filed with the Ethics Commission and submitted to the Council. Notwithstanding Subsections (a) and (b), an appointee shall be deemed disapproved if the appointee's financial disclosure statements have not been filed with the Ethics Commission and submitted to the Council within 45 days after the submission of the appointment to the Council.

(f) **Prohibition on Resignation Letter.** No appointing authority shall require a prospective appointee to sign a letter of resignation before or after an appointment takes effect. This provision does not prevent an appointing authority from asking an appointee to resign during the appointee's tenure or from removing an appointee consistent with the Charter.

## **Ethics & Accountability**

## **Establish Ethics Commission Inspector General team & Executive Director**

### **Sec. 713. INSPECTOR GENERAL.**

There shall be an Inspector General of the Commission, who shall serve as a senior auditor of the City and be first among equals of other inspector generals created in the Charter or by ordinance. The Inspector General shall be appointed by the Executive Director for a six-year term, subject to the approval of the Commission by a three-fourths vote. The Inspector General shall serve at the will of the Commission, and shall have no property interest in the Inspector General's employment. The Commission may remove the Inspector General at any time prior to the expiration of the six-year term, by a three-fourths vote of the Commission.

The Inspector General shall have the power and duty to audit and investigate City officials and departments and shall act as an arm of the Commission, working in tandem with the Commission and its General Counsel, with autonomy to conduct audits and investigations independent of the Commission, unless in cases where matters were referred directly to the Commission.

The scope of the Inspector General's authority shall not be limited and shall include any audits necessary to strengthen the work of the Commission, including but not limited to audits related to land use processes and decisions.

The Commission may refer matters to the Inspector General upon a vote of the Commission. The City Council may refer matters to the Inspector General by two-thirds vote of the Council.

## SEC. 700. CITY ETHICS COMMISSION.

- (a) **Establishment.** There shall be a City Ethics Commission that shall have the powers, duties and responsibilities set forth in this Article and elsewhere in the Charter. The **e**Commission shall have five members, each of whom shall be a part-time commissioner.
- (b) **Appointment.** The Mayor, the City Attorney, the Controller, the President of the Council and the President Pro Tempore of the Council shall each appoint one member to the **e**Commission. All appointments shall be subject to confirmation by a majority vote of the Council. An appointing authority shall not appoint their relative or the relative of any other elected City officer, a campaign consultant, or a major donor. For purposes of this provision: a relative includes a spouse, domestic partner, child, parent, sibling, or in-law; a campaign consultant includes an individual who has provided compensated advice or services to a political campaign or two a committee controlled by a City officeholder in the prior 12 months; and a major donor includes an individual who has qualified as a major donor under the **California** Political Reform Act in the prior 12 months. A President and Vice President of the **e**Commission shall be selected by the **e**Commission and shall serve in those capacities as set forth in Section 503.
- (c) **Terms of Office.** The members of the **e**Commission, including the president, shall serve staggered five-year terms beginning

on July 1 and ending on June 30. No member who has served a complete five-year term shall be eligible for reappointment.

- (d) **Qualifications.** Each member of the **e**Commission shall be a registered voter of the City. ~~Neither a~~ member of the Commission ~~nor its Executive Director~~ shall **not** seek election to any City office or Los Angeles Unified School District Board of Education office **concerning which the commission has made a decision during the term of the commissioner or Executive Director unless the election for that office is to be held at least ~~two~~ **five** years following the expiration of the term of office of the commissioner ~~or Executive Director~~. The Commission's Executive Director shall not seek election to any City office or Los Angeles Unified School District Board of Education office unless the election for that office is to be held at least five years following the expiration of the term of office of the Executive Director. During their tenure, neither a member of the **e**Commission nor its Executive Director shall do any of the following:**
- (1) hold any other public office;
  - (2) participate in or contribute to a City election campaign;
  - (3) participate in or contribute to an election campaign for a member of the Los Angeles Unified School District Board of Education;
  - (4) participate in or contribute to a City official or member of the Los Angeles Unified School District Board of Education running for any elective office;

- (5) employ or be employed as a person required to register as a lobbyist with the City of Los Angeles;
  - (6) have an ownership interest in a business (other than stock in a publicly traded company) that contracts with or seeks discretionary approvals from the City; or personally provide compensated services to the City under a contract;
  - (7) provide compensated advice or services to a political campaign or to a committee controlled by a City officeholder; or
  - (8) contribute to committees such that the individual qualifies as a major donor as provided under the [California](#) Political Reform Act.
- (e) **Removal.** A member of the eCommission may be removed by the member's appointing authority, with the concurrence of the Council by majority vote, or by a two-thirds vote of the Council for substantial neglect of duty, gross misconduct in office, inability to discharge the powers and duties of office or violation of this Article, after written notice of the grounds on which removal is sought and an opportunity for a reply.
- (f) **Vacancies.** Appointments to fill a vacancy on the eCommission shall be made within 90 days by the same appointing authority who appointed the prior holder of the position. An appointment to fill a vacancy shall be for the unexpired term of the member whom the appointee succeeds. A vacancy or vacancies shall not impair the right of the remaining members to exercise the powers of the Commission.
- (g) **Quorum.** Three members shall constitute a quorum, and the concurring vote of at least three members shall be required to take any action.
- (h) **Compensation; Expenses.** Members of the eCommission shall be compensated in the same manner and at the same rate as provided by Section 501. The members of the eCommission shall be reimbursed for expenses incurred in the performance of their official duties.

#### **SEC. 701. EXECUTIVE DIRECTOR, COMMISSION STAFF AND DELEGATION OF AUTHORITY.**

- (a) The eCommission shall appoint and has the authority to discharge an Executive Director, who shall act in accordance with eCommission policies and regulations and with applicable law. The Executive Director shall serve at the will of the eCommission, shall not be subject to civil service provisions, and shall have no property interest in the Executive Director's employment. The eCommission shall establish a salary range for the Executive Director consistent with other City general managers, considering similar duties and responsibilities, and shall annually set or adjust the salary for the Executive Director from within that range. The Executive Director shall not serve in that capacity for more than ten years.
- (b) The Executive Director shall appoint and has the authority to discharge eCommission staff members and prescribe their duties. Personnel of the eCommission shall serve at the will of

the Executive Director, shall not be subject to civil service provisions, and shall have no property interest in their employment.

- (c) The eCommission may delegate authority to the Executive Director to act on behalf of the eCommission between meetings of the eCommission, except that rules, regulations and adjudicatory decisions can only be acted upon by the eCommission.

## **Independent Ethics Commission Counsel & secured budget**

### **SEC. 708. LEGAL SERVICES.**

The City Attorney shall provide legal services to the eCommission. The Commission also shall be authorized to retain its own general counsel and a limited number of attorneys and legal support staff, independent of the City Attorney, who shall be housed within and serve exclusively at the direction of the Commission. In addition to this general authorization, the eCommission may retain its own outside legal counsel to provide advice to the eCommission and to take such action as the eCommission may direct when necessary under the two circumstances described in this Section. First, independent of the City Attorney, the eCommission may employ or contract for staff counsel to give advice to the eCommission and to take such action as the eCommission may direct on matters that directly involve the conduct of the City Attorney, the City Attorney's office, or the City Attorney's election campaign. Second, the eCommission may retain its own legal counsel for legal services in carrying out the eCommission's responsibilities and duties under Section 706 on a specific investigative or enforcement matter. In this second circumstance, the eCommission and the City Attorney shall approve a panel of law firms or attorneys from which the eCommission may select legal counsel for these services.

### **SEC. 709. JUDICIAL REVIEW.**

Any interested person may seek judicial review of any action of the eCommission.

### **SEC. 710. APPOINTMENT OF SPECIAL PROSECUTOR.**

- (a) Notwithstanding Section 275, when the City Attorney determines that the City Attorney's office has a possible conflict of interest and that the office should not investigate or prosecute an alleged violation of the Charter, City ordinances or regulations, or statutes relating to campaign financing, lobbying, conflicts of interest or governmental ethics, the City Attorney shall notify the ~~City Ethics~~ Commission, which by a four-fifths vote of all of its members may determine to appoint a special prosecutor to conduct the investigation. A special prosecutor shall not be appointed when it appears from a preliminary investigation that an alleged violation will warrant only an action for civil damages or administrative penalties.
- (b) The eCommission's appointment of a special prosecutor shall be made from a list of special prosecutors approved by the eCommission at the beginning of each odd-numbered year. The special prosecutor, upon appointment, shall have the authority to file and prosecute criminal and civil actions in the name of the People.
- (c) Each fiscal year the budget of the ~~City Ethics~~ Commission shall include the sum of five hundred thousand dollars (\$500,000) for expenditure to support any special prosecutor appointed pursuant to this section. In the event that all of these funds have been or are likely to be expended before the end of any fiscal year, the eCommission may request an additional appropriation from the Council. Under no circumstance shall the amount appropriated or provided under contract for a special prosecutor exceed five hundred thousand dollars (\$500,000) in any fiscal year without Council approval. The Council shall have 30 days (excluding weekends and holidays) following its receipt to accept, reject, or modify a request

for additional funds from the eCommission. If Council does not act within that time period, the request is deemed approved. The Mayor shall act on the Council's action or inaction if the request is deemed approved within five days (excluding weekends and holidays). If the Mayor vetoes the Council's action, the Council shall have five days (excluding weekends and holidays) to override that veto by a two-thirds vote.

- (d) A special prosecutor appointed pursuant to this section may be removed from office only by the action of the eCommission, and only for good cause, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the special prosecutor's duties.

### **SEC. 711. APPROPRIATION.**

- (a) Starting with the 2025-2026 fiscal year budget, the Council shall appropriate a minimum of ~~seven~~ten million (\$~~7~~10,000,000) dollars for each fiscal year for the eCommission's annual operating budget. The appropriation amount shall be adjusted each fiscal year based on the change to the City's revenues in the prior year. However, the adjustment to the eCommission's annual budget based on the change to the City's revenues in the prior year is not required if the Council finds that exigent circumstances exist such that an adjustment should not be made for that fiscal year.
- (b) The expenditures of the eCommission shall not require prior approval of City offices or personnel where the expenditures are within the Commission's budget, unless Council makes a finding of exigent circumstances. The eCommission shall comply with applicable City requirements, procedures, and laws relating to the expenditures.
- (c) The eCommission is not subject to hiring freezes when it operates within its budget, unless the Council makes a finding of exigent circumstances.

### **Sec. 712. AUTHORITY; CONFLICT WITH OTHER CHARTER PROVISIONS.**

This Article is adopted pursuant to and under the authority of Article XI, Section 5 of the California Constitution, and California Government Code Section 81013. In the event any provision of this Article conflicts with other provisions of the Charter, this Article shall prevail.

## **Clarify Suspension Rules**

### **Sec. 211. Suspension Pending Trial.**

~~Pending trial,†~~The Council may, by a three-fourths vote, suspend any elected officer, and the appointing power may suspend any appointed officer, against whom felony criminal proceedings, or criminal misdemeanor proceedings related to a violation of official duties as described in Section 207(c) have been filed. Any member of the Council may introduce a resolution stating findings of misconduct that serve as the grounds for the proposed suspension. This resolution shall be heard and voted upon in a public meeting of the Council within seven calendar days of its introduction and shall not be heard in a committee before consideration by the Council. No changes shall be made to the compensation of a suspended member during the suspension. In the event charges are dismissed or the elected or appointed official is acquitted, the suspension shall end. The temporary vacancy shall be filled in accordance with the Charter.

### **Sec. 211.1. Temporary Appointment During City Council Suspension**

If a member of the Council is suspended pursuant to Section 211 of the Charter, any member of the Council may introduce a motion to appoint a person to serve as a non-voting temporary manager of the office of the suspended member. The motion, if introduced, shall be heard and voted upon in a public meeting of the Council within seven calendar days of its introduction and shall not be heard in a committee before consideration by the Council. The term of the temporary manager shall run concurrently with the duration of the respective suspension. The temporary manager, if an active city employee, shall not be entitled to any additional compensation, but may earn outside income notwithstanding any other provision of the Charter and as further provided by ordinance.

**Prohibit the use of campaign funds to pay certain ethics fines & Align maximum civil penalties with administrative penalties**

**SEC. 706. INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS.**

The eCommission shall conduct investigations of alleged violations of state law, the Charter and City ordinances relating to campaign financing, lobbying and conflicts of interest and governmental ethics.

Any person who violates any provision of the Charter or of a City ordinance relating to campaign financing, lobbying, conflicts of interest or governmental ethics, or who causes any other person to violate any provision, or who aids and abets any other person in a violation, shall be liable under the provisions of this Article.

(a) Investigations.

- (1) If the eCommission, upon the sworn complaint of any person or on its own initiative, first determines that there is sufficient cause to conduct an investigation, it shall investigate alleged violations of state law, the Charter or City ordinances relating to campaign financing, lobbying, conflicts of interest and governmental ethics in accordance with regulations adopted by ordinance. The eCommission shall not be required to investigate a complaint filed with it unless the complaint identifies the specific alleged violation which forms the basis for the complaint and contains sufficient facts to warrant an investigation.
- (2) The investigation shall be conducted in a confidential manner. Records of any investigation shall be considered confidential information pursuant to Section 18362 of Title 2 of the California Code of Regulations, as amended, or any successor provision. Any member or employee of the eCommission or other person who, prior to a determination by the Executive Director whether or not to proceed with an administrative or other enforcement action, discloses information about any preliminary investigation, except as necessary to conduct the investigation, shall be liable pursuant to this Article. The unauthorized release of confidential information shall be sufficient grounds for the termination of the employee or removal of the commissioner responsible for the release. The termination of clerical employees only shall be subject to applicable civil service provisions.
- (3) The eCommission and any special prosecutor may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the eCommission's duties or exercise of its powers.

- (b) Findings of Probable Cause; Administrative Enforcement. If the Executive Director ~~of the commission~~ or the Executive Director's designee determines that there is probable cause to believe that a provision of the Charter or City ordinances relating to campaign financing, lobbying, conflicts of interest or governmental ethics has been violated, the

Executive Director or the Executive Director's designee shall cause an administrative enforcement accusation to be issued and served. No finding of probable cause shall be made by the Executive Director or the Executive Director's designee's unless, at least 21 days prior to the Executive Director or the Executive Director's designee's consideration of the alleged violation, the person alleged to have committed the violation is notified of the alleged violation by service of process or registered mail with return receipt requested, is provided with a summary of the evidence, and is informed of their right to be present in person and represented by counsel at any proceeding held for the purpose of considering whether probable cause exists for believing the person committed the violation. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or, if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private unless the alleged violator files with the eCommission a written request that the proceeding be public.

- (c) Administrative Hearings, Orders and Penalties. After an accusation is issued and served, the eCommission shall cause a public evidentiary hearing to be held to determine if a violation has occurred. When the eCommission determines on the basis of substantial evidence presented at the hearing that a violation has occurred, it shall issue an order which may require the violator to do any or all of the following:
- (1) cease and desist the violation;
  - (2) file any reports, statements or other documents or information required by law; and/or
  - (3) pay a monetary penalty to the General Fund of the City for each violation of up to the greater of fifteen thousand dollars (\$15,000) ~~for each violation, adjusted annually to reflect changes to the Consumer Price Index;~~ or three times the amount which the person ~~failed to improperly~~ reported properly or unlawfully contributed, expended, gave, or received, ~~whichever is greater.~~ The fixed maximum shall be adjusted under Section 470(f) to reflect changes in the Consumer Price Index. Additionally, the Commission may restrict the use of City or Los Angeles School District campaign funds for payment of a penalty for a willful violation, as further provided by regulation. When the eCommission determines that no violation has occurred, it shall publish a declaration so stating.
- (d) Referrals Between Agencies. Regardless of whether the Executive Director or designee makes a formal determination concerning probable cause, he or she may refer the matter to another appropriate agency for purposes of enforcement.

## **SEC. 707. DIVESTITURE.**

In the event a member of a City board or commission is disqualified during any 365 day period from acting on (1) three or more agenda matters by reason of the same investment in a business entity, the same interest in real property or the same source of income, or (2) 1% or more of the matters pending before the board or commission by reason of any investments in business

entities, any interests in real property or any sources of income, the eCommission shall examine the nature and extent of the conflicts and shall determine whether the member has a significant and continuing conflict of interest. If the eCommission so determines, it shall order divestment of the conflicting investment, interest or source of income. The Council may, by ordinance, impose additional requirements to assure that continuing conflicts of interest by members of boards and commissions are adequately monitored and avoided.

## SEC. 702. DUTIES AND RESPONSIBILITIES OF THE ETHICS COMMISSION.

The eCommission shall have responsibility for the impartial and effective administration and implementation of the provisions of the Charter, statutes and ordinances concerning campaign financing, lobbying, conflicts of interest and governmental ethics.

The City Ethics Commission shall have the following duties and responsibilities:

- (a) to receive documents required to be filed pursuant to, and to otherwise administer, the provisions of Section 470 and to conduct audits as otherwise set forth in that Section;
- (b) to receive documents required to be filed pursuant to, and to otherwise administer, the provisions of the City's municipal lobbying ordinance;
- (c) to act as the filing officer and to otherwise receive documents in any instance where the City Clerk would otherwise be authorized to do so pursuant to Chapters 4 and 7 of the California Political Reform Act of 1974 (~~Government Code Section 81000, et seq.~~), as amended;
- (d) to audit disclosure statements and other relevant documents and investigate alleged violations of state law, the Charter and City ordinances relating to limitations on campaign contributions and expenditures, lobbying, governmental ethics and conflicts of interest and to report the findings to the City Attorney and other appropriate enforcement authorities. Audits shall be conducted of every candidate receiving public matching campaign funds and may be conducted of other candidates and committees involved in City elections;
- (e) to provide assistance to agencies and public officials in administering the provisions of the Charter and other laws relating to campaign finance, conflicts of interest and governmental ethics;
- (f) to make recommendations to the Mayor and the Council concerning campaign finance reform, lobbying, governmental ethics and conflicts of interest and to report to the Council every three years concerning the effectiveness of these laws;
- (g) to maintain a whistle-blower hot line;
- (h) to ~~annually~~ adjust the maximum administrative penalty and the limitation and disclosure thresholds required by City law to reflect any increases or decreases in the Consumer

Price Index. Adjustments shall be rounded off to the nearest hundred dollars for the limitations on contributions and the nearest thousand dollars for the limitations on expenditures ~~administrative penalties~~, and the ~~matching funds~~ public campaign funding provisions of relevant ordinances;

- (i) to assist departments in developing their conflict of interest codes as required by state law;
- (j) to advocate understanding of the Charter, City ordinances and the roles of elected and other public officials, City institutions and the City electoral process;
- (k) to have full charge and control of its office, to be responsible for its proper administration, to submit annually a proposed budget and to expend the funds of the office, all as otherwise prescribed by law; and
- (l) to receive grants, gifts and appropriations, subject to the approval of the Council.

## **Authorize Ethics Commission to Place Measures on Ballot**

### **SEC. 703. RULES AND REGULATIONS.**

- (a) The eCommission may adopt, amend and rescind rules and regulations, subject to Council approval without modification, to carry out the purposes and provisions of the Charter and ordinances of the City relating to campaign finance, conflicts of interest, lobbying, and governmental ethics and to govern procedures of the eCommission.
- (b) Within 60 days after a rule or regulation is adopted by the eCommission, the Council shall hold a public hearing concerning the matter and act to approve or disapprove the rule or regulation in the form approved by the eCommission by ordinance. If the Council fails to disapprove within the 60-day period, the rule or regulation shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or the Mayor fails to act, or approved by the Council on override of the Mayor's veto, the rule or regulation shall have the force of law. Violation of the rule or regulation shall be subject to those penalties and remedies as may be provided.
- (c) Within 180 days after the eCommission transmits a policy proposal within its jurisdiction to the Council, the Council shall hold a public hearing on the proposal. If the Council does not hold a hearing within the 180-day period, the City Clerk shall schedule the proposal at the next regular meeting of the City Council.
- (d) The Ethics Commission shall have the authority to submit ordinances measures within their subject matter jurisdiction directly to the voters at the next scheduled city election. Any ballot measure proposed by the Ethics Commission shall be presented to the City Council, which shall have the opportunity to hold a public hearing and propose amendments, but shall not have authority to block the Commission from submitting ordinance measures within their subject matter jurisdiction directly to the voters.

### **SEC. 704. ADDITIONAL DUTIES.**

The eCommission shall have the following additional duties, which may be exercised by motion or order:

- (a) Prescribe forms for reports, statements, notices and other documents required by the Charter, ordinances or other laws relating to campaign financing, conflicts of interest, lobbying or governmental ethics.
- (b) Prepare and publish manuals and instructions setting forth methods of bookkeeping, preservation of records to facilitate compliance with and enforcement of the above laws, and explaining applicable duties of persons and committees.
- (c) Develop an educational program consisting of the following components:

- (1) seminars, when deemed appropriate, to familiarize newly elected and appointed officers and employees, candidates for elective office and their campaign treasurers, and lobbyists with City, state and federal ethics laws and the importance of ethics to the public's confidence in municipal government.
- (2) annual seminars for top-level officials, including elected officers and commissioners, to reinforce the importance of compliance with and to inform them of any changes in the law relating to conflicts of interest and governmental ethics.
- (3) a manual that summarizes, in simple, non-technical language, ethics laws and reporting requirements applicable to City officers and employees, instructions for completing required forms, questions and answers regarding common problems and situations, and information regarding sources of assistance in resolving questions. The manual shall be updated when necessary to reflect changes in applicable City, state and federal laws governing the ethical conduct of City employees.

#### **SEC. 705. REQUESTS FOR AND ISSUANCES OF OPINIONS; ADVICE.**

- (a) Any person may request the eCommission to issue a written opinion with respect to his or her duties under provisions of the Charter or any ordinance relating to campaign finance, conflicts of interest, lobbying or governmental ethics. The eCommission shall, within 14 days, either issue a written opinion or advise the person who made the request whether an opinion will be issued. No person who acts in good faith on a written opinion issued to him or her by the eCommission shall be subject to criminal or civil penalties for so acting, provided that the material facts are as stated in the opinion request. The eCommission's opinions shall be public records and may from time to time be published.
- (b) Any person may request the eCommission to provide written advice with respect to the person's duties under provisions of the Charter or any ordinance relating to campaign finance, conflicts of interest, lobbying, or governmental ethics. Advice shall be provided within 21 working days of the eCommission's actual receipt of the request, except that the time may be extended by the eCommission for good cause. Reliance on the advice, or the failure of the Commission to provide the advice within 21 working days of its receipt of the request, or within the extended time for response, shall be a complete defense in any enforcement proceeding initiated by the eCommission, and evidence of good faith conduct in any other civil or criminal proceeding if the requester, at least 21 working days prior to the alleged violation, requested written advice from the eCommission in good faith, disclosed truthfully all the material facts, and committed the acts complained of either in reliance on the advice or because of the failure of the eCommission to provide advice within 21 days of the request or such later extended time.

## Align City contribution limits with LAUSD adjustment timeline

### **SEC. 470. LIMITATIONS ON CAMPAIGN CONTRIBUTIONS IN CITY ELECTIONS.**

#### **(a) Purpose.**

The purpose of this section is to encourage a broader participation in the political process by placing limits on the amount any person may contribute or otherwise cause to be available to candidates for election to the offices of Mayor, City Attorney, Controller and City Council of the City of Los Angeles and by regulating the disposition of unexpended contributions received by or on behalf of such candidates. This section is intended to supplement the [California](#) Political Reform Act of 1974.

#### **(b) Definitions.**

- (1) The definitions set forth in the [California](#) Political Reform Act of 1974 ~~as amended (Government Code Sections 82000 through 82055)~~ shall govern the interpretation of this section, unless otherwise specified herein.
- (2) The term elected City office, as used herein, shall mean the offices of Mayor, City Attorney, Controller and member of the City Council.
- (3) The term election shall include a primary nominating election, a general municipal election, a special election and a recall election.
- (4) The term Consumer Price Index, or CPI, shall mean the Consumer Price Index for the Los Angeles-Long Beach metropolitan statistical area.

#### **(c) Campaign Contribution Limitations.**

- (1) No intended candidate for any elected City office, and no committee acting on behalf of such candidate, shall solicit or accept, or cause to be solicited or accepted, any contribution for use in any election for such office unless and until such candidate shall have filed a Declaration of Intent to Solicit and Receive Contributions in connection with candidacy for a specific elected City office. That declaration shall be filed with the City Ethics Commission on a form prescribed by the City Ethics Commission. Once the election takes place, the declaration is thereafter void. No person may file such declaration for more than one elected City office nor have more than one such declaration on file at the same time. A candidate may, however, file a form canceling one declaration and may thereafter file a new declaration.
- (2) The candidate and the treasurers of the candidate's controlled committees shall file with the City Ethics Commission on a form prescribed by the City Ethics Commission a statement under oath that the candidate and the treasurers have read and understood Section 470. This statement shall be filed concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions.

- (3) No person shall contribute a total of more than five hundred dollars (\$500) to any candidate for City Council and to his or her controlled committee for a single election. A candidate for City Council and his or her controlled committee shall not accept any contribution or contributions totaling more than five hundred dollars (\$500) from any person for a single election. Nothing in this section is intended to limit the amount a candidate may contribute to his or her campaign for City Council from his or her personal funds.
- (4) No person shall contribute a total of more than one thousand dollars (\$1,000) to any candidate for Mayor, City Attorney or Controller and to his or her controlled committee for a single election. A candidate for Mayor, City Attorney or Controller, and or his or her controlled committee, shall not accept any contribution or contributions totaling more than one thousand dollars (\$1,000) from any person for a single election. Nothing in this section is intended to limit the amount a candidate can contribute to his or her ~~candidacy for Mayor, City Attorney or Controller~~ own campaign from his or her personal funds.
- (5) [Repealed]
- (6) ~~[Repealed] No person shall make a contribution in connection with a single election for an elected City office which would cause the aggregate amount of such contributions by that person to exceed a sum equal to five hundred dollars (\$500) multiplied by the number of City Council offices appearing on the ballot at that election plus one thousand dollars (\$1,000) multiplied by the number of City-wide offices appearing on the ballot at that election, but in no case less than one thousand dollars (\$1,000), in connection with all candidates in that election seeking election to all elected City offices; provided, however, that a candidate shall not be limited by this Subsection (6) in the amount he or she may contribute or expend in connection with his or her own campaign, subject to the provisions of Subsection (e)(10) of this section.~~
- (7) Contributions From ~~Persons Other than~~ Non-Individuals.
- (A) No candidate for City Council, together with the controlled committee of such candidate, shall accept more than a total of one hundred fifty thousand dollars (\$150,000) in contributions from ~~persons, other than~~ non-individuals, in connection with any election.
- (B) No candidate for City Attorney or Controller, together with the controlled committee of such candidate, shall accept more than a total of four hundred thousand dollars (\$400,000) in contributions from ~~persons, other than~~ non-individuals, in connection with any election.
- (C) No candidate for Mayor, together with the controlled committee of such candidate, shall accept more than a total of nine hundred thousand dollars (\$900,000) in contributions from ~~persons, other than~~ non-individuals, in connection with any election.

- (D) If a candidate for elected City office declines matching funds and receives contributions or spends an amount exceeding the applicable expenditure ceilings, this subsection shall not apply to any of the candidates for the same office.
- (8) No person shall make, and no person or candidate shall solicit or accept any loan of more than five hundred dollars (\$500) for use in connection with an election for City Council, or of more than one thousand dollars (\$1,000) for use in connection with an election for Mayor, City Attorney or Controller. Further, no person shall make, and no person or candidate shall solicit or accept any loan for use in connection with an election for City office for a period of more than 30 days. Loans to a candidate or to a candidate's controlled committees shall be counted against the contribution limitations applicable to the candidate. A candidate is not prohibited from obtaining a personal loan of any amount from a licensed financial lending institution in the regular course of business, unless the loan is made for political purposes. This Subsection (8) shall not limit the amount or duration of loans from the candidate to his or her own campaign.
- (9) Any contributions solicited or accepted pursuant to this section shall be expended only in connection with the candidacy for the office specified in the candidate's Declaration of Intent to Solicit and Receive Contributions. Contributions solicited or accepted pursuant to this section for one individual shall not be expended for the candidacy of any other individual seeking City office or in support of or in opposition to any City ballot measure. No elective City officer or candidate for elective City office, nor any of his or her City controlled committees, shall use~~No candidate, committee controlled by a candidate, or elected City officer shall use~~ contributed funds to make any contribution to any other candidate running for office or to any committee supporting or opposing a candidate for office. Provided, however, a candidate shall not be prohibited from making a contribution from his or her own personal funds to his or her own candidacy, to the candidacy of any other candidate for elected City office or in support of or in opposition to any City ballot measure.
- (10) [Repealed]
- (11) No elective City officer or candidate for elective City office, nor any of his or her City controlled committees, shall solicit or accept any contribution to the officer or candidate, or to any of his or her City controlled committees, from any lobbyist or lobbying firm registered to lobby the City office for which the candidate is seeking election, or the current City office, commission, department, bureau or agency of the candidate or officer. No person required by ordinance to be registered as a lobbyist or lobbying firm shall make any contribution to an elective City officer or candidate for elective City office, or to any of his or her City controlled committees, if the lobbyist or lobbying firm is required by ordinance to be registered to lobby the City office for which the candidate is seeking election, or the current City office, commission, department, bureau or agency of the candidate or officer.
- (12) (A) The following persons shall not make a campaign contribution to any elected City official, candidate for elected City office, or City committee controlled by an elected City official or candidate:

- (i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least \$100,000 and requires approval by the City Council;
  - (ii) Subcontractors that are expected to receive at least \$100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and
  - (iii) Principals of persons defined in subparagraphs (i) and (ii).
- (B) The following persons shall not make a campaign contribution to the Mayor, the City Attorney, the Controller, a City Council member, a candidate for any of those elected City offices, or a City committee controlled by a person who holds or seeks any of those elected City offices:
- (i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least \$100,000 and requires approval by the elected City office that is held or sought by the person to whom the contribution would be given;
  - (ii) Subcontractors that are expected to receive at least \$100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and
  - (iii) Principals of persons defined in subparagraphs (i) and (ii).
- (C) The following persons shall not engage in prohibited fundraising for any elected City official, candidate for elected City office, or City committee controlled by an elected City official or candidate as further provided by ordinance:
- (i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least \$100,000 and requires approval by the City Council;
  - (ii) Subcontractors that are expected to receive at least \$100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and
  - (iii) Principals of persons defined in subparagraphs (i) and (ii).
- (D) The following persons shall not engage in prohibited fundraising for an elected City official, candidate for the elected City office, or City committee controlled by a person who holds or seeks the elected City office as further provided by ordinance:
- (i) A person who bids on or submits a proposal or other response to a contract solicitation that has an anticipated value of at least \$100,000 and requires

approval by the elected City office that is held or sought by the person for whom the fundraising would be conducted;

- (ii) Subcontractors that are expected to receive at least \$100,000 as a result of performing a portion of the contract obligations of a person defined in subparagraph (i); and
  - (iii) Principals of persons defined in subparagraphs (i) and (ii).
- (E) The prohibitions in paragraphs (A) and (B) shall apply from the time the bid or proposal is submitted until the contract is signed, the bid or proposal is withdrawn by the bidder or proposer, or the City rejects all proposals for the contract, whichever is earlier. The prohibitions shall continue for 12 months after the contract is signed for the successful bidder or proposer, its principals, its subcontractors of at least \$100,000, and the principals of those subcontractors.
- (F) For purposes of this subdivision, a principal of a person who is a bidder, proposer, or subcontractor means the person's board chair, president, chief executive officer, chief operating officer, or the functional equivalent of those positions; any individual who holds an ownership interest in the person of 20 percent or more; and any individual authorized by the bid or proposal to represent the person before the City.
- (G) This subdivision shall not apply to:
- (i) Contributions to or fundraising on behalf of elected officials or candidates for elected City office where that official's approval is required only by section 262, 271(d), or 370 of the Charter other than contracts required to be approved by the City Council that have an anticipated value of at least \$100,000 and proprietary department contracts that have an anticipated value of at least \$100,000;
  - (ii) Contributions to or fundraising on behalf of members of the City Council where the City Council's approval authority is only through Charter section 245 except as further restricted by ordinance;
  - (iii) Any contract governed by Charter section 609(e);
  - (iv) A governmental entity; and
  - (v) A candidate for elected City office who is a bidder, proposer, subcontractor or subcontractor's principals with regard to using personal funds or engaging in fundraising on the candidate's own behalf for the candidate's election for City office.
- (H) Every contract solicitation regarding a contract subject to this provision shall include notice of the prohibitions of this subdivision. At the time of submitting a bid or proposal for a contract subject to this section, the bidder or proposer must complete a form identifying the names of its principals, subcontractors of at least \$100,000, the

principals of those subcontractors, and certify that the bidder or proposer will comply with and notify its principals and subcontractors of the prohibitions in this subdivision; and provide any other information determined necessary.

(I) In addition to any other penalties that may apply, any person found to have violated this section is subject to contract debarment as further provided by ordinance. If the determination is made to impose debarment, the minimum terms of debarment shall be one year for the first violation, two years for the second violation, three years for the third violation, and four years for the fourth violation.

(J) The City Council may adopt ordinances as necessary to carry out the purposes of this provision. Nothing contained in this subdivision (c)(12) shall be construed or applied to limit the authority of the City Council by ordinance to adopt additional regulations, including sanctions, for the conduct or activities that is the subject matter addressed herein.

**(d) Cash Contributions.**

No person shall make, and no candidate or committee shall solicit or accept, any cash contribution in excess of twenty-five dollars (\$25).

**(e) Anonymous Contributions.**

Total anonymous contributions to a candidate or committee which exceed ~~in the aggregate~~ two hundred dollars (\$200) ~~with respect to~~ in a single election shall not be used by the candidate or committee for whom such contributions were intended, ~~but i.~~ Instead, ~~such excess~~ any amount over the limit shall be paid promptly to the City Treasurer for deposit in the General Fund of the City.

**(f) Adjustment of Limits.**

~~The amounts specified in Subsections (c) and (d) of this section may be modified from time to time by ordinance~~ Every four years, the Ethics Commission shall review whether the amounts and limitations contained in this section should be adjusted to reflect changes in the ~~consumer price index for the Los Angeles-Long Beach metropolitan statistical area~~ CPI. The first review shall begin at the end of calendar year 2027. The Ethics Commission shall determine whether to make adjustments by March 1 following each review. Adjustments that apply to elections shall be effective as of the next primary City election for which the fundraising window has not yet opened. All other adjustments apply beginning July 1 of the same calendar year. Adjustments shall be published and shall have the force of law, subject to all applicable penalties and remedies.

**(g) Campaign Contribution Checking Account.**

No more than one campaign contribution checking account shall be established by each candidate for elected City office, and by each committee supporting or opposing such candidate. The account shall be established at an office of a bank or savings and loan

institution located in the City of Los Angeles. Upon opening such account, the candidate shall file with the City Ethics Commission within ten days of opening the campaign bank account, the name of the bank or savings and loan institution and the account number. Funds shall only be disbursed from such account by checks signed by the candidate, treasurer or designated agent of the treasurer. A candidate, treasurer or designated agent of the treasurer shall deposit into the campaign checking account all contributions received in connection with a City election. A candidate, treasurer or designated agent of the treasurer shall pay all campaign expenditures for a City election with monies from this campaign checking account.

If a candidate has other controlled committees and such committees have checking accounts, the candidate shall notify the City Ethics Commission in writing of these committees and the names and addresses of the banks or savings and loan institutions and the account numbers of any such accounts. A candidate shall notify the City Ethics Commission of these committees, the banks or savings and loan institutions, and the account numbers concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions. If committees are thereafter formed or accounts thereafter opened, then the candidate shall notify the City Ethics Commission on the next regular business day on which the office is open. No contribution shall be commingled with the personal funds of the candidate or any other person.

This subsection shall not prohibit the establishment of savings accounts or certificates of deposit, provided that no campaign expenditures may be made therefrom.

**(h) Treasurer.**

A candidate having campaign committees for elected City office shall appoint a treasurer of each committee. No expenditure shall be made by or on behalf of a committee without the authorization of the treasurer or that of his or her designated agents. No contribution or expenditure shall be accepted or made by or on behalf of a committee at a time when there is a vacancy in the office of treasurer. It shall be the duty of the candidate and the treasurer to approve and authorize such payments and to retain such authorizations, detailed accounts, records, bills and receipts.

**(i) Accountability.**

The candidate and the treasurer shall maintain such detailed accounts, records, bills and receipts as are necessary to prepare campaign statements.

The candidate and the treasurer shall retain the detailed accounts, records, bills and receipts for the periods specified in the [California](#) Political Reform Act of 1974 as amended. Every candidate and committee shall make available on demand to any public officer having legal authority to enforce this section, details of checking and financial accounts of each committee controlled by the candidate and all records supporting such details.

**(j) Petty Cash Fund.**

Subsection (g) notwithstanding, a candidate, campaign treasurer and other designated agents authorized to issue checks on a campaign contribution checking account may disburse to the candidate or committee establishing the checking account an amount not greater than fifty dollars (\$50) per week to be used for petty cash purposes by the candidate or committee.

**(k) Assumed Name Contributions.**

No contribution shall be made, directly or indirectly, by any person or combination of persons, acting jointly in a name other than the name by which they are identified for legal purposes, nor in the name of another person or combination of persons. No person shall make a contribution in his, her or its name of anything belonging to another person or received from another person on the condition that it be used as a contribution. In the event it is discovered by a candidate or committee treasurer that a contribution has been received in violation of this subsection, the candidate or treasurer shall promptly pay the amount received in violation of this subsection to the City Treasurer for deposit in the General Fund of the City.

**(l) Campaign Expenditures - Uncontrolled by Candidate or Committee.**

Persons or organizations not subject to the control of a candidate or committee but who make independent expenditures for or against a candidate or committee shall comply with the applicable disclaimer requirements established by ordinance.

**(m) Suppliers of Goods and Services – Disclosure of Records Required.**

No person who supplies goods or services or both goods and services to a candidate or committee for use in connection with the campaign for an elected City office shall knowingly refuse to divulge or disclose to the City Ethics Commission or to any public officer having legal authority to enforce this section, the details and the records supporting such details of any expenditures made by the candidate or committee in payment for such goods or services or both.

**(n) Duties of City Ethics Commission.**

The City Ethics Commission shall administer the provisions of this section. In addition to other duties required under the terms of this section, the City Ethics Commission shall:

- (1) Report apparent violations of this section and applicable state law to the City Attorney.
- (2) Conduct audits and investigations of reports and statements filed by candidates and committees supporting or opposing candidates for City offices as required under both the [California](#) Political Reform Act of 1974 as amended and this section. The City Ethics Commission shall employ investigators where necessary to fully investigate candidate spending and reporting.

- (3) Enforce or cause to be enforced the provisions of this section pursuant to Section 90002(c) of the Government Code. The City Ethics Commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items necessary to the audit and investigation of candidates for election to City office.

**(o) Enforcement.**

- (1) Criminal Enforcement. Any person who knowingly or willfully violates any provisions of this section is guilty of a misdemeanor. Any person who causes any other person to violate any provision of this section, or who aids and abets any other person in the violation of any provision of this section, shall be liable under the provisions of this section. Prosecution for violation of any provision of this section must be commenced within two years after the date on which the violation occurred.
- (2) Civil Enforcement.
  - (A) Any person who intentionally or negligently violates any provision of this section shall be liable in a civil action brought by the City Attorney or by a person residing within the City. Where no specific civil penalty is provided, a person may be liable for ~~each violation for~~ an amount up to ~~two~~ the greater of fifteen thousand dollars (~~\$152,000~~) ~~for each violation or three times the amount which the person improperly reported or unlawfully contributed, expended, gave, or received. The fixed maximum shall be adjusted under Subsection (f) to reflect changes in the Consumer Price Index.~~
  - (B) Any person who intentionally or negligently makes or receives a contribution, or makes an expenditure, in violation of any provision of this section shall be liable in a civil action brought by the City Attorney or by a person residing within the City for an amount up to three times the amount of the unlawful contribution or expenditure.
  - (C) If two or more persons are responsible for any violation, they shall be jointly and severally liable.
  - (D) Any person, before filing a civil action pursuant to this subsection, must first file with the City Attorney a written request for the City Attorney to commence the action. The request shall contain a statement of the grounds for believing a cause of action exists. The City Attorney shall respond within 40 days after receipt of the request, indicating whether the City Attorney intends to file a civil action. If the City Attorney indicates in the affirmative, and files suit within 40 days thereafter, no other action may be brought unless the action brought by the City Attorney is dismissed without prejudice.
  - (E) Not more than one judgment on the merits with respect to any violation may be obtained under this subsection. Actions brought for the same violation or violations shall have precedence for purposes of trial in the order of the time filed. Such actions shall be dismissed once judgment has been entered or a settlement approved

by the court in a previously filed action. The court may dismiss a pending action without prejudice to any other action for failure of the plaintiff to proceed diligently and in good faith. The action may be so dismissed on motion by the City Attorney or any plaintiff in an action based on the same violation.

- (F) In determining the amount of liability under this subsection, the court may take into account the seriousness of the violation and the degree of culpability of the defendant.
  - (i) No civil action alleging a violation of Subsection (c) of this section, in connection with a contribution or expenditure shall be filed more than four years after an audit could begin as set forth in the [California](#) Political Reform Act of 1974 as amended.
  - (ii) No civil action alleging a violation of any provisions of this section other than Subsection (c) of this section shall be filed more than four years after the date of the violation.

**(p) Effect of Violation on Outcome of Election.**

- (1) If a candidate is convicted of a misdemeanor violation of any provision of this section, the court shall make a determination as to whether the violation had a material effect on the outcome of the election. If the court finds such a material effect, then:
  - (A) if such conviction becomes final before the date of the election, the votes for such candidate shall not be counted, and the election shall be determined on the basis of the votes cast for the other candidates in that race;
  - (B) if such conviction becomes final after the date of the election, and if such candidate was declared to have been elected, then such candidate shall not assume office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter;
  - (C) if such conviction becomes final after the candidate has assumed office, then the candidate shall be removed from office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter; and
  - (D) the person so convicted shall be ineligible to hold any elected City office for a period of five years after the date of such conviction.
- (2) The City Clerk shall not issue any certificate of nomination or election to any candidate until his or her pre-election campaign statements required by the [California](#) Political Reform Act of 1974, as amended, or if no campaign statement is required, the written declaration permitted under Section 84205 of the Government Code, have been filed in the form and at the place required by the [California](#) Political Reform Act of 1974.

**(q) Verification.**

All declarations, reports and statements filed under this section shall be signed and verified by the filer under penalty of perjury. The candidate and any person signing declarations, reports and statements under this provision shall read, know and understand the contents of all such declarations, reports and statements.

**(r) Injunction.**

The City Attorney on behalf of the people of the City of Los Angeles or any person residing in the City of Los Angeles may sue for injunctive relief to enjoin violations or to compel compliance with the provisions of this section. The Court may award a plaintiff or defendant who prevails his or her costs of litigation, including reasonable attorney's fees; provided, however, that no such award may be granted against the City of Los Angeles.

**(s) Severability.**

If any provision or portion of this section is for any reason held to be invalid or unconstitutional by the decision of any court, such decision shall not affect the remaining portions of this section.

## Permit additional public financing models beyond matching funds

### **SEC. 471. PUBLIC MATCHING ~~CAMPAIGN FUNDS AND CAMPAIGN EXPENDITURE LIMITATIONS.~~**

#### **(a) Findings and Purposes.**

- (1) Monetary contributions to political campaigns are a legitimate form of participation in the American political process, but the financial strength of certain individuals or organizations should not permit them to exercise a disproportionate or controlling influence on the election of candidates.
- (2) Therefore, this section is enacted to accomplish the following purposes:
  - (A) To assist serious City candidates in raising enough money to communicate their views and positions adequately to the public without excessive expenditures or contributions, thereby promoting public discussion of the important issues involved in political campaigns.
  - (B) To limit overall expenditures in City campaigns, thereby reducing the pressure on candidates to raise large campaign funds for defensive purposes, beyond the amount necessary to communicate reasonably with voters.
  - (C) To provide a source of ~~campaign financing in the form of limited public matching funds limited public funding for qualified candidates for elected City office.~~
  - (D) To substantially restrict City fundraising in non-election years.
  - (E) To increase the value to City candidates of smaller contributions.
  - (F) To reduce the excessive fund-raising advantage of incumbents and thus encourage competition for elective City office.
  - (G) To help restore public trust in governmental and electoral institutions.
  - (H) To avoid corruption or the appearance of corruption by providing an alternative source of funding for City campaigns and reducing real or perceived ties between elected City officials and special interests.

#### **(b) ~~Matching Funds and Expenditure Limitations~~ Authorization and Regulations.**

The City shall ~~also~~ adopt by ordinance limitations on campaign expenditures by candidates for elected City office who qualify for and accept public ~~matching funds~~ funding. The City shall adopt by ordinance regulations concerning the use of public funds to ~~partially~~ finance qualified campaigns for elected City office ~~through a system of matching public funds for~~

~~qualifying campaign contributions~~. Such ordinances may be amended to further the purposes of this section of the Charter.

**(c) Appropriation of Funds.**

- (1) The City Council shall appropriate at least two million dollars (\$2,000,000) per fiscal year for public ~~matching funds campaign funding~~. The Council shall appropriate such funds for each following fiscal year. The amount of such appropriation shall be adjusted for cost of living changes based on the percentage increase or decrease in the Consumer Price Index (for all items other than housing) for the Los Angeles ~~Riverside-Orange~~ **County** metropolitan statistical area using 1991 as the base year. The City Council, by a two-thirds vote, may reduce or eliminate the annual appropriation made during a fiscal year provided that: (a) the City Council has declared a fiscal emergency by resolution that is in effect for that fiscal year; (b) the trust fund balance is no less than eight million dollars (\$8,000,000) in 1991 dollars adjusted to the Consumer Price Index at the time of the appropriation; and (c) the City Council has considered the City Ethics Commission's analysis regarding projected costs and estimated public funding needs for the next four years.
- (2) All such funds shall be appropriated into a trust fund established by the Council by ordinance with interest accruing to the fund. In addition to the authority provided by Charter section 340, the City Council, by a two-thirds vote, may temporarily transfer funds from the trust fund to meet obligations of the City in any fiscal year, provided that: (a) the City Council has declared a fiscal emergency by resolution that is in effect for that fiscal year; (b) the City Council has considered the City Ethics Commission's analysis regarding projected costs and estimated public funding needs for the next four years; and (c) the funds transferred are limited to funds above a trust fund balance of eight million dollars (\$8,000,000) in 1991 dollars adjusted to the Consumer Price Index. Any transferred funds shall be reimbursed to the trust fund by either (a) the date the City Ethics Commission determines the funds are needed for their intended purposes, or (b) before the end of the next fiscal year, whichever is earlier.
- (3) If there are insufficient funds to provide the maximum ~~matching public~~ funds available to a candidate in any election, as specified by ordinance, the limitations on total contributions from ~~persons other than non~~-individuals imposed by Section 470 shall not apply to any of the candidates for the same office.
- (4) The funds used to make payments ~~for matching funds to candidates who qualify to receive public campaign funding~~ shall come exclusively from City sources of revenues or funds granted to the city by other governmental entities for the purpose of public campaign financing.

## **Require special elections when more than one year remains in term**

### **Sec. 409 Filling Vacancies in the Offices of Mayor, City Attorney, Controller and Member of the City Council.**

A vacancy ~~Vacancies~~ in the offices of Mayor, City Attorney, Controller, ~~or~~ **and** members of the City Council shall be filled ~~by appointment or election~~ in the manner set forth in this section.

(a) Appointment. When the vacancy occurs less than one year before the expiration of the term of office, ~~t~~The Council may fill the a-vacancy ~~either~~ by appointing a person to hold the office for the portion of the unexpired term, or calling a special election for the purpose of filling the vacancy for the remainder of the unexpired term. ~~If the Council calls a special election to fill the vacancy, the Council may appoint a person to hold the office temporarily until the vacancy election is conducted and the election results are certified and declared. The Council also may decline to make an appointment or call a special election when the vacancy occurs after the close of the candidate filing period in the final year of the term of office. remaining until the next second Monday in December of an even-numbered year. If any portion of the term remains after that date, the Council shall also call a special election or elections to fill the remainder of the term, and shall consolidate the election with the primary nominating election and general municipal election next following the appointment. If a vacancy is filled by appointment after the first date fixed by law for filing a Declaration of Intention to become a candidate at the next primary nominating election, the person appointed shall hold the office for the remainder of the unexpired term.~~

(b) Special Election. When the vacancy occurs more than one year before the expiration of the term of office, the Council shall, within 30 days of the occurrence of the vacancy, ~~The Council may~~ call a special election, and special runoff election, if necessary, by ordinance for the purpose of filling the vacancy for the remainder of the unexpired term. The special election shall be held within 180 days of the occurrence of the vacancy. ~~The Council shall provide in the ordinance for the consolidation of the election with any other election and for the procedure for nominating candidates, including the amount of the filing fee, if any, to be paid by candidates and other matters pertaining to the election.~~ The Council also may appoint a person to hold the office temporarily until the vacancy election is conducted and the election results are certified and declared.

(c) Recall. Any person appointed or elected to fill a vacancy may be removed from office by the recall in the same manner as if he or she had been elected to office.

## **Protected budget and independent counsel for Independent Redistricting Commission**

### **Sec. 486. Commission Conduct of Business, Administration, and Personnel.**

(j) The Commission ~~shall have the authority to may~~ utilize the City Attorney as legal counsel or hire separate legal counsel to provide legal advice and representation to the Commission and who shall serve exclusively at the direction of the Commission. In addition, the Commission and City Attorney shall approve a panel of law firms or attorneys from which the Commission may select additional legal counsel for specific services. or may request the City Attorney to retain legal counsel for the Commission.

### **Sec. 488. Commission Funding.**

(a) The City Council and Mayor shall provide sufficient funds to meet the needs for the formation and operation of the Commission, including to compensate Commission staff, consultants and legal counsel, conduct outreach to solicit broad public participation in the redistricting process, and, if necessary, defend the actions of the Commission in any legal proceeding. The annual budget allocation for the Commission shall be no less than \$10 million in the years ending in zero and one. In other years, when the Commission is not active, the Council may allocate a budget of a lesser amount.

(b) The City Council and Mayor shall provide funds to all City departments involved with the formation of the Commission, providing support to the Commission, and maintaining the records of the Commission.

(c) Commissioners shall be compensated as provided by ordinance.

## **Remove Charter Section 803 (LAUSD) & add to Municipal Code**

### **SEC. 803. ELECTION OF BOARD MEMBERS.**

The election of Members of the Board of Education of the Los Angeles Unified School District shall be conducted in accordance with Sections 400 through 440 of the Charter and applicable ordinances consistent with the Charter. In order to encourage a broader participation in the political process by among other things, placing limits on the amount any person may contribute or otherwise cause to be available to candidates for election to the Board of Education, ~~the following campaign finance provisions apply to elections of~~ the members of and candidates for the Board of Education shall be subject to the same campaign financing provisions that apply to the Mayor and candidates for the office of Mayor, including Charter Section 470 and Municipal Code Sections 49.7.1 et seq. However, the following provisions shall not apply to members of or candidates for the Board of Education:

- (a) The provisions regarding contributions and fundraising in Charter Sections 470(c)(11) and 470(c)(12).
- (b) The provisions regarding public funding in Charter Section 471 and related sections of the Municipal Code and Administrative Code.
- (c) The provisions regarding officeholder and legal defense committees in the Municipal Code.
- (d) Any other provision specified by ordinance. This section is intended to supplement the Political Reform Act of 1974.

#### **~~(a) Definitions:~~**

~~(1) “Behested” means and will be treated in the following manner for purposes of this section:~~

~~(A) An expenditure behested by a candidate or candidate’s controlled committee is not an independent expenditure and shall be treated as a contribution to the candidate or committee that behests the expenditure.~~

~~A payment is behested if it is made:~~

- ~~(i) at the request or suggestion of the candidate, committee, or the candidate or committee’s agent;~~
- ~~(ii) in concert with, with the cooperation of, or in consultation with, the candidate, committee, or the candidate or committee’s agent; or~~
- ~~(iii) under any arrangement, coordination, or direction between the candidate, committee, or the candidate or committee’s agent.~~

~~(B) An expenditure is behested without limitation under the following circumstances:~~

- ~~(i) active involvement or participation by a candidate in the creation or design of a communication financed by the spender, including consultation between the spender and the candidate about content;~~
- ~~(ii) solicitation by the spender and/or provision by the candidate of materials specifically for use in the communication or procuring the candidate's consent to include specific materials in the communication; or~~
- ~~(iii) arranging with the candidate for preparation of any materials used in the communication;~~
- ~~(C) There is a rebuttable presumption that an expenditure is behested, and therefore not independent, if:~~
  - ~~(i) it is made by or through any agent of the affected candidate or member of the candidate's controlled committee in the course of his/her involvement in the current campaign;~~
  - ~~(ii) in the election cycle during which the expenditure is made, both the spender or the spender's agent and the candidate on whose behalf the expenditure is made retain the same individual or entity to provide non-ministerial, campaign related professional services (non-ministerial, campaign related professional services include, but are not limited to: polling or other campaign research, media consulting or production, direct mail consultation, and fundraising);~~
  - ~~(iii) the expenditure finances a communication that replicates, reproduces, republishes, distributes, or disseminates, in whole or substantial part, a broadcast, written, graphic, or other form of campaign material designed, produced, paid for, or distributed by the affected candidate, his or her committee, or agent;~~
  - ~~(iv) the expenditure is based on information about a candidate's campaign plans, projects, or needs not generally available to the public; or information provided directly or indirectly by that candidate, committee, or their agents to the spender or spender's agent, with an express or tacit understanding that the expenditure was being considered;~~
  - ~~(v) the spender or spender's agent discusses or negotiates the content, timing, location, mode, intended audience, volume of distribution, or frequency of placement of a communication financed by the spender with the candidate whose election or nomination is advocated by the spender or whose opponent's defeat is advocated by the spender;~~
  - ~~(vi) in the election cycle during which the expenditure is made, the spender or spender's agent is serving or has served in a formal executive, policy-making, or advisory position with the candidate's campaign or has participated in strategic or policy-making discussions with the candidate's campaign relating to that candidate's pursuit of nomination or election to office, and the candidate is pursuing the same office as a candidate whose nomination or election the expenditure is intended to influence;~~

~~(vii) — the expenditure is made after a request to the spender or spender’s agent by the candidate, the candidate’s controlled committee, or their agents for an expenditure on the candidate’s behalf; or~~

~~(viii) — the expenditure is made in connection with or as a consequence of fundraising events or campaign activities co-sponsored by the candidate and the spender or the spender’s agent.~~

~~(D) An expenditure will not be deemed behested merely when:~~

~~(i) a spender or spender’s agent interviews a candidate on legislative or policy positions or issues affecting the spender or discusses campaign-related issues with the candidate, such as platforms, polling information, which organizations support the candidate and which support his/her opponent, or the identity of the consultants the candidate plans to hire, provided that prior to making a subsequent expenditure based on that information, the spender or his agent has not communicated with the candidate, candidate’s controlled committee, or their agents concerning the expenditure;~~

~~(ii) the spender solicits and/or obtains a photograph, biography, position paper, press release, or similar material from the candidate, candidate’s controlled committee, or their agents and, without the prior knowledge, control, or involvement of the candidate, candidate’s controlled committee, or their agents, subsequently utilizes or incorporates that information to create a communication in support of the candidate or in opposition to his or her opponent;~~

~~(iii) the spender made prior contributions to the candidate;~~

~~(iv) the spender communicates to the candidate, the candidate’s controlled committee, or the agent of either, the intent to make an independent expenditure without discussing any of the items mentioned in Subparagraph (C)(v) of this section;~~

~~(v) a member of an organization that makes an expenditure renders volunteer personal services to or works for the affected candidate’s campaign, unless the volunteer or campaign worker was also involved in the activities of the spender-organization’s political action committee or makes payments on behalf of the spender-organization, or is serving or has served the affected candidate’s campaign in one of the capacities described in Subparagraph (C)(vi) of this section;~~

~~(vi) the expenditure was made in response to an unsolicited request from political party leaders or their agents that the committee “support” the candidate or make an expenditure relating to the candidate;~~

~~(vii) — the expenditure finances the cost of preparing or disseminating candidate evaluations to voters or conducting a political survey; or~~

~~(viii) — the spender employs or is under contract with a political consultant or pollster who rendered services to a candidate in prior years.~~

(2) ~~“Board of Education office” means the office of a member of the Board of Education of the Los Angeles Unified School District.~~

(3) ~~“Candidate or Committee Agent” means any person who has express or implied authority to make or to authorize the making of expenditures on behalf of the candidate. There shall be a rebuttable presumption that the following have that authority: current or former officers of the candidate-controlled committee, employees of the campaign, persons who have received compensation or reimbursement from the campaign, or any person who has been placed in a position within the campaign organization where it would reasonably appear that in the ordinary course of campaign-related activities he or she may authorize expenditures. A candidate’s agent is also any person who is serving or has served in an advisory, decision-making, or strategic role with a candidate’s campaign, with or without compensation, where that person’s duties and/or actions reflect or require direct knowledge of the candidate’s campaign strategy, plans, or needs.~~

(4) ~~“Election” means any primary nominating election, a general election, a special election and a recall election.~~

(5) ~~“Independent expenditure” means an expenditure made by any person in connection with a communication that expressly advocates the election or defeat of a clearly identified candidate; or, taken as a whole and in context, unambiguously urges a particular result in an election, but which is not made to or at the behest of the affected candidate or committee.~~

(6) ~~“Loan” means and will be treated in the following manner for purposes of this section:~~

(A) ~~A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to the contribution limitations of this section.~~

(B) ~~The proceeds of a loan made to a candidate by a commercial lending institution in the regular course of business on the same terms available to members of the public and which is secured or guaranteed shall not be considered to be a contribution within the meaning of the contribution limitations of this section.~~

(C) ~~Extensions of credit (other than loans referred to in Subdivision (6)(B)) for a period of more than 30 days are subject to the contribution limitations of this article.~~

(7) ~~“Member communications” means payments made pursuant to Government Code Section 85312.~~

(A) ~~For purposes of this article, payments for member communications that are behested by candidates, with the exception of payments for a regularly published newsletter or periodical limited solely to individual members not exceeding the amount of payments regularly made to publish a regular newsletter or periodical, shall be considered contributions to that candidate or candidate-controlled committee for purposes of the contribution limits reporting requirements contained in this article.~~

~~(B) For purposes of this article, member communications that are not behested by a candidate, a candidate's controlled committee, or an agent of a candidate or a candidate's controlled committee are not considered contributions to a candidate.~~

~~(C) Member communications that are not behested by a candidate, a candidate's controlled committee, or an agent of a candidate or a candidate's controlled committee and are not payments for a regularly published newsletter or periodical limited solely to individual members and do not exceed the amount of payments regularly made to publish a regular newsletter or periodical, are considered expenditures and are required to be reported pursuant to Subsection (s).~~

~~(8) "Non-Candidate Spending" means any combination of independent expenditures and/or member communications that are not behested by a candidate.~~

~~**(b) Campaign Contribution Limitations:**~~

~~(1) No intended candidate for the Board of Education, and no committee acting on behalf of such candidate, shall solicit or accept, or cause to be solicited or accepted, any contribution for use in any election for such office unless and until such candidate shall have filed a Declaration of Intent to Solicit and Receive Contributions in connection with candidacy for a specific Board of Education office. That declaration shall be filed with the City Ethics Commission on a form prescribed by the City Ethics Commission. Once the election takes place, the declaration is thereafter void.~~

~~No person may have on file at the same time more than one declaration for any single election. A candidate may, however, file a form canceling one declaration and may thereafter file a new declaration.~~

~~(2) The candidate and the treasurers of the candidate's controlled committees shall file with the City Ethics Commission on a form prescribed by the City Ethics Commission a statement under oath that the candidate and the treasurers have read and understood Section 803. This statement shall be filed concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions.~~

~~(3) No person shall contribute a total of more than \$1,000 to any candidate for the Board of Education and to his or her controlled committee for a single election. A candidate for the Board of Education shall not accept any contribution or contributions totaling more than \$1,000 from any person for a single election. Nothing in this section is intended to limit the amount a candidate can contribute to his or her candidacy for the Board of Education from his or her personal funds.~~

~~(4) [Repealed.]~~

~~(5) No person shall make a contribution in connection with a single election for a Board of Education office, which would cause the aggregate amount of such contributions by that person to exceed a sum equal to \$1,000 multiplied by the number of Board of Education offices appearing on the ballot at that election, but in no case less than \$2,000, in connection with all~~

~~candidates in that election seeking election to all Board of Education offices; provided, however, that a candidate shall not be limited by this Subdivision (5) in the amount he or she may contribute or expend in connection with his or her own campaign.~~

- ~~(6) No person shall make, and no person or candidate shall solicit or accept any loan of more than \$1,000 for use in connection with an election for the Board of Education. Further, no person shall make, and no person or candidate shall solicit or accept any loan for use in connection with an election for a Board of Education office for a period of more than 30 days. Loans to a candidate or to a candidate's controlled committees shall be counted against the contribution limitations applicable to the candidate. A candidate is not prohibited from obtaining a personal loan of any amount from a licensed financial lending institution in the regular course of business, unless the loan is made for political purposes. Every loan to a candidate or the candidate's controlled committee shall be by written agreement, which shall be filed with the candidate's or committee's campaign statement on which the loan is first reported. This Subdivision (6) shall not limit the amount or duration of loans from the candidate to his or her own campaign.~~
- ~~(7) Any contributions solicited or accepted pursuant to this section shall be expended only in connection with the candidacy for the office specified in the candidate's Declaration of Intent to Solicit and Receive Contributions. Contributions solicited or accepted pursuant to this section for one individual shall not be expended for the candidacy of any other individual seeking another Board of Education office or in support of or in opposition to any Los Angeles Unified School District ballot measure. No candidate, committee controlled by a candidate, or elected member of the Board of Education shall use contributed funds to make any contribution to any other candidate running for office or to any committee supporting or opposing a candidate for office. Provided, however, a candidate shall not be prohibited from making a contribution from his or her own personal funds to his or her own candidacy, to the candidacy of any other candidate or in support of or in opposition to any Los Angeles Unified School District ballot measure.~~

~~(c) **Adjustment of Limits:**~~

~~Every four years, the City Ethics Commission shall review whether the contribution limitations contained in this section should be adjusted to reflect changes in the Consumer Price Index (CPI) for the Los Angeles Long Beach Metropolitan Statistical Area. The first review shall begin at the end of the calendar year 2011. If the contribution limitations are not adjusted during any review period, the limitations may be adjusted in a subsequent four-year review period, up to the overall increase in the CPI since the last adjustment. Any change to the contribution limitations shall be effective for any subsequent election for which the fundraising period has not yet opened as provided in Subsection (q). The City Ethics Commission shall forward a report with its findings to the Council by March 1, following each review. Within 60 days after the City Ethics Commission forwards its report to the Council, the Council shall hold a public hearing concerning the matter and act to approve or disapprove the report. If the Council fails to disapprove within the 60-day period, the report shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or if the Mayor fails to act, or if approved by the Council on override of the Mayor's veto, the amount specified in the report shall have the force of law as the contribution limitations applicable to this section, subject to all penalties and remedies in this section.~~

**~~(d) Cash Contributions and Anonymous Contributions:~~**

~~No person shall make, and no candidate or committee shall solicit or accept, any cash contribution in excess of \$25. Total anonymous contributions to a candidate or committee which exceed in the aggregate \$200 with respect to a single election shall not be used by the candidate or committee for whom such contributions were intended, but instead, such excess shall be paid promptly to the City Treasurer for deposit in the General Fund of the City.~~

**~~(e) Campaign Contribution Checking Account:~~**

~~No more than one campaign contribution checking account shall be established by each candidate for a Board of Education office, and by each committee supporting or opposing such candidate. The account shall be established at an office of a bank or savings and loan institution located in the City of Los Angeles. Upon opening such account, the candidate shall file with the City Ethics Commission within ten days of opening the campaign bank account, the name of the bank or savings and loan institution and the account number. Funds shall only be disbursed from such account by checks signed by the candidate, treasurer or designated agent of the treasurer. A candidate, treasurer or designated agent of the treasurer shall deposit into the campaign checking account all contributions received in connection with a Board of Education election. A candidate, treasurer or designated agent of the treasurer shall pay all campaign expenditures for a Board of Education election with monies from this campaign checking account.~~

~~If a candidate has other controlled committees and such committees have checking accounts, the candidate shall notify the City Ethics Commission in writing of these committees and the names and addresses of the banks or savings and loan institutions and the account numbers of any such accounts. A candidate shall notify the City Ethics Commission of these committees, the banks or savings and loan institutions, and the account numbers concurrent with the filing of the Declaration of Intent to Solicit and Receive Contributions. If committees are thereafter formed or accounts thereafter opened, then the candidate shall notify the City Ethics Commission on the next regular business day on which the City Ethics Commission office is open. No contribution shall be commingled with the personal funds of the candidate or any other person.~~

~~This subsection shall not prohibit the establishment of savings accounts or certificates of deposit, provided that no campaign expenditures may be made therefrom.~~

**~~(f) Treasurer:~~**

~~A candidate having campaign committees for election to the Board of Education shall appoint a treasurer of each committee. No expenditure shall be made by or on behalf of a committee without the authorization of the treasurer or that of his or her designated agents. No contribution or expenditure shall be accepted or made by or on behalf of a committee at a time when there is a vacancy in the office of treasurer. It shall be the duty of the candidate and the treasurer to approve and authorize such payments and to retain such authorizations, detailed accounts, records, bills and receipts.~~

**~~(g) Training for Candidates and Treasurers.~~**

~~Every candidate for the Board of Education, and every treasurer of such candidate's controlled committee, shall attend a training program conducted or sponsored by the City Ethics Commission prior to the election at which the candidate's name will appear on the ballot.~~

**~~(h) Accountability.~~**

~~The candidate and the treasurer shall maintain such detailed accounts, records, bills and receipts as are necessary to prepare campaign statements. The candidate and the treasurer shall retain the detailed accounts, records, bills and receipts for the periods specified in the Political Reform Act of 1974 as amended. Every candidate and committee shall make available on demand to any public officer having legal authority to enforce this section, details of checking and financial accounts of each committee controlled by the candidate and all records supporting such details.~~

**~~(i) Petty Cash Fund.~~**

~~Subsection (e) notwithstanding, a candidate, campaign treasurer and other designated agents authorized to issue checks on a campaign contribution checking account may disburse to the candidate or committee establishing the checking account an amount not greater than \$50 per week to be used for petty cash purposes by the candidate or committee.~~

**~~(j) Assumed Name Contributions.~~**

~~No contribution shall be made, directly or indirectly, by any person or combination of persons, acting jointly in a name other than the name by which they are identified for legal purposes, nor in the name of another person or combination of persons. No person shall make a contribution in his, her or its name of anything belonging to another person or received from another person on the condition that it be used as a contribution. In the event it is discovered by a candidate or committee treasurer that a contribution has been received in violation of this subsection, the candidate or treasurer shall promptly pay the amount received in violation of this subsection to the City Treasurer for deposit in the General Fund of the City.~~

**~~(k) Campaign Expenditures – Uncontrolled by Candidate or Committee.~~**

~~Persons or organizations not subject to the control of a candidate or committee but who make independent expenditures for or against a candidate or committee shall indicate clearly on any material published, displayed or broadcast that it was not authorized by a candidate or a committee controlled by a candidate.~~

**~~(l) Recall Petition.~~**

~~In the event a recall petition is filed, the committee or individual filing the petition shall be subject to the same campaign disclosure provisions as are applicable to candidates for the Board of Education.~~

~~**(m) Suppliers of Goods and Services—Disclosure of Records Required:**~~

~~No person who supplies goods or services or both goods and services to a candidate or committee for use in connection with the campaign for a Board of Education office shall knowingly refuse to divulge or disclose to the City Ethics Commission or to any public officer having legal authority to enforce this section, the details and the records supporting such details of any expenditures made by the candidate or committee in payment for such goods or services or both.~~

~~**(n) Aggregation of Payments:**~~

~~For the purposes of the contribution limitations contained in this section, contributions and/or expenditures from two or more persons will be aggregated and considered to be made by a single person for the purposes of the contribution limitations and reporting provisions contained in this section, if any of the circumstances listed below is applicable:~~

- ~~(1) Contributions and/or expenditures from a person will be aggregated with contributions and/or expenditures from any other person that controls his, her, or its contribution or expenditure activity;~~
- ~~(2) Contributions and/or expenditures from a sponsored committee, as defined in Government Code Section 82048.7, shall be aggregated with contributions and/or expenditures from its sponsoring organization;~~
- ~~(3) Contributions and/or expenditures from an entity shall be aggregated with contributions and/or expenditures from any other entity that has the same individuals constituting a majority of the members of each entity's board of directors;~~
- ~~(4) Contributions and/or expenditures from an entity shall be aggregated with contributions and/or expenditures from any other entity that has the same officers or with whom it shares a majority of officers. For the purposes of this subdivision, an officer does not include an individual who serves only as a member of the entity's board of directors;~~
- ~~(5) Contributions and/or expenditures from a corporation or limited liability company shall be aggregated with contributions and/or expenditures from any other corporation or limited liability company that has the same majority shareholder and/or member or that holds a majority of voting rights in that corporation or limited liability company;~~
- ~~(6) Contributions and/or expenditures from a corporation shall be aggregated with contributions and/or expenditures from any parent or subsidiary corporation, provided that at least one of the corporations is not publicly traded;~~
- ~~(7) Contributions and/or expenditures from an individual shall be aggregated with contributions and/or expenditures from any corporation, limited liability company, firm;~~

~~joint venture, syndicate, business trust, company or other business entity not described in Subdivisions (8) or (9) below, in which the individual owns an investment of 50% or more or holds a majority of voting rights;~~

~~(8) Contributions and/or expenditures from an individual shall be aggregated with contributions and/or expenditures from any sole proprietorship the individual owns; or~~

~~(9) Contributions and/or expenditures from a general partner shall be aggregated with contributions and/or expenditures from any general or limited partnership in which the general partner owns an investment of 50% or more or in which the general partner holds a majority of voting rights.~~

**~~(o) Family Contributions:~~**

~~Contributions by a husband and wife shall be treated as separate contributions. Contributions by children under eighteen years of age shall be treated as contributions by their parents and attributed proportionately to each parent (one-half to each parent or the total amount to a single custodial parent).~~

**~~(p) Return of Contributions:~~**

~~A contribution shall not be considered to be received if it is not negotiated, deposited, or utilized, and is returned to the donor within 14 days of receipt.~~

**~~(q) Restrictions on When Contributions May Be Received:~~**

~~No candidate for the Board of Education, or the controlled committee of that candidate, shall solicit or accept or cause to be solicited or accepted any contribution more than 18 months before the date of the election at which the candidate seeks office. No candidate for the Board of Education, or his or her controlled committee, shall solicit or receive or cause to be solicited or received a contribution to his or her own campaign committee from any person later than nine months after the date of the election.~~

~~Contributions solicited or received or caused to be solicited or received by a candidate for the Board of Education, or his or her controlled committee, following his or her election shall be used to retire campaign debt.~~

**~~(r) Campaign Disclosure, Reporting and Recordkeeping:~~**

~~(1) In addition to the campaign statements required to be filed pursuant to the Political Reform Act, commencing with Government Code Section 81000, as amended, candidates for the Board of Education, their controlled committees and committees primarily formed to support or oppose these candidates shall file a pre-election statement on the Friday before the election. This statement shall have a closing date of the Wednesday before the election and shall cover activity and payments occurring through that day. Candidates for the Board of Education, their controlled committees and committees primarily formed~~

~~to support or oppose these candidates shall also file campaign statements as follows in connection with a primary election held in March of an odd-numbered year:~~

- ~~(A) For the period ending September 30 of the year prior to the election, a statement shall be filed no later than October 10, for the period from July 1 through September 30.~~
  - ~~(B) For the period ending December 31 of the year prior to the election, a statement shall be filed no later than January 10, of the year of the election for the period from October 1 through December 31.~~
- ~~(2) No contribution shall be deposited into a campaign checking account of a candidate for the Board of Education unless the name, address, occupation and employer of the contributor is on file in the records of the recipient of the contribution.~~
- ~~(3) Each candidate, and each committee making independent expenditures or member communications in support of or opposition to a candidate, who sends a mailing or distributes more than 200 substantially similar pieces of campaign literature, shall send a copy of the mailing or other literature to the City Ethics Commission at the same time the mailing or other literature is given to the post office or otherwise distributed. During the election campaign, the Commission shall merely serve as a repository for this literature and shall not judge or comment on the contents of the literature.~~
- ~~(4) Any candidate for the Board of Education and the candidate's controlled committee required to file campaign statements with the City Ethics Commission shall file those campaign statements online, using the Commission's Electronic Filing System (EFS), after the candidate and/or committee has received contributions or made expenditures of \$25,000 or more in connection with election to a Board of Education office.~~
- ~~(A) Once a candidate or committee is required to file campaign statements online, that candidate or committee shall continue to file statements online until the committee has officially terminated. Committees and other persons not required to file online by this subsection may do so voluntarily. —~~
  - ~~(B) A person required to file online shall continue to file a paper copy of each campaign statement, as required by the California Political Reform Act and this article, until the person is no longer required to file campaign statements with the City Ethics Commission. The paper copy shall continue to be the original campaign statement for audit and other legal purposes.~~
  - ~~(C) In addition to any late filing penalties that may be imposed for a late filing of a paper copy pursuant to the California Political Reform Act or this article, any person who fails to comply with the online filing requirement of this subsection will, in addition, be subject to an additional late filing penalty of \$25 per day after the deadline for the late filing of the online copy.~~

~~(D) The information contained on a campaign statement filed online shall be the same as that contained on the paper copy of the same statement that is filed with the City Ethics Commission.~~

~~(s) **Disclosure of Payments for Independent Expenditures and Non-Behested Member Communications:**~~

- ~~(1) Any person, including any committee, who makes or incurs independent expenditures of \$1,000 or more in support of or in opposition to any candidate for the Board of Education, or one or more payments for member communications as defined by this section, totaling \$1,000 or more in support of or in opposition to a candidate for the Board of Education, shall notify the City Ethics Commission within 24 hours by certified mail or fax or e-mail each time one or more payments, which meet this threshold, are made.~~
- ~~(2) The notification shall consist of a declaration specifying each candidate supported or opposed by the expenditure, the amount spent to support or oppose each candidate, whether the candidate was supported or opposed, and that the expenditure was not behested by the candidate or candidates who benefited from the expenditure. This declaration shall be made under penalty of perjury and signed by the person or officer and the treasurer of the group making the expenditure. In addition, the date and amount of the payment, a description of the type of communication for which the payment was made or incurred, the name and address of the person making the payment, the name and address of the payee, and a copy of the mailing or advertisement, or a copy of the script or recording of the call, transmission, or advertisement, shall also be provided to the City Ethics Commission. The notification also shall include disclosure of contributions of \$100 or more received by the committee since the day after the closing date of the committee's last campaign disclosure report filed within the Commission or since the first day of the current calendar year, whichever date occurs later; however, contributions that are received, but earmarked for any other candidate outside the Los Angeles Unified School District need not be disclosed. The notification also shall include disclosure of contributions of \$100 or more made in the current calendar year by the person to Board of Education candidates or their controlled committees.~~
- ~~(3) City Ethics Commission staff will notify all candidates by phone, fax or e-mail in the affected race within one business day after receiving the notice of payments for independent expenditures and uncoordinated member communications of \$1,000 or more. The notification will indicate the candidate who was supported or opposed by the expenditure as indicated on the signed declaration and include a copy of the communication provided by the person or group making the expenditure.~~
- ~~(4) For purposes of the notification required in Subdivision (1), payments by an organization for its regularly published newsletter or periodical, if the circulation is limited to the organization's members, employees, shareholders, other affiliated individuals and those who request or purchase the publication, shall not be required to be reported.~~

~~(5) Any committee, including but not limited to a candidate controlled committee and an independent expenditure committee, that makes or incurs payments for 1,000 or more recorded telephone calls or any other forms of electronic or facsimile transmission of substantially similar content, or that makes or incurs expenditures of \$1,000 or more for a radio or television advertisement, in support of or opposition to any candidate(s) for Board of Education office, shall send a copy of the script or recording used for each communication to the Ethics Commission within 24 hours of the first time the calls, transmissions, or advertisements are made or aired.~~

**~~(t) Verification.~~**

~~All declarations, reports and statements filed under this section shall be signed and verified by the filer under penalty of perjury. The candidate and any person signing declarations, reports and statements under this provision shall read, know and understand the contents of all these declarations, reports and statements.~~

**~~(u) Duties of City Ethics Commission.~~**

~~The City Ethics Commission shall administer the provisions of this section. In addition to other duties required under the terms of this section, the City Ethics Commission shall:~~

~~(1) Conduct audits and investigations of reports and statements filed by candidates and committees supporting or opposing candidates for Board of Education offices as required under the Political Reform Act of 1974, as amended, and Article VII and this section of the Charter. The City Ethics Commission shall employ investigators where necessary to fully investigate any person subject to this section.~~

~~(2) Enforce or cause to be enforced the provisions of this section pursuant to Section 90002(c) of the Government Code, in accordance with Article VII of the Charter.~~

~~(3) Report apparent violations of this section and applicable state law to the City Attorney or another appropriate law enforcement agency.~~

**~~(v) Enforcement.~~**

~~(1) Criminal Enforcement — Any person who knowingly or willfully violates any provisions of this section is guilty of a misdemeanor. Any person who knowingly or willfully causes any other person to violate any provision of this section, or who aids and abets any other person in the violation of any provision of this section, shall be liable under the provisions of this section. Prosecution for violation of any provision of this section must be commenced within four years after the date on which the violation occurred. No person convicted of a misdemeanor under this section shall act as a lobbyist or as a City contractor for a period of four years following the date of the conviction unless the court at the time of sentencing specifically determines that this provision shall not be applicable. For purposes of this section, a plea of nolo contendere shall be deemed a conviction.~~

~~(2) Civil Enforcement:~~

- ~~(A) Any person who intentionally or negligently violates any provision of this section shall be liable in a civil action brought by the City Attorney, the City Ethics Commission or by a person residing within the boundaries of the Los Angeles Unified School District for an amount not more than \$5,000 per violation, or for more than three times the amount the person failed to report properly or unlawfully contributed, gave or received. —~~
- ~~(B) Any person who intentionally or negligently makes or receives a contribution, or makes an expenditure, in violation of any provision of this section shall be liable in a civil action brought by the City Attorney or by a person residing within the City for an amount up to three times the amount of the unlawful contribution or expenditure.~~
- ~~(C) If two or more persons are responsible for any violation, they shall be jointly and severally liable.~~
- ~~(D) Any person, other than the City Attorney, before filing a civil action pursuant to this subsection, shall first file with the City Ethics Commission a written request for the City Ethics Commission to commence the action. The request shall contain a statement of the grounds for believing a cause of action exists. The City Ethics Commission shall respond within 40 days after receipt of the request, indicating whether it intends to file a civil action. If the City Ethics Commission indicates in the affirmative, and files suit within 40 days thereafter, no other action may be brought unless the action brought by the City Ethics Commission is dismissed without prejudice.~~
- ~~(E) Not more than one judgment on the merits with respect to any violation may be obtained under this subsection. Actions brought for the same violation or violations shall have precedence for purposes of trial in the order of the time filed. Such actions shall be dismissed once judgment has been entered or a settlement approved by the court in a previously filed action. The court may dismiss a pending action without prejudice to any other action for failure of the plaintiff to proceed diligently and in good faith. The action may be so dismissed on motion by the City Attorney or any plaintiff in an action based on the same violation.~~
- ~~(F) In determining the amount of liability under this subsection, the court may take into account the seriousness of the violation and the degree of culpability of the defendant. If a judgment is entered against the defendant or defendants in an action, a private plaintiff shall receive 50% of the amount recovered. The remaining 50% shall be deposited into the City's General Fund. In an action brought by the City Attorney or the City Ethics Commission, the entire amount shall be paid to the General Fund.~~
- ~~(G) No civil action alleging a violation of this section shall be filed more than four years after the date the violation occurred.~~

~~(H) Any person residing within the Los Angeles Unified School District, including the Los Angeles City Attorney, may sue for injunctive relief to enjoin violations or to compel compliance with the provisions of this section. The court may award to a party, other than an agency, who prevails in any civil action authorized by this article, his or her costs of litigation, including reasonable attorneys' fees; provided, however, that no such award may be granted against the City of Los Angeles.~~

**~~(w) Effect of Violation on Outcome of Election:~~**

~~(1) If a candidate is convicted of a misdemeanor violation of any provision of this section, the court shall make a determination as to whether the violation had a material effect on the outcome of the election. If the court finds such a material effect, then:~~

~~(A) If such conviction becomes final before the date of the election, the votes for such candidate shall not be counted, and the election shall be determined on the basis of the votes cast for the other candidates in that race;~~

~~(B) If such conviction becomes final after the date of the election, and if such candidate was declared to have been elected, then such candidate shall not assume office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter;~~

~~(C) If such conviction becomes final after the candidate has assumed office, then the candidate shall be removed from office, the office shall be deemed vacant and shall be filled as otherwise provided in the Charter; and~~

~~(D) The person so convicted shall be ineligible to hold any elected City office or the office of a member of the Board of Education for a period of five years after the date of such conviction.~~

~~(2) The City Clerk shall not issue any certificate of nomination or election to any candidate until his or her pre-election campaign statements required by the Political Reform Act of 1974, as amended, or if no campaign statement is required, the written declaration permitted under Section 84205 of the Government Code, have been filed in the form and at the place required by the Political Reform Act of 1974.~~

**~~(x) Late Filing Penalties:~~**

~~If any person files an original statement or report after any deadline imposed by this article, he or she shall, in addition to any other penalties or remedies established by the article, be liable to the City Ethics Commission in the amount of \$25 per day after the deadline until the statement or report is filed. Liability need not be enforced by the Commission if on an impartial basis it determines that the late filing was not willful and that enforcement of the liability will not further the purposes of the article, except that no liability shall be waived if a statement or report is not filed within 30 days.~~

**~~(y) Severability:~~**

~~If any provision or portion of this section, or its application to any person or circumstance, is held invalid by any court, the remainder of this section or the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected.~~

**Strengthen language access requirements in Charter**

**ARTICLE I  
INCORPORATION AND POWERS**

**Sec. 103. Delivery of Services.**

Every City office and department, and every City official and employee, is expected to perform their functions with diligence and dedication on behalf of the people of the City of Los Angeles. In the delivery of City services and in the performance of its tasks, the government shall endeavor to perform at the highest levels of achievement, including efficiency, accessibility, accountability, quality, use of technologically advanced methods, and responsiveness to public concerns within budgetary limitations. Every analysis and review of the performance of the government and its officers shall seek to ascertain whether these high standards are being met, and if not, shall recommend methods of improvement. The City shall adopt and maintain policies to ensure that its communications, programs, and public engagement are accessible across the languages spoken by its residents, and that outreach reflects the cultural and linguistic communities of the City.

[Additional edits below]

## ***CITY OF LOS ANGELES INDEPENDENT REDISTRICTING COMMISSION***

### **Sec. 483. Commissioner Selection and Removal.**

(a) An application process to identify prospective commissioners shall commence no later than April 1 of each year ending in the number nine.

(b) The City Clerk shall manage the Commission application process, with the City Ethics Commission providing oversight. The City Clerk and City Ethics Commission may delegate these responsibilities to their staff or consultants.

(c) The City Clerk shall conduct an outreach and education program to ensure that there is publication and awareness of the Commission application process, with efforts to reach underserved communities and with efforts conducted in multiple languages as identified by ordinance. The City Clerk shall monitor and make public the demographic data of application submissions and enhance outreach as reasonably needed to ensure that the applicant pool has a sufficient number of qualified applicants and reasonably reflects the City's diversity.

(d) An interested person meeting the eligibility requirements for service on the Commission may submit an application to the City Clerk. The City Clerk shall review the applications and establish an applicant pool consisting of those individuals who meet the objective eligibility requirements specified in subsections (a) through (c) of Section [482](#).

(e) The City Clerk shall post the names of individuals in the applicant pool for public review and establish a process by which the public may provide information regarding the eligibility of an individual in the applicant pool. The City Ethics Commission shall review the information provided by the public and determine whether any individual shall be removed from the applicant pool.

(f) Following the public review period, the City Ethics Commission shall evaluate the applications of the individuals in the applicant pool to identify individuals who satisfy the eligibility requirements specified in subsections (a) through (d) of Section [482](#) and who shall be included in the Commission Selection Pool. After the establishment of the Commission Selection Pool, the City Ethics Commission shall have the authority to receive information from the public and make determinations regarding the continuing eligibility of individuals in the Commission Selection Pool.

(g) The City Clerk and City Ethics Commission, with assistance from the City Data Bureau and through a process that allows for public input, shall designate eight geographic regions of the City with generally equal population. The City Clerk shall conduct a random drawing at a public meeting to select one person from each of the eight geographic regions. The result of this

selection process shall be the selection of eight members of the Commission, one from each of the eight geographic regions.

(h) The eight selected commissioners shall review the applications of all remaining applicants in the Commission Selection Pool to select eight additional members of the Commission. These selections shall be made at a public meeting by a two-thirds vote of the eight initial commissioners based on the applicant's relevant experiences and backgrounds, familiarity with the City's neighborhoods, ability to be impartial, and to ensure that the Commission reflects the City's diversity, including racial, ethnic, sex, gender, sexual orientation, age, income, professional, language, and geographic diversity. However, formulas or ratios shall not be applied for this purpose.

(i) After the 16 commissioners have been selected, the Commission shall select four persons from the remaining applicants in the Commission Selection Pool to serve as alternate commissioners. The selection of alternate commissioners shall be made in a manner that ensures geographic diversity among the alternate commissioners.

(j) The Commission may remove a commissioner for substantial neglect of duty, gross misconduct in office, inability to discharge the duties of office, failure to comply with the commissioner eligibility requirements and restrictions described in Section [482](#), unexcused absences, or failure to abide by transparency requirements. Removal under this provision requires a two-thirds vote of the Commission after providing the member notice of a public hearing and an opportunity to respond in writing and at the public hearing. The removed member may appeal the Commission's decision to the City Ethics Commission.

(k) The Commission may immediately remove a commissioner who has been charged with a felony offense, or who has been charged with a criminal misdemeanor related to a violation of official duties as described in Section [207\(c\)](#). Removal under this provision requires a two-thirds vote of the Commission. The removed member may appeal the Commission's decision to the City Ethics Commission.

(l) The position of a member of the Commission shall become vacant if the member pleads guilty to or no contest to or is convicted of a felony.

(m) If a vacancy occurs on the Commission, the Chair of the Commission shall conduct a random drawing at a public meeting to select one of the alternate commissioners to serve as a commissioner.

## ***GENERAL PROVISIONS RELATED TO DEPARTMENTS***

### **Sec. 501. Boards of Commissioners.**

(a) **Creation.** Each department created in the Charter shall have a board of commissioners consisting of five commissioners, unless some other number is provided in the Charter for a specific board.

Each board shall be known as the Board of (insert name of department) Commissioners, except that the Board of the Personnel Department shall be known as the Board of Civil Service Commissioners.

(b) **Attendance Fees.** The Council shall, by ordinance adopted by a two-thirds vote, establish the amount of attendance fees to be paid to commissioners. Attendance fee ordinances shall be adopted no more frequently than once a year.

(c) **Term.** A commissioner term shall be five years, beginning on July 1. The terms of the commissioners shall be designated so that as much as possible the terms of office are staggered. The period of the term of each commissioner shall be designated in the appointment. An appointment to fill an unexpired term on any board shall be for the period of the unexpired term.

(d) **Qualifications.**

(1) No person shall be appointed to a Charter created commission who is not a registered voter of the City. This requirement shall also apply to standing commissions created by ordinance that are advisory to, or manage, a department or office, or perform regulatory functions. This requirement does not apply to commissioners who are elected or who serve *ex officio*.

(2) No person who is required by ordinance to be registered as a lobbyist shall be appointed to a commission whose members are required to file financial disclosure statements pursuant to the California Political Reform Act.

(e) **Diversity.** Unless otherwise provided in the Charter, the Mayor, Council or other appointing authority shall strive to make his or her overall appointments to appointed boards, commissions or advisory bodies established by the Charter or ordinance reflect the diversity of the City, including, but not limited to, communities of interest, neighborhoods, ethnicity, race, language, gender, age and sexual orientation.

## **ARTICLE VIII**

### **BOARD OF EDUCATION**

#### **Sec. 804. Compensation.**

The total compensation for members of the Board of Education shall be set by a compensation committee provided in this section:

(a) The committee shall be constituted as follows:

(1) The committee shall be comprised of a total of seven members.

(2) Each member of the committee shall reside within the Los Angeles Unified School District.

(3) Two members of the committee shall be parents or guardians of pupils who attend a school within the Los Angeles Unified School District:

(A) One of whom shall be a parent or guardian of a pupil who attends a school within the boundaries of the City of Los Angeles;

(B) One of whom shall be a parent or guardian of a pupil who attends a school outside of the boundaries of the City of Los Angeles.

(4) One member of the committee shall have expertise in the area of compensation, such as an economist, market researcher or personnel manager;

(5) Two members of the committee shall have experience in the business community:

(A) One of whom is an executive of a corporation, incorporated in California and located within the Los Angeles Unified School District, which ranks among the largest private sector employers in the Los Angeles Unified School District;

(B) One of whom is an owner of a small business (of less than 25 employees) located within the Los Angeles Unified School District.

(6) Two members of the committee shall be members or officers of a labor organization or union.

(b) The appointments shall be made as follows:

(1) The Mayor of the City of Los Angeles shall appoint the member referenced in Subdivision (a)(5)(A) and one of the two members referenced in Subdivision (a)(6);

(2) The Mayors of Cities of Bell, Cudahy, Huntington Park, Maywood and South Gate shall collectively appoint the member referenced in Subdivision (a)(5)(B);

(3) The Mayors of the Cities of Gardena, Carson, Lomita, Monterey Park, San Fernando and West Hollywood shall collectively appoint one of the two members referenced in Subdivision (a)(4);

(4) The Chair of the Los Angeles County Board of Supervisors shall appoint the member referenced in Subdivision (a)(3)(B);

(5) The President of the Los Angeles City Council shall appoint the member referenced in (a)(3)(A) and one of the two members referenced in Subdivision (a)(6).

All appointments shall be subject to confirmation by a majority vote of the Los Angeles City Council. Within 10 days of any vacancy, the appointing authority shall appoint a person to serve the unexpired portion of the term. Within 15 days of the appointment of a member to fill a vacancy, the appointment shall be subject to confirmation by a majority vote of the Los Angeles City Council.

(c) The appointing authorities shall strive insofar as practicable to provide a balanced representation of the geographic, gender, racial and ethnic, language, and other diversity of the Los Angeles Unified School District in appointing committee members.

(d) Not later than 30 days after the effective date of this Charter section, the appointing authorities shall appoint the committee members. The Council shall approve or disapprove the appointments not later than 15 days after the appointments are received. Every five years, thereafter, beginning on the first Monday following April 1, 2007, a new committee shall be appointed.

(e) Ninety days after the Council confirms the committee members, the committee shall, by a single resolution adopted by a majority of the membership of the committee, establish the annual salary and the medical, dental, insurance and other similar benefits of the Board of Education members. The committee shall be dissolved 60 days after adoption of the resolution.

(f) In establishing the annual salary and other benefits, the committee shall consider all of the following:

(1) The amount of time members of the Board of Education serve, directly or indirectly related to the performance of his or her duties.

(2) The amount of the annual salary and other benefits for other elected and appointed officers and officials in the State of California with comparable responsibilities, the judiciary, and to the extent practicable the private educational sector, recognizing, however, that public officers do not receive, and do not expect to receive, compensation at the same levels as individuals in the private sector with comparable experience and responsibilities.

(g) The annual salary and benefits specified in that resolution shall become effective on the date the committee is dissolved as provided in Subsection (e).

(h) On an annual basis, in years when the committee is not performing a compensation review, the Board of Education may increase the compensation and other benefits of individual or all Board members beyond the amount established by the committee, in an amount not to exceed two percent of the applicable total combined amount of compensation and benefits. Any increase made pursuant to this subsection shall be effective upon approval by the Board of Education.

(i) The salary and benefits for members of the Board of Education shall be payable out of the funds of the Los Angeles Unified School District.

(j) All committee members shall receive their actual and necessary expenses incurred in the performance of their duties, paid by funds from the Los Angeles Unified School District. The committee members shall receive no other compensation for the performance of their services as committee members.

(k) Public notice shall be given of all meetings of the committee, and the meetings shall be open to the public pursuant to the Ralph M. Brown Act, Government Code Section 54950, et seq., or its successor open meeting legislation.

***LOS ANGELES UNIFIED SCHOOL DISTRICT INDEPENDENT  
REDISTRICTING COMMISSION***

**Sec. 813. Commissioner Selection and Removal.**

(a) An application process to identify prospective commissioners shall commence no later than April 1 of each year ending in the number nine.

(b) The City Clerk shall manage the Commission application process, with the City Ethics Commission providing oversight. The City Clerk and City Ethics Commission may delegate these responsibilities to their staff or consultants.

(c) The City Clerk shall conduct an outreach and education program to ensure that there is publication and awareness of the Commission application process, with efforts to reach underserved communities and with efforts conducted in multiple languages as identified by ordinance. The City Clerk shall monitor and make public the demographic data of application submissions and enhance outreach as reasonably needed to ensure that the applicant pool has a sufficient number of qualified applicants and reasonably reflects the Los Angeles Unified School District's diversity.

(d) An interested person meeting the eligibility requirements for service on the Commission may submit an application to the City Clerk. The City Clerk shall review the applications and establish an applicant pool consisting of those individuals who meet the objective eligibility requirements specified in subsections (a) through (c) of Section [812](#).

(e) The City Clerk shall post the names of individuals in the applicant pool for public review and establish a process by which the public may provide information regarding the eligibility of an individual in the applicant pool. The City Ethics Commission shall review the information provided by the public and determine whether any individual shall be removed from the applicant pool.

(f) Following the public review period, the City Ethics Commission shall evaluate the applications of the individuals in the applicant pool to identify individuals who satisfy the eligibility requirements specified in subsections (a) through (d) of Section [812](#) and who shall be included in the Commission Selection Pool. After the establishment of the Commission Selection Pool, the City Ethics Commission shall have the authority to receive information from the public and make determinations regarding the continuing eligibility of individuals in the Commission Selection Pool.

(g) The City Clerk shall conduct a random drawing at a public meeting to select one person residing in the geographic region of each of the seven Board of Education districts. The result of this selection process shall be the selection of seven members of the Commission, one from the geographic region of each of the seven Board of Education districts.

(h) The seven selected commissioners shall review the applications of all remaining applicants in the Commission Selection Pool to select seven additional members of the Commission. These selections shall be made at a public meeting by a two-thirds vote of the seven initial commissioners based on the applicant's relevant experiences and backgrounds, familiarity with the Los Angeles Unified School District's neighborhoods, ability to be impartial, and to ensure that the Commission reflects the Los Angeles Unified School District's diversity, including racial, ethnic, sex, gender, sexual orientation, age, income, professional, language, and geographic diversity. However, formulas or ratios shall not be applied for this purpose. These selections also shall be made in a manner that ensures that at least four of the 14 members of the Commission are parents or guardians of pupils who attend a school within the Los Angeles Unified School District at the time of selection.

(i) After the 14 commissioners have been selected, the Commission shall select four persons from the remaining applicants in the Commission Selection Pool to serve as alternate commissioners. The selection of alternate commissioners shall be made in a manner that ensures geographic diversity among the alternate commissioners.

(j) The Commission may remove a commissioner for substantial neglect of duty, gross misconduct in office, inability to discharge the duties of office, failure to comply with the commissioner eligibility requirements and restrictions described in Section [812](#), unexcused absences, or failure to abide by transparency requirements. Removal under this provision requires a two-thirds vote of the Commission after providing the member notice of a public hearing and an opportunity to respond in writing and at the public hearing. The removed member may appeal the Commission's decision to the City Ethics Commission.

(k) The Commission may immediately remove a commissioner who has been charged with a felony offense, or who has been charged with a criminal misdemeanor related to a violation of official duties as described in Section [207\(c\)](#). Removal under this provision requires a two-thirds vote of the Commission. The removed member may appeal the Commission's decision to the City Ethics Commission.

(l) The position of a member of the Commission shall become vacant if the member pleads guilty to or no contest to or is convicted of a felony.

(m) If a vacancy occurs on the Commission, the Chair of the Commission shall conduct a random drawing at a public meeting to select one of the alternate commissioners to serve as a commissioner.

**Align Charter with state law on public banking provisions**

***MISCELLANEOUS FINANCE***

**Sec. 363. Public Bank**

“Public bank” has the meaning found under Division 5, Title 5 of the Government Code (commencing with Section 57600 et seq.) and used under Subchapter 10 of Chapter 1, Title 10 of the California Code of Regulation or their respective successor provisions. City actions relating to a Public Bank shall be consistent with the Charter, Division 5 of the Government Code, Title and other applicable Federal and State laws and regulations.

## Neighborhood Power

## **Strengthen Neighborhood Council Powers & consent calendars**

### **Sec. 908. Powers of Neighborhood Councils.**

Subject to applicable law, the City Council may delegate its authority to Neighborhood Councils to hold public hearings prior to the City Council making a decision on a matter of local concern.

In the interest of efficiency, the chair of a Neighborhood Council may include a consent calendar for the full board's consideration on their agendas. Items on consent calendars may include common agenda items including, but not limited to, approval of minutes, the Monthly Expenditure Report, and action items that have been approved at a committee meeting.

Neighborhood Councils shall act within an advisory capacity to the City and, may, for the purpose of advising the City, undertake the following actions:

- (1) Conduct outreach to stakeholders, including residents, businesses, community-based organizations, and other interested parties within their boundaries, regarding City policies, programs, services, and issues affecting the community;
- (2) Organize and host community meetings, events, and forums to solicit input, share information, and foster dialogue on matters related to City governance and local concerns;
- (3) Collaborate with City departments, elected officials, and neighboring Neighborhood Councils to identify community needs and priorities.

## **Community Impact Statements & Require remote participation at City Council and Commission meetings**

### **Sec. 242. Conduct of Business.**

The Council shall be the sole judge of the election and qualification of its members. Meetings and records of the proceedings of the Council and of the committees of the Council shall be open to the public, except that closed sessions may be held as permitted by law. The Council shall have the exclusive power to organize its business, prescribe the rules of its proceedings and preserve order at its meetings, subject to the following:

(a) The Council shall hold regular meetings at least three days each week. Meetings may be held in City Hall or elsewhere in the City. By resolution, the Council may establish periods during which the Council or its committees will be in recess. The Council and its committees may also each hold special meetings with proper notice.

(b) The Council, by ordinance or resolution, shall establish a sufficient number of committees to enable it to carry out its duties. The duty of the Council and its committees is to become fully informed of the business of the City so as to oversee all the functions of the City government, and to report to the Council any information or recommendations necessary to enable the Council to properly legislate. Committees shall have the power of investigation, but shall have no administrative control over the various functions of the City government. The administration of the City government shall be vested in the officials designated in the Charter to perform those functions. The President of the Council shall appoint the members and the chair of the committees and each Council member shall be appointed to at least one committee.

(c) The Council, by ordinance or resolution, shall provide an opportunity for Neighborhood Councils to comment via telephone or online teleconferencing at all regular and special meetings of the Council and any Council committees.

(d) Neighborhood Councils delivering a Community Impact Statement to the Council or any Council committee shall be in a separate queue from public comment.

## **Sec. 515. Neighborhood Councils.**

(a) Each board and commission that is a legislative body within the meaning of the Ralph M. Brown Act, whether created in the Charter or by ordinance or resolution, shall provide an opportunity for Neighborhood Councils to comment via telephone or online teleconferencing at all regular and special meetings.

(b) Neighborhood Councils delivering a Community Impact Statement to a board and commission that is a legislative body within the meaning of the Ralph M. Brown Act, whether created in the Charter or by ordinance or resolution, shall be in a separate queue from public comment.

**Expand BONC to Nine Members & Clarify BONC role in contract and lease approval & Require BONC training within 30 days for voting eligibility**

**Sec. 902. Board of Neighborhood Commissioners.**

(a) There shall be a board of ~~nine seven~~ commissioners to be known as the Board of Neighborhood Commissioners (board). ~~Seven c~~Commissioners shall be appointed by the Mayor, and shall be from diverse geographic areas, as further specified by ordinance. The remaining two commission seats shall be filled by interested persons who obtain the approval of a majority of all Neighborhood Councils, each acting through a formal vote of the respective Neighborhood Council at a publicly noticed board meeting, as further specified by ordinance. Appointment of the seven Mayor-appointed commissioners and removal of all commissioners shall otherwise be in accordance with Section [502](#).

(b) The board shall be responsible for policy setting and policy oversight, ~~including as well as~~ the approval of contracts and leases prepared on behalf of Neighborhood Councils or the Neighborhood Council system, and the promulgation of rules and regulations, but shall not be responsible for day-to-day management.

(c) The board shall operate in accordance with Sections [503](#) through [508](#) and [510](#) of the Charter.

(d) Members of the board shall not be permitted to vote at board meetings if they have not completed any legally-required training assigned by the Department of Neighborhood Empowerment within 30 days of being seated. In addition, members of the board may not vote unless they are current on legally-required training.

## **Replace "Citizen" with "Civic" participation throughout Article IX**

### **Sec. 900. Purpose.**

To promote more ~~citizen~~ civic participation in government and make government more responsive to local needs, a citywide system of ~~N~~neighborhood ~~C~~ouncils, and a Department of Neighborhood Empowerment is created. ~~N~~neighborhood ~~C~~ouncils shall include representatives of the many diverse interests in communities and shall have an advisory role on issues of concern to the neighborhood.

## Update “Officers” to “Board Members” in DONE provisions

### **Sec. 901. Department of Neighborhood Empowerment.**

The Department of Neighborhood Empowerment shall have the duties and responsibilities set forth in this Article and elsewhere in the Charter to implement and oversee the ordinances and regulations creating the system of Nneighborhood Councils enacted pursuant to Section 905. Its ~~d~~Duties and responsibilities shall include:

- (a) prepare a plan for the creation of a system of Nneighborhood Councils to ensure that every part of the City is within the boundary of a Nneighborhood Council; and has an opportunity to form a Nneighborhood Council (Plan);
- (b) assist neighborhoods in preparing petitions for recognition or certification, identifying boundaries that do not divide communities, and organizing themselves, in accordance with the Plan;
- (c) arrange Congress of Neighborhood meetings if requested to do so by recognized Nneighborhood Councils;
- (d) assist Nneighborhood Councils with the election or selection of their board members officers;
- (e) arrange training for Nneighborhood Councils' board members officers and staff;
- (f) assist Nneighborhood Councils to share resources, including offices, equipment, and other forms of support for them to communicate with constituents, other Nneighborhood Councils, and with government officials; and
- (g) perform other duties as provided by ordinance.

## **Update Section 904 title to “Development and Maintenance of Plan”**

### **Sec. 904. Development and Maintenance of the Neighborhood Council Plan.**

The Department of Neighborhood Empowerment shall develop a Plan for a citywide system of Nneighborhood Councils, in conformance with the following:

(a) The Department of Neighborhood Empowerment shall seek public input in the formulation of the Plan.

(b) The Plan shall contain a statement of goals, policies, and objectives of the Neighborhood Council system, and shall contain specific regulations, in draft ordinance format (Regulations) which, if adopted by ordinance, would be sufficient to implement the Plan.

(c) The Regulations shall establish the method by which boundaries of Nneighborhood Councils will be determined. The system for determining boundaries shall maintain neighborhood boundaries to the maximum extent feasible, and may consider community planning district boundaries where appropriate.

(d) The Regulations must ensure that all areas of the City are given an equal opportunity to form Nneighborhood Councils.

(e) The Regulations shall establish the procedure and criteria for recognition or certification of Nneighborhood Councils.

(f) The Regulations shall not restrict the method by which the members of a Nneighborhood Council are chosen, if the process otherwise satisfies the requirements of this Article.

(g) The Regulations shall require that Nneighborhood Councils adopt fair and open procedures for the conduct of their business.

(h) The Mayor and Council shall provide for the creation of the Department of Neighborhood Empowerment and appointment of the general manager within 120 days of the effective date of this Article.

## **Modernize certification and bylaws requirements**

### **Sec. 906. Certification of Neighborhood Councils.**

(a) **By-laws.** Each ~~N~~neighborhood ~~C~~councils seeking official certification or recognition from the City shall submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing, at a minimum:

- (1) the method by which ~~its their~~ officers ~~and b~~Board members are ~~selected~~ chosen;
- (2) ~~that N~~neighborhood ~~C~~council membership will be open to ~~everyone who lives, works or owns property in the area (stakeholders~~ all stakeholders, as further specified by ordinance;
- (3) assurances that the members of the ~~N~~neighborhood ~~C~~council will reflect the diverse interests within their area;
- (4) a system through which the ~~N~~neighborhood ~~C~~council will communicate with stakeholders on a regular basis;
- (5) a system for financial accountability of its funds; and
- (6) guarantees that all meetings will be open and public, and permit, to the extent feasible, every stakeholder to participate in the conduct of business, deliberation, and decision-making.

(b) **Petitioning for Certification and Approval.** Neighborhood ~~C~~councils may petition for certification or recognition in accordance with rules and procedures set forth in the Plan.

## **Permit statements to governmental agencies passed in Brown Act meetings**

### **Sec. 254. Legislation Pending Before State and Federal Government.**

The Council, by resolution, may establish the official position of the City with respect to legislation proposed to or pending before the state or federal government. The resolution shall be subject to veto by the Mayor, and override of the Mayor's veto by a two-thirds vote of the Council. The Council, by ordinance, shall adopt procedures to implement the provisions of this section, which procedures shall set the time periods for Council and Mayoral action.

Neighborhood Councils may deliver to any governmental agency a statement with respect to legislation proposed to or pending before that agency related to the purpose of Neighborhood Councils which is to promote more civic participation in government and make government more responsive to local needs, adopted through a majority vote at a publicly noticed Neighborhood Council board meeting. The City may, by ordinance, create and require language to indicate the Neighborhood Council is speaking on behalf of that specific Neighborhood Council and not the City.

## **Allow Neighborhood Councils to submit budget requests through BONC chair**

### **Sec. 311. Budget Estimates to Mayor; Statement of Budget Priorities.**

(a) At the time the Mayor prescribes, but not later than January 1 of each year, each board or officer at the head of any department or office, or other City governmental activity, other than those departments having control of their own funds, shall submit to the Mayor, with copies to the Council and the City Administrative Officer, on forms and in the manner prescribed by the Mayor, a detailed estimate of the money required for the next fiscal year for the proper operation of their departments and offices. These estimates shall contain uniform budget classifications and shall clearly set forth the functions performed and the items and services required for such performance. Summaries, schedules and supporting data shall be attached to the estimates. Any department head or officer requesting an increase over the prior year's appropriation shall indicate which classifications need the increase and rank the order of immediate need for each classification. After consultation with an officer or head of a department, the Mayor may refer the estimate back with instructions to prepare a revised estimate on the basis of a maximum sum for the department, office or activity, that maximum sum to be fixed by the Mayor, or with further qualification as the Mayor shall determine. The officer or head of department shall present the revised estimate to the Mayor, with a duplicate to the Council and to the City Administrative Officer, at a date fixed by the Mayor.

(b) Neighborhood Councils shall submit to the Mayor, in the same timeframe as the City departments, their budget request for the next fiscal year. The Chair of the Board of Neighborhood Commissioners or another Commissioner designated by the Board of Neighborhood Commissioners shall be a single point-of-contact for this Neighborhood Council budget process and shall organize the requests of the Neighborhood Councils into a single submission to the Mayor.

(cb) On or before February 1, the Mayor shall publish his or her budget priorities for the next fiscal year in order to facilitate public comment.

(de) On or before March 1 of each year the Controller shall submit to the Mayor, with a duplicate to the Council and to the City Administrative Officer, a detailed statement of the money that the Controller estimates will be required for the interest and sinking funds and for all outstanding bonded indebtedness and other lawful obligations of the City or of special districts and an estimate of the revenue to be derived from fines, licenses, and other sources.

**Provide Neighborhood Councils the opportunity to submit questions to as General Manager candidates during the employment interview**

**Sec. 903. General Manager.**

(a) There shall be a general manager of the Department of Neighborhood Empowerment who shall be appointed by the Mayor, subject to confirmation by the Council, and may be removed as provided in Section [508](#). Neighborhood Councils shall have the opportunity to submit questions, each approved by a formal vote of the respective Neighborhood Council at a publicly noticed board meeting, to the Mayor, or his or her designee, to be considered during the interview process.

(b) The general manager shall have those powers and duties set forth in Section [510](#).

(c) The general manager shall appoint, discharge, and prescribe the duties of staff, consistent with the civil service provisions of the Charter.

## **Update Section 905 title to "Initial Implementation of the Plan"**

### **Sec. 905. Initial Implementation of the Plan.**

The Department of Neighborhood Empowerment shall complete development of the Plan and present the Plan and all necessary Regulations for a system of Nneighborhood Councils to the Council and Mayor within one year of the establishment of the department and commission. The Council shall consider the Regulations, and within six months after presentation of the Plan to Council may adopt ordinances to implement the Regulations as proposed, or as modified by the Council consistent with the requirements of the Plan set forth in Section 904. If implementing ordinances are not adopted within this time period, the Regulations shall become effective, and to the extent not inconsistent with law shall be binding upon all City departments and offices.

## **Change Section 907 title to “Advance Notice & Opportunities for Input”**

### **Sec. 907. ~~Early Warning System.~~ Advance Notice and Opportunities for Input.**

The Regulations shall establish procedures for receiving input from ~~N~~neighborhood ~~C~~eouncils prior to decisions by the City Council, City Council Committees, and ~~C~~ity boards and commissions. The procedures shall include, but need not be limited to, notice to ~~N~~neighborhood ~~C~~eouncils as soon as practical, and a reasonable opportunity to provide input before decisions are made. Notices to be provided include matters to be considered by the City Council, City Council Committees, and City boards or commissions.

## **Capitalize “Neighborhood Councils” throughout the Charter**

### **Sec. 909. Annual City Budget Priorities.**

Each **N**neighborhood **C**ouncils may present to the Mayor and Council an annual list of priorities for the City budget. The Mayor shall inform certified **N**neighborhood **C**ouncils of the deadline for submission so that the input may be considered in a timely fashion.

### **Sec. 910. Monitoring of City Services.**

**N**neighborhood **C**ouncils shall monitor the delivery of City services in their respective areas and have periodic meetings with responsible officials of City departments, subject to their reasonable availability.

### **Sec. 911. Appropriation.**

The Mayor and Council shall appropriate funds for the Department of Neighborhood Empowerment and for the startup and functioning of **N**neighborhood **C**ouncils for the first two years after the effective date of this Article. Funds shall be appropriated into a special fund to be established by ordinance. The Mayor and Council shall thereafter appropriate funds for the department and **N**neighborhood **C**ouncils at least one year in advance of each subsequent fiscal year.

### **Sec. 912. Review.**

The Mayor and Council shall appoint a commission as prescribed by ordinance to evaluate the provisions of this Article, the Regulations adopted pursuant to this Article, and the efficacy of the system of **N**neighborhood **C**ouncils no later than seven years after the adoption of the Charter. The commission shall make recommendations to the Council regarding changes to the Charter or the Regulations, as it deems appropriate.

### **Sec. 913. Transfer of Powers.**

Notwithstanding any other provision of the Charter, the Mayor and Council shall not transfer powers, duties, or functions of the Department of Neighborhood Empowerment to any other department, office, or agency pursuant to Section [514](#) during the first five years after implementation of the Plan pursuant to Section [905](#).

**Sec. 914. Effect of Ordinances.**

The Council may adopt ordinances concerning ~~N~~neighborhood ~~C~~ouncils consistent with requirements for the Plan set forth in Section [904](#) at any time, which ordinances shall supersede any inconsistent Regulations that have become effective pursuant to Section [905](#).

## Police Accountability

## **Council Authority Over Police Policies**

### ***POLICE DEPARTMENT***

#### **Sec. 571. Board of Police Commissioners.**

(a) Members of the Board of Police Commissioners shall serve for a maximum of two five-year terms, except that a member may serve up to two years of an unexpired term plus two terms of five years. A member of the Board of Police Commissioners shall be limited to two consecutive one-year terms as President of the Board of Police Commissioners.

(b) The Board of Police Commissioners shall have the power to:

(1) issue instructions to the Chief of Police concerning the exercise of the authority conferred on the Chief of Police by the Charter, other than the disciplinary authority conferred by Section [1070](#). The authority of the Board of Police Commissioners to issue such instructions shall not be exclusive and shall not supersede the authority of Council to adopt ordinances governing the policies of the Chief of Police and Police Department. In the event of a conflict between instructions issued by the Board of Police Commissioners and ordinances adopted by Council, the ordinances of the Council shall prevail;

(2) evaluate the Chief of Police annually, set or adjust the compensation for the Chief of Police within the salary guidelines established by Council after recommendations concerning those guidelines have been made to the Council by the City Administrative Officer; and forward a copy of the evaluation and salary determination to the Mayor and Council for information;

(3) appoint and remove an Executive Director whose position shall be exempt from the civil service provisions of the Charter and who shall not be a member of the Police Department; and

(4) appoint and remove an Inspector General of the Police Department subject to Section [245](#), whose position shall be exempt from the civil service provisions of [Article X](#) of the Charter and who shall not be a member of the Police Department.

## **Personal Liability Insurance for Officers**

### **Sec. 577. Liability Insurance for Individual Police Officers.**

- (a) The Police Department shall purchase liability insurance for each police officer with a coverage amount of not less than \$1,000,000 per officer, provided such insurance is available for purchase at a cost not to exceed \$50.00 per month, per officer. In subsequent fiscal years, the maximum cost of this insurance shall be subject to an annual increase at the beginning of the fiscal year based upon the Consumer Price Index for the Los Angeles area published by the United States Department of Labor, Bureau of Labor Statistics.
- (b) If an officer acting in the course and scope of employment is found liable or a claim or litigation involving the conduct of an officer or officers is settled such that the City must make a payment to an opposing party, the applicable insurance payout shall be used before any money is paid from the General Fund.

## **Strengthen Removal Authority**

### **Sec. 245. City Council Veto of Board Actions.**

Actions of boards of commissioners shall become final at the expiration of the next five meeting days of the Council during which the Council has convened in regular session, unless the Council acts within that time by two-thirds vote to bring the action before it or to waive review of the action, except that as to any action of the Board of Police Commissioners regarding the removal of the Chief of Police, the time period within which the Council may act before the action of the Board shall become final shall be ten meeting days during which the Council has convened in regular session.

(a) **Action by Council.** If the Council timely asserts jurisdiction over the action, the Council may, by two-thirds vote, veto the action of the board within 21 calendar days of voting to bring the matter before it, or the action of the board shall become final. Except as provided in subsection (e), the Council may not amend, or take any other action with respect to the board's action.

(b) **Waiver.** The Council may, by ordinance, waive review of classes or categories of actions, or, by resolution, waive review of an individual anticipated action of a board. The Council may also, by resolution, waive review of a board action after the board has acted. Actions for which review has been waived are final upon the waiver, or action of the board, as applicable.

(c) **Effect of Veto.** An action vetoed by the Council shall be remanded to the originating board, which board shall have the authority it originally held to take action on the matter.

(d) **Exempt Actions.** The following actions are exempt from Council review under this section:

- (1) actions of the Ethics Commission;
- (2) actions of the Board of Fire and Police Pension Commissioners;
- (3) actions of the Board of Administration for Los Angeles City Employees Retirement System;
- (4) actions of the Board of Administration of Water and Power Employees Retirement Plan;
- (5) quasi-judicial personnel decisions of the Board of Civil Service Commissioners;

(6) actions of a board organized under authority of the Meyers-Milias Brown Act for administration of employer-employee relations;

(7) individual personnel decisions of boards of commissioners other than the Board of Police Commissioners except as specified in Section 1070; and

(8) actions which are subject to appeal or review by the Council pursuant to other provisions of the Charter, ordinance or other applicable law.

(9) actions of the Independent Redistricting Commission.

*(e) [Language in subsection (e) not included for purposes of this draft to avoid confusion with the Charter Reform Commission's Planning-related proposal.]*

**(f) Exceptions for Actions of the Board of Police Commissioners for Non-individual Personnel Decisions.** The Council shall not be limited to veto of actions of the Board of Police Commissioners for actions of the Board that are unrelated to individual personnel decisions. Subject to the time limits and other limitations of this section, after voting to bring the matter before it and following the process specified herein, the Council shall have the same authority to act on a matter as that originally held by the Board of Police Commissioners. Upon the Council's first consideration of an action by the Board of Police Commissioners, if the Council vetoes the matter, then the Board of Police Commissioners shall have 30 days to take up the item again and either concur with the Council, override the Council's veto, or modify the Board's prior action, which modification shall start the process anew. An action of the Board of Police Commissioners to override the veto of the Council shall be transmitted to the Council, where it shall be taken up on second and final consideration. During the second and final consideration, the Council shall have the same authority to act on a matter as that originally held by the Board of Police Commissioners. If the Council fails to act within 21 calendar days of receiving the override transmittal, the original action of the Board of Police Commissioners shall become final.

### **Sec. 1070. Rights and Due Process Procedures.**

(a) Applicability; Rights. As used in this section, member shall mean an employee of the Police Department who has peace officer status as defined in California Penal Code Section 830.1. The provisions of this section shall not apply to any member of the Police Department who has not completed the period of probation in his or her entry level position, as provided in Section 1011(a). Non-tenured Police officers, where otherwise entitled by law to a hearing or appeal with regard to proposed or imposed discipline, shall be provided a hearing or appeal under procedures promulgated by the Chief of Police.

The rights of a member, except the Chief of Police and any other member in a position exempt from civil service, to hold his or her office or position and to receive compensation attached to the office or position is hereby declared to be a substantial property right of which the holder shall not be deprived arbitrarily or summarily, nor other than as provided in this section. No member shall be suspended, demoted in rank, suspended and demoted in rank, removed, or otherwise separated from the service of the department ~~for disciplinary reasons (other than by resignation)~~, except for good and sufficient cause shown upon a finding of guilty of the specific charge or charges assigned as cause or causes after a full, fair, and impartial hearing before a Board of Rights, except as provided in subsections (b), ~~and (i)~~, ~~and (q)~~. No case of suspension with loss of pay shall be for a period exceeding 65 working days.

(b) Temporary Relief from Duty; Suspension; Demotion. After following predisciplinary procedures otherwise required by law, the Chief of Police may:

(1) temporarily relieve from duty any member pending a hearing before and decision by a Board of Rights on any charge or charges pending against the member, except that a member so relieved shall not suffer a loss of compensation until 30 days after the date on which the member was served with the charge or charges, except as provided for in subsection (q) or whenever the employee is temporarily relieved of duty on a new charge or charges while relieved of duty or serving a suspension based on a prior charge or charges. There shall be a calendar priority for Board of Rights hearings when a member is subject to relief from duty pending a hearing. The Chief of Police in his or her sole discretion shall have the power to cancel temporary relief from duty, or following relief from duty, to restore the member to duty with or without restrictions pending hearing; or

(2) suspend the member for a total period not to exceed 22 working days with loss of pay and with or without reprimand, subject to the right of the member to a hearing before a Board of Rights as provided in this section; or

(3) demote the member in rank, with or without suspension or reprimand or both, subject to the right of the member to a hearing before a Board of Rights as provided in this section; or

(4) demote the member in rank, with or without temporary relief from duty or cancellation of such relief from duty, subject to the right of the member to a hearing before a Board of Rights as provided in this section.

In the event the member suspended and/or demoted in rank under this subsection files an application for a hearing by a Board of Rights as provided in this section, the suspension and/or demotion shall automatically be stayed pending hearing and decision by the Board of Rights. Provided, however, in the case of any member demoted in conjunction with a temporary relief from duty or cancellation of such relief from duty, the demotion shall not be stayed pending a hearing before and decision by a Board of Rights unless the accused specifically requests in the

written application that the Board consider the demotion in conjunction with the appeal of the temporary relief from duty or cancellation of such relief from duty. In the event that the member fails to apply for a hearing within the period prescribed, the member shall be deemed to have waived a hearing, and the suspension and/or demotion shall remain effective unless the Chief of Police requires that a hearing be held.

(c) Limitations Periods. No member shall be removed, suspended, demoted in rank, or suspended and demoted in rank for any conduct that was discovered by an uninvolved supervisor of the department more than one year prior to the filing of the complaint against the member, except in any of the following circumstances:

(1) If the act, omission, or allegation of misconduct is also the subject of a criminal investigation or criminal prosecution, the time during which the criminal investigation or criminal prosecution is pending shall toll the one-year time period.

(2) If the member waives the one-year time period in writing, the time period shall be tolled for the period of time specified in the written waiver.

(3) If the criminal investigation is a multi jurisdictional investigation that requires a reasonable extension for coordination of the involved agencies.

(4) If the investigation involves more than one employee and requires a reasonable extension.

(5) If the investigation involves an employee who is incapacitated or otherwise unavailable.

(6) If the investigation involves a matter in civil litigation where the member is named as a party defendant, the one year time period shall be tolled while that civil action is pending.

(7) If the investigation involves a matter in criminal litigation where the complainant is a criminal defendant, the one-year time period shall be tolled during the period of that defendant's criminal investigation and prosecution.

(8) If the investigation involves an allegation of workers' compensation fraud on the part of the member.

(9) If a predisciplinary notice is required or utilized and the response results in additional investigation, the one-year period shall be tolled while the additional investigation is pending.

(d) Complaint. Any order of relief from duty, cancellation of relief from duty pending a Board of Rights hearing, suspension, demotion in rank, or suspension and demotion in rank shall contain a statement of the charges assigned as causes. The Chief of Police shall, within five days after the order is served as provided in subsection (e), file with the Board of Police Commissioners a copy of a verified written complaint upon which the order is based, with a statement that a copy of the order and verified complaint was served upon the accused. The complaint shall be verified by the oath of the Chief of Police and shall contain a statement in clear and concise language of all the facts constituting the charge or charges.

(e) Service. The service of any notice, order, or process mentioned in this section, other than service of subpoena, may be made by handing the accused a copy personally. If a copy of any notice, order or process cannot with reasonable diligence be personally served, service may be made by United States mail.

(f) Application for Hearing. Within five days after personal service upon the accused of a copy of the verified complaint, or within ten days after service in any other manner provided for in this section, the member may file with the Chief of Police a written application for a hearing before and decision by a Board of Rights. A Board of Rights is considered a de novo hearing.

(g) Time and Place of Hearing. Upon the selection of a Board of Rights, the Chief of Police shall set the time for (not less than 10 nor more than 30 days thereafter) and designate a place where the hearing is to be held, and shall cause notice thereof to be served upon the accused. After the Board of Rights has first convened, the Board may continue the hearing of the matter to a specific date, and no other notice need be given, except as may be required by order of the Board.

(h) Composition of Board of Rights. The Board of Rights shall be composed of two officers of the rank of captain or above and an individual who is not a member of the department (the civilian member), except as provided in the second paragraph of this subsection below. The members selected as prescribed in this section shall constitute the Board for the purpose of hearing and deciding upon the matter for which it was specially drawn. The qualifications of, selection procedures for, and compensation of the civilian members shall be established by ordinance. Upon the filing of the request for a hearing before a Board of Rights, as provided in subsection (f), the accused shall draw four cards from a box containing the names on cards of all officers who are qualified to be members of the Board of Rights (except the names of the accused, accuser, the Chief of Police, any staff or command officer specifically exempted by the

Chief of Police in accordance with the provisions of the Board of Rights Manual or successor document, and any other officer who may be prejudiced or disqualified by reason of being a material witness to the facts constituting the charges made, otherwise disqualified for cause as determined by the Chief, or who has a conflict of interest). The accused shall select any two of the four names drawn to be members of the Board of Rights.

Notwithstanding the foregoing, the Council may adopt an ordinance providing the accused the option of having the complaint heard and decided by a Board of Rights composed of three individuals who are not members of the department (three civilian members) instead of a Board composed of two officers and one civilian. The qualifications of, selection procedures for, and compensation of the civilian members shall be established by ordinance. If the Council adopts an ordinance providing the option for an all civilian Board of Rights as described in this paragraph: the ordinance shall not apply to any complaint that has been filed by the Chief of Police with the Board of Police Commissioners prior to the effective date of the ordinance; the Council shall not repeal the ordinance for at least two years after it is adopted; and the department shall submit a report to the Council evaluating the effectiveness of the ordinance at the end of the two-year period.

(i) Failure to Request a Hearing; Failure to Appear. In the event the accused fails to request a hearing before a Board of Rights as provided in subsection (f) within the period prescribed, the Chief may require a hearing to be held before a Board of Rights and may for that purpose, within five days after the expiration of such period, draw two names from a box to sit on the Board.

If a Board of Rights has been constituted for the purpose of hearing and the accused, without reasonable excuse, fails or refuses to appear before the Board at the time and place designated, the Chief of Police may, at his or her discretion, either direct the Board of Rights to proceed with the hearing in the absence of the accused, or the Chief may, without a hearing, impose a penalty of suspension, demotion in rank, suspension and demotion in rank, or removal as he or she deems fit and proper. The Chief shall cause notice of the action to be served upon the member and shall file a statement of the action with the Board of Police Commissioners within five days.

If the accused and Chief both fail to draw and create a Board of Rights within the period prescribed, the complaint shall be null and void.

(j) Oaths, Affirmations and Subpoenas. During an internal investigation, prior to a Board of Rights hearing, or prior to or during other administrative proceedings, the Police Commission may compel the attendance of witnesses and the production of evidence by subpoena. Upon demand of the Police Commission, the City Clerk shall issue a subpoena in the name of the city and attest the same with the corporate seal. The subpoena shall direct and required the attendance of the witnesses or the production of evidence, at the time and place specified. A request to

quash a subpoena may be filed with the Police Commission who shall decide the matter. Each Board member shall have the power to administer oaths and affirmations in any investigation or proceeding pending before a Board of Rights, examine witnesses under oath, and compel the attendance of witnesses and the production of evidence by subpoena. Upon demand of any Board member, the City Clerk shall issue a subpoena in the name of the City and attest the same with the corporate seal. The subpoena shall direct and require the attendance of the witnesses or the production of evidence, at the time and place specified. It shall be the duty of the Chief of Police to cause all such subpoenas to be served upon the person or persons required to attend or produce evidence. It shall be the duty of the Council to provide suitable penalties for disobedience of such subpoenas and the refusal of witnesses to testify or produce evidence.

(k) Legal Advice; Ex Parte Communication. Upon the request of any two Board members, the Board's chairperson shall request an attorney from the City Attorney's office who shall advise the Board on legal matters during or between any session of the hearing. The attorney need not be physically present at the hearing, but may advise the Board telephonically or through other means of communication. The attorney who advises the Board may not advise the department's advocate in the same matter.

Ex Parte communication with members of a Board of Rights regarding the subject matter of the hearing while proceedings are pending is prohibited. No person shall attempt to influence the decision of a Board of Rights except during the hearing and on the record.

(l) Burden of Proof. In Board of Rights proceedings, the department shall have the burden of proving each charge, including those based on conduct punishable in whole or in part as a crime, by a preponderance of the evidence.

(m) Representation; Transcript; Evidence. At the hearing, the accused shall have the right to appear in person and by counsel or representative, (at his or her expense) and make defense to the charge or charges and may produce witnesses and cross-examine witnesses.

All testimony at the hearing shall be given under oath and shall be reported by a stenographer for possible transcription. Upon prepayment of the fee for the preparation thereof, the accused shall be entitled to a certified copy of the transcript; provided, however, when the department has previously had all or a portion of the report transcribed, a copy of the previously prepared report(s) shall be given to the member without charge. When the report is transcribed, the original transcript shall be placed on file in the department.

Evidence of acts, irrespective of whether they were associated with a personnel complaint against the accused and irrespective of the resolution of the complaint, may be considered in the

discretion of a Board of Rights if relevant to the charges, such as, if the acts tend to prove that the conduct charged is consistent with a pattern of conduct. The acts may have occurred either before or after the conduct concerning which the member is presently charged.

(n) Finding and Decision. The Board of Rights shall at the conclusion of the hearing make findings of guilty or not guilty on each charge, which findings shall be based only upon the evidence presented at the hearing. If the accused is found not guilty, the Board shall order the member's restoration to duty without loss of pay and without prejudice, and the order shall be self-executing and immediately effective. If the accused is found guilty, the Board of Rights shall prescribe its penalty by written order of:

(1) suspension for a definite period not exceeding 65 working days with total loss of pay, and with or without reprimand; or

(2) demotion in rank, with or without suspension or reprimand or both; or

(3) reprimand without further penalty; or

(4) removal.

The decision of the Board must be certified in writing and a copy delivered to the Chief of Police as soon as practicable, but in no event later than ten days after the decision of the Board of Rights. Whenever a Board of Rights prescribes a penalty of suspension or removal and the member is not currently relieved from duty, the Chief may temporarily relieve the member from duty pending execution of the order.

For purposes of this section, demotion in rank shall mean reduction in civil service classification. The provisions of this section shall not apply to reductions in pay grade or similar personnel actions caused by reassignment, deselection from bonused positions, and the like. Such personnel actions shall be administered under policies adopted by the department.

(o) Personnel History and Records. The departmental personnel history and records of the accused shall be available to the Board of Rights only if the accused has been found guilty of any charge upon which the member was heard or tried by the Board of Rights, and then only for the purpose of determining a proper penalty. At the penalty stage, the Board may consider the entire departmental personnel history and record of the accused which shall include, among other

things, information concerning personnel complaints against the accused that were sustained and information derived from complaints against the accused that were not resolved, to the extent and in the manner allowed by department policy except that the medical package of the accused shall not be considered by the Board with regard to penalty unless such information is relevant to a charge as to which there was a finding of guilty. In prescribing the penalty, the Board shall look to the nature and gravity of the offense of which the member has been found guilty and may at its discretion review the departmental personnel history and record of the member. No item or entry in the record may be considered by the Board except in the presence of the member and only where the member has been given a fair and reasonable opportunity to explain any item or entry unless the member has failed or refused to be present. Personnel records introduced at or considered by the Board are confidential except for any document or information from a document that was publicly disclosed during the hearing.

(p) Imposition; Reduction of Penalty. Within ten days of delivery of a certified copy of the decision of a Board Rights to the Chief of Police, the Chief shall either uphold the recommendation of the Board of Rights or may, at his or her discretion, impose a penalty less severe than that ordered by the Board Rights, but may not impose a greater penalty. In the case of a demotion, suspension, demotion and suspension, or removal, the Chief shall cause a copy of the notice of the penalty to be served upon the member and shall file a statement of this action with the Board of Police Commissioners within five days.

(q) City Council Review. In the event that the Board of Rights, acting within its powers and duties, including acting on an appeal of a removal by the Chief of Police pursuant to the power of the Chief of Police in Section 574(d), determines that a member who was subject to punitive action should be lesser, greater, or not be, the Council may, within five meeting days of the Council during which the Council has convened in regular session, by two-thirds of the Council, vote to bring the determination before it in order to veto such determination and remand the matter back to the Board of Rights for reconsideration. Any action by the Council to veto the determination of the Board of Rights shall be taken within 21 calendar days of the Council voting to bring the matter before it, and shall be by two-thirds vote. The Board of Rights shall have 30 calendar days thereafter to reconsider the action and determine whether to override the veto of the Council. An action by the Board of Rights to override the veto of the Council shall be transmitted to the Council, where it shall be taken up on second and final consideration. During the second and final consideration, the Council shall have the same authority to act on a matter as that originally held by the Board of Rights. If the Council fails to act within 21 calendar days of receiving the override transmittal, the original action of the Board of Rights shall become final.

(q) Effective Date of Penalty. A removal prescribed by the Board of Rights, or by the Chief of Police if no hearing is had before a Board of Rights, shall relate back to and be effective as of the date of the relief from duty without pay pending hearing before and decision by the Board; however, where a final decision has been made by the Chief of Police prior to the end of the 30 day period referred to in subsection (b)(1), the removal shall be effective immediately. When

there has been no relief from duty, the removal shall be effective upon service of the order. The effective date of any suspension and/or demotion prescribed by the Board of Rights, or by the Chief of Police if no hearing is had before a Board of Rights, shall be determined by policies adopted by the department; provided, that in case of suspension where there has been a temporary relief from duty, the 30 day period referred to in subsection (b)(1) or any portion thereof in which the member received compensation shall not be counted as part of the suspension. Nothing in this section shall preclude the imposition of a suspension without pay when a final decision is made prior to the end of the 30 day period. Practices in effect on the effective date of the most recent amendment to this section shall remain in effect until the adoption of any modification to the policies.

(~~rs~~) Calendar Days. Except as otherwise provided in this section, all time periods, including those of limitation, shall be calculated in calendar days. When the last day of any such period falls on a weekend or City holiday, the period shall extend to the next business day.

(~~st~~) Not Guilty. In any case of a finding of Not Guilty of the accused after a hearing before a Board of Rights, the finding of Not Guilty shall be without prejudice to the member.

(~~tu~~) Rehearing. At any time within three years after the effective date of removal, the removed member may file a request with the Chief of Police to be reheard or to be heard on the cause of the member's removal, together with a supporting affidavit setting forth in clear and concise language the reasons or grounds for a hearing or rehearing. The Chief shall consider and make a decision on the request and affidavit within 30 days after filing. If the Chief determines that good reason or cause exists for a hearing or rehearing, the Chief shall, without unnecessary delay, cause a Board of Rights to be constituted for the purpose of hearing and deciding upon the matter. The Board of Rights shall, at the conclusion of the hearing, render and certify its findings (independent of any previous findings by any other Board of Rights, or any other court, Board, or other tribunal, or any investigation or report of or discretion exercised by the Chief in such cases where no hearing was had before a Board of Rights) based only upon the evidence presented at the hearing. The Board shall make and certify its decision and order in writing and deliver a copy to the Chief. The Chief shall proceed in the same manner as provided for above after decision by a Board of Rights.

(~~tv~~) Modification of Penalty. Following the filing of the notice of penalty with the Board of Police Commissioners as required in subsection (p), the Chief of Police may correct a technical error, or where there is good cause shown, may reduce a penalty, including restoration of a person following removal. The provisions of subsection (w) shall not apply to this subsection; however, the member shall receive full compensation for any penalty or portion thereof already served which has been reduced or nullified by the Chief of Police. The Chief of Police shall file a copy of the modified order or statement of his decision with the Board of Police Commissioners.

(~~w~~) Other Legal Rights. This section shall not be construed to affect any rights a member may have to assert other legal rights or remedies in relation to his or her office or position or to the compensation attached thereto, or to appeal to or be heard or tried by any court or other tribunal of competent jurisdiction.

(~~w~~) Restoration to Duty. A member restored to duty after removal or temporary relief from duty, or whose suspension or demotion has been overturned in whole or in part, shall be entitled to receive full compensation from the City as if the nullified penal action had not been taken; except that such compensation shall not exceed one year's salary unless otherwise required by law.

(~~y~~) Decisions Based on Evidence. Members of a Board of Rights are to make decisions based solely on the evidence before them.

(~~z~~) Public Records. The order referred to in subsection (d) and the notice of the penalty referred to in subsection (p) are considered to be a public record at the time of filing of such documents with the Board of Police Commissioners. The Chief of Police or his or her designee shall be the custodian of public records referred to in this section.

(~~z~~) Effects of Amending This Section. This section shall not apply to the discipline of any member who was relieved from duty or who appealed a demotion or suspension or both to a Board of Rights prior to its effective date. Matters arising out of such relief from duty, demotion or suspension shall be adjudicated in accordance with applicable prior Charter provisions.

## **Protect First Amendment Rights**

### **Sec. 574. Powers and Duties of the Chief of Police.**

The chief administrative officer of the Police Department shall be known as the Chief of Police. Subject to the provisions of the Charter, the rules of the Police Department, applicable ordinances, and the instruction of the Board of Police Commissioners, the Chief of Police shall have the power and duty to:

(a) suppress all riots, disturbances and breaches of the peace, and to that end may call on any person for aid. The Chief may pursue and arrest, within the limits of the City, any person fleeing from justice, and shall without delay bring all persons arrested by the department before a judge of the proper court for trial or examination. The Chief may receive and execute any proper authority for the arrest and detention of criminals fleeing or escaping from places outside the City. The Chief shall ensure that the Police Department supports and protects the constitutional rights of all persons, regardless of immigration status, to peacefully assemble and protest, and of duly authorized representatives of any news service, online news service, newspaper, or radio or television station or network to report on such assemblies and protests. Peaceful protest is not the same as violence or rioting, and the Chief shall ensure that the Police Department avoids using violent means to manage peaceful crowds;

(b) administer the affairs of the department as its chief administrative officer, except as to matters under the control of the Executive Director of the Board of Police Commissioners;

(c) appoint, discharge, discipline, transfer and issue instructions to the employees of the department, other than the Secretary of the Board, the chief accounting employee of the department, the Inspector General of the Police Department and his or her staff, the Executive Director of the Board and his or her staff, all subject to the civil service provisions of the Charter;

(d) consistent with due process and applicable laws, directly remove officers from employment if those officers have caused, engaged in, are causing harm, or engaging in any misconduct;

~~(de)~~ expend the funds of the department, except those funds under the control of the Executive Director, in accordance with the provisions of the budget appropriations or of appropriations made after adoption of the budget;

(ef) recommend to the Board of Police Commissioners prior to the beginning of each fiscal year an annual departmental budget covering the anticipated revenues and expenditures of the department, except the anticipated revenues and expenditures under the control of the Executive Director, and conforming so far as practicable to the forms and dates provided in the Charter for the general City budget;

(fg) certify all expenditures of the department to the chief accounting employee, except those expenditures under the control of the Executive Director;

(gh) exercise further powers in the administration of the department conferred upon the Chief of Police by the Board of Police Commissioners; and

(hi) execute, personally or by deputy, and return all writs and processes issued by any court having jurisdiction of criminal cases arising upon violations of the provisions of the Charter or ordinance. The Chief's jurisdiction and that of his or her deputies in the service of process in all criminal cases, and in cases of violation of City ordinances, shall be co-extensive with that of the County of Los Angeles.

## Budget, Personnel & Operations

## Two-Year Operating Budget

### **Sec. 291. Powers and Duties.**

The City Administrative Officer shall have the power and duty to:

- (a) keep the Mayor and the Council advised of the condition, finances, and future needs of the City, and make recommendations as are appropriate;
- (b) assist in the preparation of the proposed budget in accordance with policies prescribed by the Mayor;
- (c) develop work programs and standards required in the proper planning of the budget;
- (d) prepare reports on revenue and costs and, throughout the year, conduct studies and investigations that will assist in the preparation of the budget;
- (e) assist the Council in the review of the proposed budget;
- (f) assist the Mayor and Council in the consideration of any appropriations or other budget adjustments subsequent to the adoption of the budget, as set forth elsewhere in the Charter;
- (g) on an annual basis, prepare a multi-year financial plan consisting of a General Fund revenue and expenditure outlook that incorporates the impacts of the multi-year capital plan, an analysis of economic conditions, identification of projected budget imbalances, and a plan for the long-term fiscal health of the City;
- (h) prepare a Mid-Term Biennial Budget Report, as defined elsewhere in the Charter;
- (i) plan and direct a system of budgetary administration to assure the proper and effective expenditure of funds;
- (j) subject to the approval of the Mayor, prescribe rules and standards governing the matters under the jurisdiction of the Office of the City Administrative Officer with which all officers and departments of the City must comply;
- (k) furnish the Mayor or Council aid, information or recommendation as requested in writing by the Mayor, the Council, or Council Committee; and
- (l) perform other duties assigned to the office in the Charter.

### **Sec. 292. Administrative Management Research.**

The City Administrative Officer shall conduct research in administrative management for the improvement of the organization, policies, and practices of all appointed offices, departments, and other agencies of City government, including, without limitation, the Proprietary Departments, for the purpose of evaluating programs and developing performance measures concerning the duties of the various positions, the methods and the standards of efficiency. The City Administrative Officer shall recommend to the Mayor, Council, and the respective departments and agencies those changes that will promote economy and efficiency in the conduct of City government, as set forth elsewhere in the Charter.

**Sec. 310. Fiscal Year; Biennial Budget Cycle**

- (a) The fiscal year of the City shall begin on July 1 of each year and shall end on June 30 of the following year.
- (b) The City shall operate on a biennial budget cycle encompassing a period of two consecutive fiscal years. The City shall, by ordinance, establish the initial biennial budget cycle, with subsequent cycles commencing every two years thereafter, and provide for the transition from annual to biennial budgeting.

**Sec. 311. Four-Year Strategic Plan; Statement of Budget Priorities; Budget Estimates to Mayor.**

- (a) **Four-Year Strategic Plan.** To ensure long-term fiscal stability and the orderly development of the City, the City shall maintain a Four-Year Strategic Plan. The purpose of this plan is to align municipal resources with community priorities, provide a consistent framework for biennial budgeting, and establish measurable goals for City administration. The Four-Year Strategic Plan shall cover two biennial budget cycles and four fiscal years and shall identify, define, and prioritize the City's goals for the upcoming four-fiscal-year period, including but not limited to:
- (i) The capital project priorities for the ensuing four fiscal years based on the Capital Infrastructure Plan;
  - (ii) The resources needed to meet these collective goals including revenue, staffing needs, and cost projections associated with each outlined goal; and
  - (iii) Performance standards, targets, and key performance indicators for each set goal.

The Mayor shall prepare and the Council shall approve the Four-Year Strategic Plan in a manner and for a period established by ordinance, and following a public participation component that may include but is not limited to public hearings, statistical polling, community surveys, Neighborhood Council Community Impact Statements, and/or other feedback from community.

- (b) **Statement of Budget Priorities.** On or before September 1 of the year immediately preceding the start of a biennial budget cycle, the Mayor shall publish his or her statement of budget priorities for the next two fiscal years in order to facilitate public comment and to provide direction to departments on the development of their budget proposals.
- (c) **Budget Estimates to Mayor.** At the time the Mayor prescribes, but not later than December 1 of the calendar year immediately preceding the start of a biennial budget cycle, each board or officer at the head of any department or office, or other City governmental activity, other than those departments having control of their own funds, shall submit to the Mayor, with copies to the Council and the City Administrative Officer, on forms and in the manner prescribed by the Mayor, a detailed estimate of the money required for the next two fiscal years for the proper operation of their departments and

offices. These estimates shall contain uniform budget classifications and shall clearly set forth the functions performed and the items and services required for such performance. Summaries, schedules and supporting data shall be attached to the estimates. Any department head or officer requesting an increase in appropriations shall indicate which classifications need the increase and rank the order of immediate need for each classification. After consultation with an officer or head of a department, the Mayor may refer the estimate back with instructions to prepare a revised estimate on the basis of a maximum sum for the department, office or activity, that maximum sum to be fixed by the Mayor, or with further qualification as the Mayor shall determine. The officer or head of department shall present the revised estimate to the Mayor, with a duplicate to the Council and to the City Administrative Officer, at a date fixed by the Mayor. At the direction of the Mayor, the City Administrative Officer may develop revised estimates for departments and alternative proposals for consideration in a manner prescribed by the Mayor.

- (d) On or before March 1 of each year the Controller shall submit to the Mayor, with a duplicate to the Council and to the City Administrative Officer, a detailed statement of the money that the Controller estimates will be required for the interest and sinking funds and for all outstanding bonded indebtedness and other lawful obligations of the City or of special districts and an estimate of the revenue to be derived from fines, licenses, and other sources.

### **Sec. 312. Mayor's Proposed Biennial Budget.**

On or before April 1st of the calendar year immediately preceding the start of a biennial budget cycle, the Mayor shall submit to the Council a balanced biennial budget covering the next two ensuing fiscal years setting forth in summary and in detail:

- (a) estimates of the expenditures and appropriations necessary for the support of the required work programs of the City government for the ensuing two fiscal years, including interest and sinking funds or payments of principal and interest on the bonded indebtedness of the City and of special districts;
- (b) detailed estimates of the receipts of the City during the ensuing two fiscal years required to support the proposed appropriations for the same period, under laws existing at the time the budget is transmitted, and also under the revenue proposals, if any, contained in the budget;
- (c) the expenditures and receipts of the City government during the last completed fiscal year;
- (d) estimates of the expenditures and receipts of the City government during the fiscal year in progress;
- (e) the amount of annual, permanent or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of June 30 of such year;

(f) balanced statements of:

- (1) the condition of the Treasury at the end of the last completed fiscal year;
- (2) the estimated condition of the Treasury at the end of the fiscal year in progress; and
- (3) the estimated condition of the Treasury at the end of the ensuing two fiscal years in case the financial proposals contained in the budget are adopted.

(g) all essential facts regarding the bonds, notes and other lawful obligations of the City;

(h) other financial statements and data necessary or desirable in order to make known in all practical detail the financial condition of the City government;

(i) an Unappropriated Balance, which shall be available for appropriations later in the ensuing two fiscal years to meet contingencies as they arise; and

(j) a statement of resources of the Reserve Fund which shall be carried over to the next ensuing fiscal year to meet the cash requirements of the City for the portion of the next ensuing fiscal year prior to the receipt of taxes, or for appropriations to the Unappropriated Balance as provided in the Charter; and

(k) an estimate of the Reserve Fund for the fiscal year following the next ensuing fiscal year to meet the cash requirements of the City.

### **Sec. 313. Council Consideration of Biennial Budget.**

On or before June 1 of the year immediately preceding the start of a biennial budget cycle, the Council shall:

- (a) approve the budget as submitted by the Mayor; or
- (b) modify the budget by disapproving in whole or in part any items, or by increasing or decreasing any item, or by adding new items, and return a balanced biennial budget as modified by the Council to the Mayor. Any action taken by the Council under this section shall be taken by a majority vote of its members.

Upon failure of the Council to return the budget to the Mayor as provided in this section, the budget as submitted by the Mayor to the Council shall be signed by the City Clerk and thereupon become the general City biennial budget for the ensuing two fiscal years.

After receiving the biennial budget submitted by the Mayor, and prior to taking action on the budget, the Council shall hold a noticed public hearing. Public comment opportunities shall be established by ordinance to ensure public participation in the Council's budget development process. The Budget and Finance Committee shall provide opportunities for public comment on at least three separate dates during the Committee's budget hearing process. One of these opportunities for public comment shall be provided on the first day of hearings, and another shall be provided on the final day of the Committee's hearings. The full City Council shall provide at

least one opportunity for public comment before deliberating upon the Committee's recommended revisions.

### **Sec. 315. Council Consideration of Mayor's Veto Message; Final Adopted Budget.**

Upon receipt by the Council of the budget veto message from the Mayor, the Council shall have five days, excluding Saturdays, Sundays and legal holidays, within which to overcome the action of the Mayor relative to any item or items of the budget. Any item or items of the budget which shall have been vetoed, or otherwise changed by the Mayor, and which shall not be, by a two-thirds vote of all of the members of the Council, either readopted notwithstanding the objections of the Mayor or changed to an amount between that as originally adopted by the Council and that as changed by the Mayor, shall remain as modified by the Mayor.

Where the Mayor has changed any description or limitation applicable to an item, the Council, in its action pursuant to this section, shall have no power to alter the description or limitation other than to restore it to the condition in which it was originally adopted by the Council.

Upon the expiration of the Council's five-day period, or sooner if the Council by majority vote so directs, the budget as returned by the Mayor, and to the extent modified thereafter by the Council, shall become the general City biennial budget for the ensuing two fiscal years and shall not be held for reconsideration but shall be promptly transmitted to the City Clerk, signed by the City Clerk and filed in the office of the Controller.

### **Sec. 316. Departmental Performance Evaluations Submissions and Mid-Term Biennial Budget Report**

(a) Departmental Performance Evaluations. At the time the City Administrative Officer prescribes within the first year of a biennial budget cycle, each board or officer at the head of any department or office, or other City governmental activity, other than those departments having control of their own funds, shall submit to the City Administrative Officer, with copies to the Mayor and Council, on forms and in the manner prescribed by the City Administrative Officer, key performance indicators, data, metrics, and other requested information on programs and services under each department's portfolio for the purpose of undergoing a performance evaluation. The City Administrative Officer shall review the submitted material and complete a performance evaluation to inform the preparation of the Mid-Term Biennial Budget Report.

Following the consultation with an officer or head of a department, the City Administrative Officer may refer the performance evaluations back with instructions to prepare budget adjustment proposals for the second year of the biennial budget cycle based on the performance evaluations with further qualification as the City Administrative Officer shall determine. The officer or head of department shall present the budget adjustment proposals to the City Administrative Officer, with copies to the Mayor and Council, City Administrative Officer, at a date fixed by the City Administrative Officer

(b) Mid-Term Biennial Budget Report. On or before April 20 of the year preceding the

start of a biennial budget cycle, the City Administrative Officer shall submit to the Mayor and Council a Mid-Term Biennial Budget Report covering the ensuing fiscal year setting forth in summary and in detail:

- (i) an analysis of each performance evaluation comparing actual to budgeted performance;
- (ii) recommendations on budget adjustments for the ensuing fiscal year required to address emerging needs or changes needed based on the performance evaluations submitted by departments;
- (iii) updated estimates of the expenditures and appropriations necessary for the support of the required work programs of the City government for the ensuing fiscal year, including interest and sinking funds or payments of principal and interest on the bonded indebtedness of the City and of special districts;
- (iv) updated revenue projections across all revenue sources including detailed estimates of the receipts of the City during the ensuing fiscal year, under laws existing at the time the Mid-Term Biennial Budget Report is transmitted, and also under the revenue proposals, if any, contained in the Mid-Term Biennial Budget Report;
- (v) the expenditures and receipts of the City government during the last completed fiscal year;
- (vi) estimates of the expenditures and receipts of the City government during the fiscal year in progress;
- (vii) the amount of annual, permanent or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of June 30 of such year;
- (viii) balanced statements of:
  - (1) the condition of the Treasury at the end of the last completed fiscal year;
  - (2) the estimated condition of the Treasury at the end of the fiscal year in progress; and
  - (3) the estimated condition of the Treasury at the end of the ensuing fiscal year in case the financial proposals contained in the Mid-Term Biennial Budget Report are adopted.
- (ix) all essential facts regarding the bonds, notes and other lawful obligations of the City;
- (x) other financial statements and data necessary or desirable in order to make known in all practical detail the financial condition of the City government;
- (xi) an Unappropriated Balance, which shall be available for appropriations later in the ensuing fiscal year to meet contingencies as they arise;
- (xii) a statement of resources of the Reserve Fund which shall be carried over to the next ensuing fiscal year to meet the cash requirements of the City for the portion of the next ensuing fiscal year prior to the receipt of taxes, or for appropriations to the Unappropriated Balance as provided in the Charter;
- (xiii) an estimate of the Reserve Fund for the biennial budget cycle following the next ensuing fiscal year to meet the cash requirements of the City;
- (xiv) changes in state and federal funding that need to be included or updated for the second year of the biennium cycle; and
- (xv) an updated multi-year financial plan consisting of a General Fund revenue and expenditure outlook that incorporates the impacts of the multi-year capital

plan, an analysis of economic conditions, identification of projected budget imbalances, and a fiscal improvement plan focused on the long-term fiscal condition of the City.

### **Sec. 317. Council and Mayor Approval of the Mid-Term Biennial Budget Report**

On or before June 1 of the first year of a biennial budget cycle, the Council shall:

- (a) approve the Mid-Term Biennial Budget Report as submitted by the City Administrative Officer; or
- (b) modify the Mid-Term Biennial Budget Report by disapproving in whole or in part any items, or by increasing or decreasing any item, or by adding new items. Any action taken by the Council under this section shall be taken by a majority vote of its members.

Upon failure of the Council to return the Mid-Term Biennial Budget Report to the Mayor as provided in this section, the Mayor shall have ten days, excluding Saturdays, Sundays and legal holidays to:

- (a) approve the Mid-Term Biennial Budget Report as submitted by the City Administrative Officer; or
- (b) modify the Mid-Term Biennial Budget Report by disapproving in whole or in part any items, or by increasing or decreasing any item, or by adding new items.

The Mid-Term Biennial Budget Report as returned by the Mayor shall thereupon become the general City budget for the ensuing fiscal year and shall be promptly transmitted to the City Clerk, signed by the City Clerk and filed in the office of the Controller.

After receiving the Mid-Term Biennial Budget Report submitted by the City Administrative Officer, and prior to taking action on the report, the Council shall hold a noticed public hearing. Public comment opportunities shall be established by ordinance to ensure public participation in the Council's Mid-Term Biennial Budget Report process. The Budget and Finance Committee shall provide opportunities for public comment on at least three separate dates during the Committee's budget hearing process. One of these opportunities for public comment shall be provided on the first day of hearings, and another shall be provided on the final day of the Committee's hearings. The full City Council shall provide at least one opportunity for public comment before deliberating upon the Committee's recommended revisions.

### **Sec. 318. Mayor's Veto of the Mid-Term Biennial Budget Report**

The budget as adopted by the Council shall not be held for reconsideration but shall be promptly transmitted by the City Clerk to the Mayor upon whose approval and signature it shall become effective. If the Mayor shall fail to act upon the budget within five days, excluding Saturdays, Sundays and legal holidays, after its adoption by the Council, it shall be signed by the City Clerk and shall thereupon become effective. If the Mayor disapproves of any increase, decrease, omission or insertion of any item of the budget by the Council, the Mayor may veto, restore or otherwise change any item to the amount originally proposed by the City Administrative Officer or to any amount between that originally proposed by the City Administrative Officer and that

adopted by the Council. The Mayor, however, shall have no power to change any description or limitation made applicable to an item by the Council, except to veto the change or to restore the description or limitation to the condition originally proposed by the City Administrative Officer. Upon completion of these changes, the Mayor shall within the five-day period return the budget to the Council with a statement of action taken.

**Sec. 319. Council Consideration of Mayor's Veto Message; Final Adopted Budget for the Second Fiscal Year of the Biennial Budget.**

Upon receipt by the Council of the budget veto message from the Mayor, the Council shall have five days, excluding Saturdays, Sundays, and legal holidays, within which to overcome the action of the Mayor relative to any item or items of the budget. Any item or items of the budget which shall have been vetoed or otherwise changed by the Mayor, and which shall not be, by a two-thirds vote of all of the members of the Council, either readopted notwithstanding the objections of the Mayor or changed to an amount between that as originally adopted by the Council and that as changed by the Mayor, shall remain as modified by the Mayor.

Where the Mayor has changed any description or limitation applicable to an item, the Council, in its action pursuant to this section, shall have no power to alter the description or limitation other than to restore it to the condition in which it was originally adopted by the Council.

Upon the expiration of the Council's five-day period, or sooner if the Council by majority vote so directs, the budget as returned by the Mayor, and to the extent modified thereafter by the Council, shall become the general City budget for the ensuing fiscal year and shall not be held for reconsideration but shall be promptly transmitted to the City Clerk, signed by the City Clerk, and filed in the office of the Controller.

## **Proprietary Department Reforms**

### **Sec. 371. Competitive Bidding; Competitive Sealed Proposals.**

(a) **Competitive Bidding.** Except as provided in subsection (e) below, the City shall not be, and is not, bound by any contract unless the officer, board or employee authorized to contract has complied with the procedure for competitive bidding or submission of proposals established by this section and ordinance.

Contracts shall be let to the ~~lowest~~ responsive and responsible bidder furnishing satisfactory security for performance and best value. This determination may be made on the basis of the lowest ultimate cost of the items in place and use. Where the items are to constitute a part of a larger project or undertaking, consideration may be given to the effect on the aggregate ultimate cost of the project or undertaking. Notwithstanding the provision of this subsection ~~requiring award to the lowest responsive and responsible bidder~~, a bid preference can be allowed in the letting of contracts for California, Los Angeles County, or City of Los Angeles firms, and the bid specifications can provide for a domestic content and recycled content requirement. The extent and nature of the bid preference, domestic content and recycled content requirement and any standards, definitions and policies for their implementation shall be provided by ordinance.

(b) **Competitive Sealed Proposals.** As an alternative to an award pursuant to open and competitive bidding, a contract can be let pursuant to a competitive sealed proposal method; ~~in accordance with criteria established by ordinance adopted by at least a two-thirds vote of the Council.~~ The competitive sealed bid proposal system may permit negotiations after proposals have been opened to allow clarification and changes in the proposal. Adequate precautions shall be taken to treat each proposer fairly. No award may be made pursuant to this alternative method to a proposer whose final proposal is higher as to the ultimate cost, as above defined, than any other responsive proposal submitted. The contracting authority, in order to utilize this alternative method, must make a written finding supported by a written statement of facts that adherence to the rule that the award be made to the ~~lowest~~ best value responsive and responsible bidder is not practicable or advantageous and shall also state in writing the reason for the particular award. Consistent with competitive bidding requirements, design-build or other appropriate project delivery systems may be used when justified by the type of project and approved by the contracting authority.

(c) **Right to Reject.** The City shall reserve the right to reject any and all bids or proposals and to waive any informality in the bid or proposal when to do so would be to the advantage of the City. The City may also reject the bid or proposal of any bidder or proposer who has previously failed to timely and satisfactorily perform any contract with the City.

(d) **Notice.** The Council, board, officer or employee authorized to contract shall cause notice inviting bids or proposals to be published at least once in a daily newspaper circulated in the City, or to be given by other method prescribed by ordinance, inviting bids or proposals. All bids and proposals shall comply with additional requirements provided by ordinance, including, but not limited to, the furnishing of a bid bond, performance bond and affidavit of non-collusion. Further procedures for competitive bidding shall be prescribed by ordinance.

(e) **Exceptions.** The restrictions of this section shall not apply to:

(1) Contracts involving consideration reasonably valued at less than an amount specified by ordinance.

(2) Contracts, as determined by the contracting authority, for the performance of professional, scientific, expert, technical, or other special services of a temporary and occasional character for which the contracting authority finds that competitive bidding is not practicable or advantageous.

(3) Contracts for the furnishing of articles covered by letters patent granted by the government of the United States.

(4) Contracts for leasing as lessee or purchasing real property when approved by majority vote of the Council.

(5) Contracts for repairs, alterations, work or improvements declared in writing by the contracting officer or board, or its designee, to be of urgent necessity for the preservation of life, health or property. The declaration shall give the reasons for the urgent necessity and must be approved by the Council or its designee. Approval may be conditioned upon compliance with one or more of the requirements of this section.

(6) Contracts entered into during time of war or national, state or local emergency declared in accordance with federal, state or local law, where the Council, by resolution adopted by two-thirds vote and approved by the Mayor, suspends any or all of the restrictions of this section or their applicability to specific boards, officers or employees.

(7) Contracts for equipment repairs, service, or parts obtained from the manufacturer of the equipment or its exclusive agent, including software that is only offered by one vendor.

(8) Contracts for cooperative arrangement with other governmental agencies for the utilization of the purchasing contracts and professional, scientific, expert or technical services contracts of those agencies and any implementing agreements, even though the contracts and implementing agreements were not entered into through a competitive bid process.

(9) New, long-term concession agreements with the existing merchants as of the Adoption Date of the Charter on Olvera Street negotiated by the City department responsible for administering the El Pueblo de Los Angeles Historical Monument.

(10) Subject to the requirements of Section [1022](#), contracts (including without limitation those, as determined by the contracting authority, for the performance of professional, scientific, expert, technical or other special services), where the contracting authority finds that the use of competitive bidding would be undesirable, impractical or impossible or where the common law otherwise excuses compliance with competitive bidding requirements.

(11) Contracts for development and servicing of critical infrastructure, as specified by ordinance.

**Sec. 470(c)(12)(H). Limitations on Campaign Contributions in City Elections.**

(c)(12)(H) Every contract solicitation regarding a contract subject to this provision shall include notice of the prohibitions of this subdivision. At the time of submitting a bid or proposal for a contract subject to this section, the bidder or proposer must complete a form identifying the names of its principals, subcontractors of at least \$100,000, the principals of those subcontractors, and certify that the bidder or proposer will comply with and notify its principals and subcontractors of the prohibitions in this subdivision; and provide any other information determined necessary. At the discretion of the contracting authority, any technical or administrative defect in completion of any forms subject to this provision may be waived as minor or inconsequential, or may be subject to cure, as further provided by ordinance.

**Sec. 607(a). Limitations on Franchises, Concessions, Permits, Licenses and Leases.**

**(a) Length.** The term shall not exceed 30 years, or the term specified by applicable federal or state law, whichever is less. If Council makes a finding that a term longer than 30 years would be in the best interest of the City, Council may, by a two-thirds vote, subject to Mayoral veto, or three-fourths vote over the veto of the Mayor, authorize a term up to ~~50 years for the Airports Department and Department of Water and Power and a term up to~~ 66 years for the Department of Airports, Harbor Department, and Department of Water and Power, or the maximum period allowed by any federal or state law, whichever is less.

## **Periodic Charter Review**

### **CITY OF LOS ANGELES CHARTER REFORM COMMISSION**

#### **Sec. 491. Commission Establishment, Powers and Duties.**

(a) There shall be in the City of Los Angeles a Charter Reform Commission (the “Commission”) that shall have the power, duties, and responsibilities set forth in the Charter and by ordinance.

(b) The purpose of the Commission is to review the Charter every ten years and develop amendments to the Charter.

(c) The Commission shall have the authority to submit recommendations regarding Charter amendments to the Council and Mayor for review and consideration. The Commission also shall have the authority to submit Charter amendments directly to the voters without the approval of the Council or Mayor.

(d) The Commission shall solicit input from a wide variety of individuals and organizations, including members of the public, City officers and departments, experts, academics, and others as part of its review process.

#### **Sec. 492. Commission Organization, Selection and Removal.**

(a) The Commission shall consist of 13 members, appointed as provided in this section.

(b) A new Commission shall be established every ten years. The initial eight members of the Commission described in this Section shall be appointed no later than April 1 of each year ending in the number four.

(c) The Mayor shall appoint four members of the Commission, the President of the Council shall appoint two members of the Commission, and the President Pro Tempore of the Council shall appoint two members of the Commission, all subject to the approval of the Council. In the event that an appointing authority fails to submit an appointment to the Council by April 1, the next City officer in that sequence of appointing authorities shall, within 45 days, submit the appointment to the Council. If the President Pro Tempore fails to submit an appointment, the appointment shall be made by the longest serving member of the Council. The result of this process shall be the appointment of the initial eight members of the Commission.

(d) The initial eight members of the Commission shall establish an application and interview process and develop criteria for the appointment of five additional members of the Commission. These appointments shall be made at a public meeting by a two-thirds vote of the eight initial commissioners and shall be subject to the approval of the Council. The Commission shall endeavor to ensure that the Commission reflects the City’s overall diversity, including its

racial, ethnic, language, sex, gender, sexual orientation, age, and geographic diversity. However, formulas and ratios shall not be applied for this purpose.

(e) A member of the Commission who is appointed by the Mayor, Council President, or Council President Pro Tempore under Subsection (c) may be removed by the appointing authority with Council approval. A member of the Commission who is appointed under Subsection (d) may be removed by a two-thirds vote of the Commission with Council approval.

(f) Commissioners shall meet the qualification requirements established by ordinance.

(g) A vacancy on the Commission shall be filled by the same appointing authority who appointed the person who held the vacated position, and the appointment shall be subject to the approval of the City Council

### **Sec. 493. Commission Administration, Personnel and Budget**

(a) The Chief Legislative Analyst Office shall provide staff support until the Commission shall have an Executive Director who shall be appointed by the members of the Commission. The appointment shall be made at a public meeting by a two-thirds vote of the Commission.

(b) The Commission shall comply with the Ralph M. Brown Act and other applicable open meeting laws. The Commission shall take steps to encourage residents to participate in the Charter review process, including those in underrepresented communities and non-English speaking communities. The Commission shall hold public hearings in a manner that ensures that the public has the opportunity to participate and provide comment.

(c) The Commission shall enact a parallel civic assembly process to be conducted by Commission staff or through a partnership with an advocacy group or organization approved by the Commission.

(d) The Commission shall adopt a policy requiring disclosure by Commission members of ex parte communications consistent with this Subsection.

(1) An ex parte communication is a communication between any member of the Commission and any elected City officer or member of any elected City officer's staff regarding a matter pending before the Commission. An ex parte communication does not include any communication that takes place on the record during an official public meeting or any communication with members of the City Attorney's Office providing legal advice.

(2) Commissioners shall disclose any ex parte communication at the next Commission meeting following the communication. Disclosure shall include the time and date of the communication, the identity of the persons who participated in the communication, and a summary of the content of the communication. The Commission may establish additional procedures to implement this disclosure requirement.

(e) The Council shall appropriate such sum of \$2,500,000 shall be indexed to the Consumer Price Index for Southern California to fund the operations of the Commission.

#### **Sec. 494. Commission Proposals and Recommendations**

(a) The Commission shall transmit its recommendations for Charter amendments to the City Council and Mayor as soon as practicable and no later than 215 days before the date of the next scheduled city election. Notwithstanding the foregoing, and consistent with the Commission's authority described in Section 491, the Commission shall transmit any Charter amendments the Commission wishes to submit directly to the voters to the City Clerk no later than 125 days before the date of the election.

(b) The Commission shall be dissolved 60 days after the Commission transmits its final Charter amendments and recommendations, or on August 1 of each year ending in six, whichever is sooner, unless the term of the Commission is extended by ordinance.

## Footnotes

<sup>1</sup> Resigned from Commission in January of 2026

<sup>2</sup> Zahniser, D. (2020, June 29). *L.A. official stops Councilman Jose Huizar from getting paid*. Los Angeles Times. <https://www.latimes.com/california/story/2020-06-29/la-city-councilman-jose-huizar-salary-cut-off>

<sup>3</sup> Smith, D. (2022, June 7). *Former LADWP cybersecurity chief gets 4 years in prison*. Los Angeles Times. <https://www.latimes.com/california/story/2022-06-07/former-cyber-security-head-at-dwp-sentenced-to-4-years>

<sup>4</sup> Zahniser, D., Rubin, J., Reyes, E. A., & Castillo, A. (2018, November 8). *FBI raids home and offices of L.A. City Councilman Jose Huizar*. Los Angeles Times. <https://www.latimes.com/local/lanow/la-me-ln-jose-huizar-investigation-20181107-story.html>

<sup>5</sup> FOX. (2026, February 25). *FBI raids LAUSD Superintendent Alberto Carvalho's home, office*. FOX 11 Los Angeles. <https://www.foxla.com/news/fbi-raids-laUSD-headquarters-superintendent-alberto-carvalho-home>

<sup>6</sup> *Central District of California | Former L.A. City Councilman Mitch Englander Ordered to Serve 14 Months in Federal Prison for Scheming to Obstruct Corruption Probe | United States Department of Justice*. (2021, January 25). [www.justice.gov](http://www.justice.gov). <https://www.justice.gov/usao-cdca/pr/former-la-city-councilman-mitch-englander-ordered-serve-14-months-federal-prison>

<sup>7</sup> Zahniser, D., Wick, J., Oreskes, B., Smith, D., & Arellano, G. (2022, October 9). *Racist remarks in leaked audio of L.A. council members spark outrage, disgust*. Los Angeles Times. <https://www.latimes.com/california/story/2022-10-09/city-council-leaked-audio-nury-martinez-kevin-de-leon-gil-cedillo>

<sup>8</sup> *Central District of California | Former Los Angeles Deputy Mayor Found Guilty of Racketeering Conspiracy that Corrupted City Real Estate Development Projects | United States Department of Justice*. (2024, March 27). [www.justice.gov](http://www.justice.gov). <https://www.justice.gov/usao-cdca/pr/former-los-angeles-deputy-mayor-found-guilty-racketeering-conspiracy-corrupted-city>

<sup>9</sup> Chou, E. (2021, October 20). *Mark Ridley-Thomas suspended by LA City Council colleagues*. Daily News. <https://www.dailynews.com/2021/10/20/la-councilman-mark-ridley-thomas-suspended-by-la-city-council-colleagues/?clearUserState=true>

<sup>10</sup> Smith, D. (2022, June 7). *Former LADWP cybersecurity chief gets 4 years in prison*. Los Angeles Times. <https://www.latimes.com/california/story/2022-06-07/former-cyber-security-head-at-dwp-sentenced-to-4-year>

- <sup>11</sup> Press, T. A. (2022, October 17). Two LA city council members have lost their committee positions over race scandal. NPR.  
<https://www.npr.org/2022/10/17/1129596408/la-city-council-gil-cedillo-kevin-de-leon-committee-removal>
- <sup>12</sup> Hadar, O. (2025, December 29). Contributor: *You're not imagining it. L.A. has surrendered to the potholes.* Los Angeles Times.  
<https://www.latimes.com/opinion/story/2025-12-29/los-angeles-potholes-street-repaving-transportation-budget>
- <sup>13</sup> Central District of California | *Former Los Angeles Politician José Huizar Sentenced to 13 Years in Federal Prison for Racketeering Conspiracy and Tax Evasion* | United States Department of Justice. (2024, January 26). Wwww.justice.gov.  
<https://www.justice.gov/usao-cdca/pr/former-los-angeles-politician-jose-huizar-sentenced-13-years-federal-prison>
- <sup>14</sup> Finnegan, M., & Zahniser, D. (2021, January 25). *Englander gets 14 months in prison in L.A. corruption case.* Los Angeles Times.  
<https://www.latimes.com/california/story/2021-01-25/city-hall-corruption-ex-la-councilman-englander-sentenced>
- <sup>15</sup> Central District of California | *Mark Ridley-Thomas Sentenced to 3½ Years in Prison for Corruptly Securing Benefits for son from School via Bribery and Fraud Scheme* | United States Department of Justice. (2023, August 28). Wwww.justice.gov.  
<https://www.justice.gov/usao-cdca/pr/mark-ridley-thomas-sentenced-3-12-years-prison-corruptly-securing-benefits-son-school>
- <sup>16</sup> *Los Angeles Council president resigns after leaked audio of racist remarks surfaces.* (2022, October 10). PBS NewsHour.  
<https://www.pbs.org/newshour/politics/los-angeles-council-president-resigns-after-leaked-audio-of-racist-remarks-surfaces>
- <sup>17</sup> *Fallout from racism scandal keeps shaking LA City Council.* (2022, December 12). PBS NewsHour.  
<https://www.pbs.org/newshour/nation/fallout-from-racism-scandal-keeps-shaking-la-city-council>



## Acknowledgements

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Most importantly, the Commission thanks the thousands of Angelenos who participated in hearings, completed surveys, attended community meetings, and submitted written comments. This report reflects your voices, your priorities, and your vision for Los Angeles.

**05**

# Appendices

- A** CIP Ordinance

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- B** Ordinance with Deportation Defense Counsel

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- C** Jubilee Reform

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- D** Freedman’s Bureau Reforms/ LEAP Reforms

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- E** Black Workers Center Recommendations (Personnel)

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- F** Procurement Ordinances

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- G** Best Value in Competitive Bid 371(a)

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- H** Engagement Numbers

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- I** Detailed Reform Explanations

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## A CIP Ordinance

**The commission recommends that the following section be implemented by ordinance:**

### **Section 1. Multi-Year Capital Planning and Funding Commitment.**

#### **(a) Planning Horizon.**

The CIP shall cover a minimum of five (5) fiscal years

The CIP shall be adopted biennially in conjunction with the adoption of the two-year operating budget. In the alternating year in which a new CIP is not adopted, the City Council shall conduct a public review of the existing CIP and may adopt technical adjustments consistent with subsection (b).

#### **(b) Binding First Year; Committed Out-Years.**

1. The first and second fiscal year of the CIP shall be adopted as part of the biennial budget and shall constitute a legal appropriation.
2. Fiscal years three through five shall constitute approved capital commitments for projects designated as funded. Projects designated as partially funded or planned but unfunded in the out-years may be reprioritized or deferred during biennial updates or alternating-year technical reviews without triggering Section 5(c), provided that such changes are publicly disclosed. This should occur similar to the Financial Status Report (FSR) process.
3. Projects designated as funded in years three through five may not be removed or materially altered except as provided in Section 5 of this Article. This should occur similar to the Financial Status Report (FSR) process.

#### **(c) Identified Funding Sources.**

Each project shall identify specific funding sources, including but not limited to general obligation bonds, revenue bonds, dedicated taxes, grants, development impact fees, enterprise funds, or pay-as-you-go revenues.

Projects may be included in the CIP as fully funded, partially funded, or planned but currently unfunded, provided that the funding status is clearly disclosed.

Unfunded or partially funded projects shall identify potential or anticipated funding strategies where feasible.

**(d) Fiscal Sustainability Certification.**

Prior to adoption, the Chief Financial Officer (CFO) shall certify that the CIP is fiscally sustainable within the City's long-term financial forecast.

Fiscal sustainability certification shall include analysis of projected debt ratios, operating cost impacts, reserve policy compliance, and consistency with adopted financial policies.

**Section 2. Lifecycle Cost and Operating Impact Requirements.****(a) Full Lifecycle Cost Disclosure.**

No capital project shall be included in the CIP without a documented estimate of:

1. Total project delivery cost (design, land acquisition, construction, contingencies);
2. Annual operating and maintenance costs;
3. Major maintenance and capital renewal costs over the useful life of the asset;
4. Estimated replacement timeline and cost;
5. Decommissioning or disposal costs, if applicable.

**(b) Operating Budget Integration.**

Any project that creates new or expanded facilities, services, or infrastructure shall include a five-year projection of operating impacts. The Capital Planning Steering Committee (CPSC) shall not recommend implementation or appropriation of any project unless sufficient operating revenues are identified or planned to sustain the asset.

Projects may be included in the CIP for planning or design purposes prior to full identification of operating revenues, provided that construction or implementation shall not proceed without demonstrated operating sustainability.

Operating impact projections shall specifically identify costs within each year of the two-year adopted operating budget and the projected impacts in the subsequent forecast years.

**(c) Asset Management Alignment.**

All capital planning shall prioritize maintenance and replacement of existing assets before expansion, except where otherwise justified.

**Section 3. Alignment with Operating Budget and Long-Term Financial Plan.**

**(a) Coordinated Budget Adoption.**

The first two years of the CIP shall be adopted concurrently with the City's biennial operating budget.

**(b) Long-Term Financial Forecast.**

The CIP shall be supported by a rolling five-year financial forecast demonstrating:

1. Revenue capacity;
2. Debt affordability;
3. Operating impacts;
4. Reserve policy compliance.

**(c) Prohibition on Unfunded Mandates.**

No capital project shall be appropriated for construction or full implementation without identification of a funding source sufficient to complete the project and sustain ongoing operations. The inclusion of a project in the CIP shall not, by itself, constitute authorization for construction or financial obligation beyond the level of funding appropriated in the adopted biennial budget.

**Section 4. Transparent Criteria for Project Inclusion, Prioritization, and Removal.****(a) Objective Evaluation Criteria.**

All proposed capital projects shall be evaluated by the Capital Planning Steering Committee (CPSC), chaired by the Director of Public Works, using publicly adopted criteria, which shall include, at minimum:

1. Public health and safety impacts;
2. Legal or regulatory mandates;
3. State of repair and asset condition;
4. Alignment with the Comprehensive Plan and adopted strategic plans including the Mobility Plan, Parks Needs Assessment, and Community Plans;
5. Equity and geographic distribution considerations;
6. Environmental sustainability and climate resilience;

7. Operating cost implications;
8. Availability of external funding;
9. Community benefit and service impact.

**(b) Public Scoring and Ranking.**

Each project shall receive a documented score based on the adopted criteria. Scores and rankings shall be published prior to CIP adoption.

The CIP shall clearly categorize projects as: (1) Fully Funded; (2) Partially Funded; (3) Planned but Unfunded.

Such designation shall be published alongside project scores and rankings.

**(c) Addition or Removal of Projects.**

A project may be added, removed, or materially modified outside of biennial adoption CIP process only by ordinance and only upon:

1. Written fiscal impact analysis;
2. Public hearing;
3. Recommendation from the Capital Planning Steering Committee established in Section 7;
4. Statement of findings explaining the reason for deviation from prior rankings or commitments.

**Section 5. Phased and Conditional Project Authorization.**

**(a) Phasing for projects**

Capital projects may be approved in phases, including planning, design, property acquisition, or construction phases.

Appropriation for a subsequent phase shall require confirmation of available funding for that phase.

Inclusion of a later construction phase in the CIP shall not obligate the City to appropriate funds until funding is secured and operating impacts are certified.

**(b) Strategic Opportunity Projects**

The CIP may include a category of “Strategic Opportunity Projects” for projects that are contingent upon receipt of grants, voter authorization of bonds, public-private partnerships, or other external funding. Such projects shall not proceed without formal funding approval by ordinance and appropriation in the adopted biennial budget.

## **Section 6. Capital Planning Steering Committee (CPSC).**

### **(a) Establishment.**

A Capital Planning Steering Committee (“CPSC”) is hereby established.

### **(b) Convening Authority.**

The CPSC shall be convened and chaired by the Director of Public Works.

### **(c) Membership.**

The CPSC must include representatives from all departments and bureaus that:

1. Plan for physical assets, infrastructure, and buildings;
2. Construct or deliver capital projects;
3. Maintain or operate public facilities and infrastructure;
4. Conduct long-range land use planning;
5. Prepare financial forecasts or manage municipal debt.

The Mayor and City Council may designate additional members as necessary to ensure cross-functional coordination.

### **(d) Duties.**

The CPSC shall:

1. Develop and maintain standardized capital project submission requirements;
2. Require full lifecycle cost analysis for all proposed projects;
3. Conduct outreach and engagement including public hearings;
4. Evaluate operating impacts and long-term maintenance obligations;
5. Ensure consistency with the Comprehensive Plan and long-range land use plans;
6. Review project readiness and feasibility;

7. Apply the adopted project evaluation criteria described in Section 5;
8. Prepare a recommended, fiscally constrained draft CIP for public review. The draft CIP may include unfunded or partially funded projects for planning, sequencing, or strategic purposes, provided that funding status is clearly identified and fiscal impacts are disclosed;
9. Recommend a prioritized CIP to the Mayor and City Council;
10. Review proposed amendments to the CIP.

**(e) Asset Management Integration.**

The CPSC shall prioritize maintenance, rehabilitation, and replacement of existing assets before expansion of new facilities, except where otherwise justified.

**(f) Transparency.**

The CPSC shall publish its scoring methodology, project evaluations, and draft recommendations prior to submission.

**Section 7. Transparency and Public Reporting.**

**(a) Public Access.**

The CIP, scoring criteria, project rankings, lifecycle analyses, funding sources, and status reports shall be published on the City's website in a searchable format and include a regularly updated GIS enabled map of all CIP projects.

The city shall make sure public facing CIP material and outreach materials also includes multilingual information and wayfinding support to affected cultural neighborhoods.

**(b) Quarterly Reporting.**

The Director of Public Works shall provide quarterly reports detailing:

1. Project status;
2. Budget performance;
3. Schedule performance;
4. Change orders;
5. Emerging fiscal risks.

**(c) Performance Metrics.**

The CIP shall include measurable performance indicators for major projects.

Emergency amendments shall be limited to projects directly related to the declared emergency and shall not be used to reprioritize unrelated capital projects. Emergency amendments require declaration and approval by the Mayor or City Council.

**B**

## Ordinance with Deportation Defense Counsel

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The Charter Reform Commission recommends the City Council create the following ordinance relating to Deportation Defense Counsel:

**Deportation Defense Counsel:**

Create an ordinance that establishes deportation defense that is similar in design to the Right to Counsel for Eviction Proceedings Ordinance. Within this, the Commission also recommends this ordinance include provisions for ensuring :

1. There is sufficient funding allocated for this to be provided to Angelenos effectively
2. Requires the City Council to reevaluate the funding allocation periodically

This recommendation creates the need for a new section of the Municipal Code.

Similarly to how the Right to Counsel for Eviction Proceedings Ordinance was added to the LAMC Chapter XVI: Housing Regulations as Article 6. The Commission recommends the City Council place the “Right to Counsel for Deportation Defense Ordinance” in LAMC Chapter V: Public Safety and Protection by creating a new Article, Article 10.

## **C** Jubilee Reform

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### **Jubilee Reforms**

1. Recognizing that public accountability mechanisms must be accompanied by structural measures designed to:
  - a. Prevent the accumulation of generational inequities;
  - b. Promote lawful, job-related access to employment opportunity;
  - c. Align public resources toward poverty reduction and long-term community stability;
  - d. Ensure transparency in institutional practices that impact economic mobility and civic participation.
  
2. Affirming that:
  - a. Oversight bodies, audit systems, inspector general functions, and transparency requirements are essential safeguards;
  - b. Such mechanisms are not substitutes for structural correction;
  - c. Charter reform should integrate both procedural accountability and structural restoration measures to ensure meaningful transformation.
  
3. Evaluating reforms that strengthen:
  - a. Workforce modernization consistent with validated and job-related selection practices;
  - b. Data transparency and adverse impact monitoring;
  - c. Budgetary alignment that supports prevention-based public safety strategies;
  - d. Institutional policies that reduce unnecessary system contact through opportunity expansion.
  
4. Examining policies that:
  - a. Prevent inequities from compounding across generations.
  - b. Encourage lawful corrective measures consistent with state and federal constitutional requirements.
  - c. Embed restoration and renewal as enduring civic commitments.
  
5. Declaring:
  - a. Freedom proclaimed must be matched by freedom realized.
  - b. Accountability is strengthened when embedded within restored systems.
  - c. Public safety is sustained not solely through enforcement, but through opportunity, stability, and equitable access to civic life.

## D

## Freedman's Bureau Reforms/ LEAP Reforms

### Freedman's Bureau (L.E.A.P.) Reforms:

1. Establish a Los Angeles Freedmen's Bureau
  - a. Within this:
    - i. Policy Coordination: Coordinate City policies and programs impacting American Freedmen across housing, health, education, workforce development, business and economic development, and human services.
    - ii. Data & Accountability: Collect, analyze, and publish data related to disparities affecting American Freedmen within Los Angeles.
    - iii. Program Design & Oversight: Develop and oversee lineage-based remedial programs consistent with City, State, and federal law.
    - iv. Intergovernmental Alignment: Align municipal efforts with state and federal initiatives, including any future California American Freedmen Affairs Agency.
    - v. Community Engagement: Serve as a formal liaison between the City and American Freedmen community stakeholders.
  - b. This Bureau is intended to serve as a permanent municipal institution tasked with addressing the intergenerational consequences of slavery and its afterlives within the City of Los Angeles. Modeled in part on the historic federal Freedmen's Bureau and informed by contemporary state-level efforts, the Bureau would coordinate policy across housing, education, health, workforce development, and economic advancement.
2. Formally recognize the concept of lineage in the LA City Charter as a governing principle for equity-based policy design and implementation
  - a. Within this:
    - i. Authorize the use of lineage-based criteria in the design, implementation, and evaluation of remedial programs.
    - ii. Distinguish lineage-based eligibility from general racial or ethnic classifications to ensure precision and legal durability.
    - iii. Require alignment of City equity initiatives with historically accurate assessments of harm and responsibility.
  - b. Lineage is a neutral, administrable, and constitutionally sound concept that allows the government to address specific historic harms tied to legally defined populations without reliance on race alone. In Los Angeles, lineage recognition is essential to ensuring that equity-based policies are: targeted, rather than overly broad, remedial, rather than symbolic, and durable, rather than vulnerable to legal challenge.

**E****Black Worker Center Recommendations (Personnel)**

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The Charter Reform Commission strongly recommends that during the City’s meet and confer process with the labor partners and organizations they include the six LA Black Worker Center recommendations;

1. Modernization of Civil Service Hiring Methods
  - a. Enable the City to use modern, job-related assessment tools for civil service applicants while maintaining merit principles and validated hiring practices.
2. Public Service Career Pathways
  - a. Recognize that access to public employment promotes economic opportunity, community stability, and effective delivery of public services. The City shall support development of workforce pathways that prepare residents for civil service careers. These pathways may include partnerships with labor organizations, educational institutions, workforce development programs, and community-based organizations. Establish a policy commitment and shall not be construed to require any specific appropriation, funding level, or program structure.
3. Inclusive Recruitment and Outreach
  - a. Public employment and contracting opportunities are often unevenly distributed due to information gaps, limited recruitment, and longstanding disinvestment and exclusion. Expanding outreach ensures that qualified applicants, contractors, and small businesses throughout the City are informed about and able to compete for these opportunities. Inclusive recruitment refers to outreach that expands awareness among historically disenfranchised and vulnerable communities, as defined by the City’s repair and equity frameworks.
4. Workforce Access and Transparency
  - a. Promote fair and transparent practices in recruitment, hiring, retention, and contracting across the civil service system, while supporting access to public employment for historically disenfranchised and vulnerable communities identified through the City’s repair and equity frameworks. Departments are encouraged to identify and address structural barriers that may limit access to public employment or City contracting.
5. Workforce Equity Commission
  - a. Establish an advisory body to review workforce access policies and promote transparency in recruitment, hiring, retention, and contracting within the City.
    - i. The Commission will provide oversight and public transparency without interfering in administrative hiring, personnel, or contracting decisions. An advisory structure preserves departmental authority and enables regular policy review and community engagement. Commission

membership should represent labor, personnel, and impacted communities, with flexibility in appointments.

6. Workforce Equity Audits

- a. Establish regular reviews of workforce access and employment practices to ensure transparency and identify potential structural barriers within the City's recruitment, hiring, promotion, retention, and contracting systems.

## **F** Procurement Ordinances

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The Charter Reform Commission recommends that the LA City Council create the following changes by ordinance:

### **Small Business Preference (Public Works)**

Create an ordinance that would allow for a mandatory small business participation requirement for small contracts at the community level.

### **Broaden ability to sole source contract with OEMs for critical equipment repairs, services and software (LADWP, LAWA)**

LAAC Section 10.15(a)(7). To incorporate the charter change made to 371(e)(7), there is a corresponding administrative code change that will need to occur in LAAC Sec. 10.15(a)(7):

Contracts for equipment repairs, services or parts obtained from the manufacturer of the equipment or its exclusive agent, including software that is only offered by one vendor.

### **Allow advanced payments for long-lead time equipment and critical infrastructure to secure production (LADWP)**

LAAC Section 5.47(a)

No payment shall be made from the City treasury or out of the funds of the City unless the same be authorized by law or the Charter or unless the demand which is paid be duly audited as provided in the Charter. The Controller may, however, approve advance payments for any goods or services which are customarily required to be paid for in advance and which it is not possible to acquire without advance payment, including: software licenses; computer hardware and software maintenance; long lead-time equipment critical to infrastructure projects to secure spot in queue; air travel and other transportation costs; hotel reservations; subscriptions for periodicals, magazines and other publications; telephone bills (other than usage charges); fees for alternate dispute resolution; catering or food services; services performed through grants and General City Purpose agreements awarded by the City; insurance premiums; State Bar dues; and payments to the private entity under contract to manage, operate and maintain the Los Angeles Convention Center. The Controller shall report on a quarterly basis to the Mayor and Council on all such advance payments.



## Best Value in Competitive Bid 371(a)

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The Commission considers "Best Value" to include equitable hiring decisions, prevailing wage standards, workforce development, local hire goals, apprenticeship training, and project labor agreements.



## Engagement Numbers

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### Engagement at Meetings

**53 total Commission Meetings/Town Halls**

**15 Town Halls (1 in every Council District)**

June 10, 17 2025

July 16, 19, 30 2025

August 9, 18, 22 2025

September 6, 13, 17, 25, 29 2025

October 8, 9, 16, 18, 22, 29, 30 2025

November 8, 12, 18, 19, 20, 2025

December 3, 4, 6, 9, 11, 16, 18, 2025

January 7, 8, 10, 14, 15, 17, 21, 31 2026

February 5, 7, 11, 18, 24, 26 2026

March 3, 5, 10, 12, 17, 19, 24 2026

**Total Participants on Zoom: 4,442**

**Largest Turnout: 503 participants on February 26th**

**Average Turnout per meeting: 85 participants on zoom**

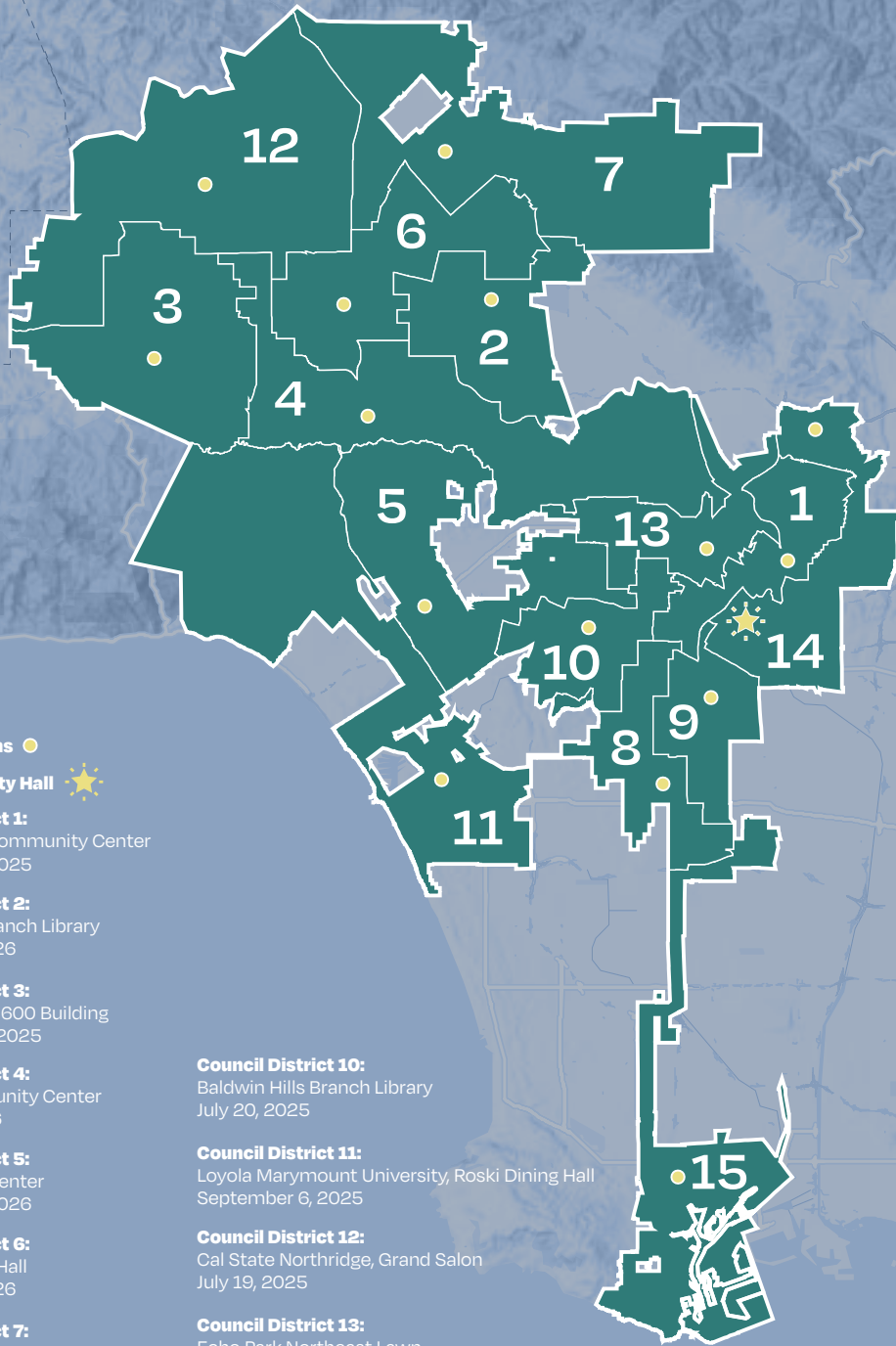
### Public Comment

- **Total Number of Verbal Public Comment: 1,120**
- **Total Number of Written Public Comment: 4,393**
- **Total Hours Verbal Public Comment: >33 hours**

**Survey Respondents: 15,281**

**Newsletter Subscribers: 1,759**

# Public Events by Council District



Event Locations ●

Los Angeles City Hall ★

**Council District 1:**  
 Ramona Hall Community Center  
 November 8, 2025

**Council District 2:**  
 Valley Plaza Branch Library  
 January 10, 2026

**Council District 3:**  
 Pierce College, 600 Building  
 November 12, 2025

**Council District 4:**  
 Encino Community Center  
 August 9, 2026

**Council District 5:**  
 UCLA Gayley Center  
 February 7th 2026

**Council District 6:**  
 Van Nuys City Hall  
 January 21, 2026

**Council District 7:**  
 Pacoima City Hall  
 October 18, 2025

**Council District 8:**  
 CD 8 Constituent Service Center  
 March 19, 2026

**Council District 9:**  
 USC, Ronald Tutor Campus Center  
 December 3, 2025

**Council District 10:**  
 Baldwin Hills Branch Library  
 July 20, 2025

**Council District 11:**  
 Loyola Marymount University, Roski Dining Hall  
 September 6, 2025

**Council District 12:**  
 Cal State Northridge, Grand Salon  
 July 19, 2025

**Council District 13:**  
 Echo Park Northeast Lawn  
 December 6, 2025

**Council District 14:**  
 Occidental College, Mosher Lecture Hall  
 January 31, 2026

**Council District 15:**  
 Los Angeles Harbor College, Student Union  
 September 13, 2025



## Presentations to the Commission

### Organizations

1. Investing in Place
2. ACT LA
3. Abundant Housing LA
4. Central City Association
5. OUR LA
6. Community Coalition
7. Fair Rep LA Coalition
8. Coalition of City Unions
9. Budget Advocates
10. New America Foundation
11. Cal RCV
12. Equal Vote Coalition
13. Berggruen Institute/Rewrite LA
14. LA Governance Reform Task Force
15. United Neighbors
16. Streets for All
17. Common Cause
18. Los Angeles Alliance for a New Economy
19. People's Budget Los Angeles
20. Engineers & Architects Association (EAA)
21. Catalyst California
22. Los Angeles Black Worker Center
23. Los Angeles Alliance of Neighborhood Councils (LAANC)

### Academics

1. Raphael J. Sonenshein, Pat Brown Institute for Public Affairs at California State University Los Angeles
2. Ange Marie Hancock, Executive Director of the Kirwan Institute, Professor Ohio State University (LA Governance Reform Task Force)
3. Sara Sadwhani, Assistant Professor of Politics, Pomona College (LA Governance Reform Task Force)
4. Evan Rosenman, Assistant Professor of Statistics, Claremont Mckenna College
5. Lee Drutman, Political Scientist, Senior Fellow New America Foundation
6. Eric Schockman, Professor Emeritus, Politics and International Relations, Woodbury University

**City Departments/Officials**

1. Director of Capital Infrastructure, Office of Mayor Karen Bass, Geoff Thompson
1. Department of City Planning, Director of Planning, Vince Bertoni
2. Office of the Chief Legislative Analyst, John Wickham
3. Department of Neighborhood Empowerment (DONE), General Manager, Carmen Chang
4. Ethics Commission, General Manager, David Tristan
5. Personnel Department, General Manager, Malaika Billups
6. Chief Administrative Officer, Matt Szabo
7. Los Angeles Department of Transportation, General Manager, Laura Cornejo
8. Board of Public Works, President Steve Kang and Vice President Jenny Chavez
9. Los Angeles Department of Parks and Recreation (RAP)
10. Los Angeles Community Forest Advisory Committee (CFAC)
11. Bureau of Street Services (BSS)
12. Bureau of Street Lighting (BSL)
13. Bureau of Engineering (BOE)
14. Los Angeles Police Department (LAPD)
15. Department of Water and Power (DWP)
16. Los Angeles International Airport (LAWA)
17. Port of Los Angeles (POLA)
18. LA City Employees Retirement System (LACERS)
19. Board of Neighborhood Commissioners (BONC)

**Elected and Former Officials**

1. Mayor Karen Bass
2. City Controller, Kenneth Mejia
3. Los Angeles City Attorney, Hydee Feldstein Soto
4. Councilmember John Lee
5. Councilmember Nithya Raman
6. Councilmember Katy Yaroslavsky
7. Councilmember Monica Rodriguez
8. Councilmember Heather Hutt
9. Councilmember Traci Park
10. Councilmember Tim McOsker
11. Councilmember Eunisses Hernandez
12. Councilmember Hugo Soto-Martinez
13. Michael Woo, Former Los Angeles City Councilmember
14. Burt Pines, Former Los Angeles City Attorney
15. Erwin Chemerinsky, Former Chair of the Elected Charter Reform Commission
16. George Kieffer, Former Chair of the Appointed Charter Reform Commission

**Outside Cities & Elected Officials**

1. City of Long Beach, Director of Public Works, Erick Lopez
2. City of Long Beach, City Prosecutor, Doug Haubert
3. City of Long Beach, Director of the Human Resources Department, Bryce Tyler
4. Pasadena City Councilmember District 2, Rick Cole
5. New York City Council Division of Legislative Counsel and Drafting
6. New York City Comptroller General Counsel, Justina Rivera
7. New York City Comptroller's Office, Francesco Brindisi

## Survey Results - February 2026

The Los Angeles Charter Reform Commission partnered with CityFabrick and ZenCity to design and distribute an online and kiosk survey. The survey was conducted from Sept 25, 2025 to February 1, 2026 via online and February 7, 2026 via kiosk.

### Participation Summary:

- 14,768 total responses with 67,725 total responses for the online survey
- 513 total submissions with 9,918 total responses for the survey via kiosk

Of the respondents:

- 59% both work and live in the City of LA
- 27% only live in the City of LA
- 9% only work in the City of LA
- 3% neither live or work in the City of LA

Top neighborhoods of respondents by number:

- 126 from South Central Historic
- 89 Boyle Heights
- 77 North Hollywood
- 69 Highland Park
- 63 Hollywood

Top 3 age groups of respondents:

- 25-34 25%
- 35-44 23%
- 45-54 15%

Top race/ethnicity of respondents:

- 38% White
- 34% Hispanic/Latinx
- 13% Black/African American
- 12% Asian/Pacific Islander

49% Female, 42% Male, 3% Non-binary/Third gender 0.1%

Of the respondents the primary language spoke at home:

English 82%, Spanish 13% Other 2%

**Findings:**

The survey results showed the three most supported areas were ethics, oversight, and accountability reforms, broad backing for structural governance changes, and administrative efficiency and community voice.

91% of respondents support strengthening independent oversight to investigate misconduct by government officials.

86% of respondents support the City council having clearer authority to remove an elected official from office in case of legal or ethical violations.

85% of respondents support the Charter providing clearer definition of the Mayor's role and responsibility within the City's administrative structure.

83% of respondents support reforms to speed up the City's hiring process so departments can fill jobs more quickly.

72% of respondents believe community voices should have a great deal or quite a bit of weight in major projects such as housing, transportation, or utilities.

71% of respondents support increasing the number of City Council districts so that each councilmember represents fewer residents.

71% of respondents support requiring the City to plan its budget over multiple years rather than one year at a time.

66% of respondents support the Charter Reform Commissions proposals going directly to the voters rather than first going through City Council review.

64% of respondents support separating the two roles of the City Attorney into distinct positions.

56% of respondents support Neighborhood Councils having more authority in decisions such as land use and housing.

52% of respondents support reducing the City Council's direct influence over land-use decisions in favor of independent planning professionals having greater authority.

## Non Brown Act Charter Reform Events

### Virtual Town Hall Monday, September 25th, 2025

- Number of Attendees: 107

Several key themes arose across all Charter reform areas. Overall, participants expressed a need for:

- **Improved oversight and accountability** mechanisms to overcome reduced public trust in government officials and processes.
- **Streamlined processes and more interdepartmental coordination** to speed up land use planning timelines and reduce waiting times for services through clearly defined departmental roles and responsibilities.
- **More responsive government**, achieved through reforms to council district structure, budget timelines, and community participation processes. Participants wanted to see more progress on the city's ongoing affordable housing and homelessness crises in particular.
- **Clearer and potentially expanded roles of Neighborhood Councils**, supplemented by efforts to address power imbalances that have historically privileged homeowners and highly resourced residents with narrow interests.

### In Person Town Hall Saturday, December 6th, 2025 Echo Park

- Number of Attendees: 130+
- “Education station” provided background on the Charter Reform effort
- Four feedback stations, each representing one of four topics/buckets framing the Commission's effort:
  - Planning & Infrastructure
  - Personnel & Budget
  - Better Government
  - Government Structure.
- At each station, participants responded to two or three questions by writing feedback on sticky notes and placing them on banners below each question. In addition to responding to the discrete questions, participants could provide feedback on any issue.

## Neighborhood Council Engagement

**75 individual Community Impact Statements received, from 54 Neighborhood Councils, representing approximately, 2.2 million residents**

Neighborhood Councils that submitted Community Impact Statement (CIS):

- |                                       |                                                  |
|---------------------------------------|--------------------------------------------------|
| 1. Bel Air-Beverly Crest              | 35. Silver Lake                                  |
| 2. Reseda                             | 36. Boyle Heights                                |
| 3. Los Feliz                          | 37. P.I.C.O.                                     |
| 4. Palms                              | 38. Westside                                     |
| 5. Woodland Hills Warner Center       | 39. Greater Cypress Park                         |
| 6. North Westwood                     | 40. Eagle Rock                                   |
| 7. Sherman Oaks                       | 41. Wilmington                                   |
| 8. Greater Wilshire                   | 42. Harbor Gateway North                         |
| 9. West Hills                         | 43. Central Alameda                              |
| 10. Coastal San Pedro                 | 44. Community & Neighbors for 9th District Unity |
| 11. Arts District Little Tokyo        | 45. Empowerment Congress North Area              |
| 12. Sunland-Tujunga                   | 46. Empowerment Congress Southeast Area          |
| 13. Encino                            | 47. Empowerment Congress Southwest Area          |
| 14. . alley Village                   | 48. Park Mesa Heights                            |
| 15. Northridge East                   | 49. South Central                                |
| 16. North Hollywood Northeast         | 50. United Neighborhoods                         |
| 17. Mid City                          | 51. Voices                                       |
| 18. Greater Toluca Lake               | 52. Watts                                        |
| 19. Northridge West                   | 53. West Adams                                   |
| 20. Historic Highland Park            | 54. Zapata-King                                  |
| 21. Arroyo Seco                       |                                                  |
| 22. Westwood                          |                                                  |
| 23. North Hollywood                   |                                                  |
| 24. Van Nuys                          |                                                  |
| 25. Rampart Village                   |                                                  |
| 26. Empowerment Congress Central Area |                                                  |
| 27. Empowerment Congress West Area    |                                                  |
| 28. Hollywood Hills West              |                                                  |
| 29. Harbor City                       |                                                  |
| 30. Echo Park                         |                                                  |
| 31. Lake Balboa                       |                                                  |
| 32. Canoga Park                       |                                                  |
| 33. Tarzana                           |                                                  |
| 34. Sylmar                            |                                                  |

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## Mini Grants

Grantees: 18 total

1. 11:11 A Creative Collective (11:11 Projects)
2. ACT LA
3. Boyle Heights Arts Conservatory
4. Community Development Technologies Center
5. Koreatown Youth and Community Center (KYCC)
6. LA forward Institute
7. LA Voice
8. LA Waterkeeper
9. Legacy LA Youth Development Corporation
10. Little Tokyo Service Center
11. Mentor for Change
12. Pacoima Beautiful
13. People for Mobility Justice
14. Proyecto Pastoral
15. Strategic Actions for a Just Economy (SAJE)
16. Thai Community Development Center
17. Los Angeles Black Worker Center (LABWC)
18. Watts Labor Community Action Committee

\*Originally 20 grantees were selected, 2 grantees withdrew.

**Total amount awarded:** \$52,300

### Grantee Demographic Breakdown:

Number of organizations that:

- have a geographical focus in South LA: .
- have a geographical focus in Central/Eastside/NE LA: 7
- have a geographical focus in the SF Valley: 4
- Specifically target low-income communities: 15
- Specifically target communities of color: 16
- Specifically target youth or seniors: 5

### Completed Activities (as of February 10, 2026)

- **Social Media and Newsletter Outreach:** Over 140 combined social media posts and newsletters
- **Canvassing:** 27 canvassing events completed throughout Los Angeles
- **Existing Programming:** LA Charter Reform integrated into 29 existing programs or events
- **Dedicated Events:** 28 community pop-ups or events hosted
- **Participation/tabling at LACRC event (City-led event):** 3 mini-grantees participated on the December 6th Open House
- **Online and Paper Surveys:** Approximately 500 print or online surveys completed

## Rewrite LA - Public Assembly

In October 2025 the Charter Reform Commission partnered with ReWrite LA, to support a public assembly initiative and engage more Angelenos in the Charter Reform process. ReWrite LA is a collaboration between the Berggruen Institute, Public Democracy Los Angeles, award-winning creatives and filmmakers, and other volunteers with the goal of connecting storytelling, technology and civic life for all Angelenos.

Between December 2025 and March 2026, ReWrite LA hosted mini assemblies and a culminating “Civic Assembly” where Angelenos learned, deliberated, and developed recommendations on key Charter topics. Commissioners and staff attended the mini assemblies, informing residents on the Commission’s work. On March 10th, ReWrite LA presented its recommendations to the Charter Reform Commission. Rewrite LA submitted reports from the assemblies on topics including Land Use, Preamble and City Council Expansion.

[ReWrite LA Final Recommendations](#)

[Land Use Report from Rewrite LA](#) Resident Priorities from the Mini-Assembly

[Shaping the Los Angeles City Charter \(New Preamble and Bill of Rights\)](#) Resident Priorities from the Mini-Assembly

## I Detailed reform explanations

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### Charter Reform Explanations

Explanations in **Bold** are the Commission-approved technical explanations. Staff provided additional context below each reform.

#### Planning & Infrastructure

##### **Empower Director of Public Works**

**(Vote: 9 ayes [Unanimous])**

**Empowering a Director of Public Works will streamline and better coordinate the delivery of infrastructure.**

The Charter Reform Commission voted to restore the Public Works Director Role and protect it from transfer by listing it in Charter Section 514 b. The Commission also voted to increase the powers of this role by making it responsible for Capital Infrastructure Planning and day to day operations of the Department of Public Works. This reform was proposed by several advocacy groups.

##### **Replace Area Planning Commissions with a five-member Board of Neighborhood Appeals**

**(Vote: 7 ayes [Unanimous])**

**Replacing APCs with a five-member Board of Neighborhood Appeals will streamline the development process and save City resources.**

New state laws streamlining housing construction have resulted in fewer cases being referred to APCs, and nearly half of all meetings for some APCs have been canceled in recent years<sup>1</sup>. There have also been several recent incidents where APCs have violated state law such as the Housing Accountability Act due to an inability to obtain quorum of their members<sup>2,3</sup>. For this reason, the Planning Department urged the Commission to replace APCs with a Board of Neighborhood Appeals<sup>4,5</sup>.

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<sup>1</sup> [Commission, Hearings, and Board Meetings | Los Angeles City Planning](#)

<sup>2</sup> [Judge Tosses Area Planning Commission Decision on Controversial South L.A. Project | Planetizen News](#)

<sup>3</sup> [Court orders East L.A. Area Planning Commission to reverse denial of Boyle Heights project | Urbanize LA](#)

<sup>4</sup> [Planning Letter.pdf - Google Drive](#)

<sup>5</sup> [Vincent Bertoni Director of Planning Reform Letter 8.21.25.pdf - Google Drive](#)

**Allow the Board of Neighborhood Appeals to consider issues *de novo* in appeals****(Vote: 7 ayes [Unanimous])****Removing “error and abuse” in section 552(a) will clarify that APCs (now Neighborhood Appeals Commission) may consider the whole of a project without deference to the initial decision maker.**

Section 552(a) allows the APC to “hear and determine appeals where it is alleged there is error or abuse of discretion in any order, requirement, decision, interpretation or other determination made by a Zoning Administrator.” Limiting APCs review to error and abuse makes it unclear whether APCs may consider appeals in their entirety or in a more restricted scope. Removing the term “error and abuse” in section 552(a) clarifies that APCs (or a new Board of Neighborhood Appeals) may consider the whole of a project without deference to the initial decision maker. This change was implemented by the Processes and Procedures Ordinance and this Charter change would provide further clarity. This change was requested in letters from the City Planning Department<sup>6,7</sup>.

**Amend Charter Section 245(e)****(Vote: 8 ayes [unanimous])****Amending Section 245(e) will create more transparency in land use decision making by giving City Council the authority to remand items back to the City Planning Commission (CPC) for reconsideration a single time and include a time requirement for Council to act on certain land use cases.**

Charter Section 245(e) allows the City Council to “have the same authority to act on a matter as that originally held by the City Planning Commission (CPC) or Area Planning Commission (APC).” This means that the Council can unilaterally reverse or change a decision made by these bodies. CPC is the only commission in the Charter over which the Council has this power. The Commission voted to amend 245 (e) so that Council has the authority to remand items back to the City Planning Commission for reconsideration a single time. After remanding the Council would retain the ability to override the Commission. Affirmative recommendations by the City Planning Commission and Mayor shall be deemed approved if not acted upon by the City Council within 75 days. This reform was proposed by the City Planning Department and a number of advocates.

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<sup>6</sup> [Planning Letter.pdf - Google Drive](#)

<sup>7</sup> [Vincent Bertoni Director of Planning Reform Letter 8.21.25.pdf - Google Drive](#)

**Allow land owned by Recreation and Parks (RAP) not being used to be sold****(Vote: 8 ayes [unanimous])**

**Creating a less cumbersome process for selling or transferring RAP land will allow properties that are not being used for parks, and have no plans to be turned into a park, to be converted into other community serving uses.**

Under Sections 594(c), (d) and (e) of the Charter, dedicated park land is “inviolable” and cannot be sold or repurposed except under very limited exceptions. Currently under Charter Section 594 (e), if the City wants to remove land from dedicated park status, the RAP Board and Council must determine that the land is unsuitable for park uses, which is a near-impossible standard to meet, and equivalent new park land of at least equal area must be acquired in the same portion of the City. This makes it very difficult to convert facilities that aren't being used for parks such as undeveloped parcels, office buildings, or storage into other community serving uses such as affordable housing. The Commission voted to allow RAP to sell off land that cannot be used for parks based on an assessment of its lack of viability as parkland and lack of planning to become a future park or open space. This would occur subject to a motion of the RAP board as approved by Council or by Council motion, provided that the future use complies with the CA Surplus Land Act and serves the public interest.

**Amend Section 104(e) Floor Area Ratio limit of 13:1****(Vote: 8 ayes, 2 nay)**

**Amending Section 104(e) through allowing the Council to exceed the 13:1 FAR restrictions by ordinance will allow for increased development and housing in the most job and transit dense parts of the city.**

Section 104(e) of the Charter limits the floor area of any building in the city to no more than 13 times the respective lot area. This stifles development and housing in the most job and transit dense areas of the city such as Downtown LA. For this reason the Department of City Planning requested that this section be removed<sup>8,9</sup>. The Commission voted to amend section 104 (e) to allow the FAR limitations to be exceeded by ordinance so an Environmental Impact Report can be conducted to effectuate the new zoning in these areas.

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<sup>8</sup> [Planning Letter.pdf - Google Drive](#)

<sup>9</sup> [Vincent Bertoni Director of Planning Reform Letter 8.21.25.pdf - Google Drive](#)

### **Streamline Quasi-Judicial Decisionmaking Processes**

**(Vote: 9 ayes [unanimous])**

**Removing Charter sections that refer to quasi-judicial decisionmaking and establishing them instead by ordinance will create more flexibility for planning decisions.**

The Commission voted to expand certain sections of the Charter to include all forms of quasi-judicial decision making, such as subdivisions, nuisance revocations, Project Review, within the Department of City Planning. This reform was requested by the Department of City Planning<sup>10,11</sup>.

### **Allocate 2% of the annual Public Works budget for infrastructure**

**(Vote: 10 ayes [unanimous])**

**To maintain that there is sufficient, dedicated funding for infrastructure improvements, this reform will allocate a minimum of 2% of the City's budget to the Department of Public Works for infrastructure.**

The commission voted to put language into the charter saying that a minimum of 2% of the city's budget should be dedicated to public works for infrastructure.

### **Increase Charter-Required Minimum Budget Allocation for the Department of Recreation and Parks**

**(Vote: 10 ayes [Unanimous])**

**Doubling the current charter allocation from 0.0325% to 0.065% of assessed value of all city property will create more funding for the Department of Recreation and Parks.**

The Charter currently has a minimum funding allocation for the Department of Recreation and Parks but it has not been increased in decades. The Commission voted to double the RAP allocation. This reform was proposed by a coalition of park advocates.

### **Remove Section 104 (g)**

**(Vote: 11 ayes [unanimous])**

**Removing Section 104 (g) Business Enterprises from the Charter will provide the City with more opportunities to engage in revenue generating activities that are subordinate to and supportive of City purposes.**

The Charter currently restricts the City from engaging in business enterprises. Removing this section will allow the City to more easily generate revenue through activities including selling asphalt, creating a City Hall gift shop, or even permitting weddings at City Hall.

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<sup>10</sup> [Planning Letter.pdf - Google Drive](#)

<sup>11</sup> [Vincent Bertoni Director of Planning Reform Letter 8.21.25.pdf - Google Drive](#)

## Government Structure

### **25 Single Member City Council Districts**

**(Section 241 Vote: 10 ayes, 1 nay, Section 487 Vote: 11 ayes [unanimous])**

**Expanding the Council to 25 single-member districts, each representing approximately 155,000 residents per district, would increase representation and improve constituent access to Councilmembers.**

The Los Angeles City Council is currently composed of 15 districts with each member representing approximately 260,000 residents, making them the largest in the country. The size of the City Council dates back to the 1925 City Charter when each council member represented approximately 73,000 people. Expanding the City Council to 25 seats would reduce the size of each district to approximately 155,000 and would allow for more geographically compact districts. Council expansion was proposed by a number of advocacy groups.

### **Create a Chief Financial Officer (CFO)**

**(Vote: 11 ayes [Unanimous])**

**Redesignating the Chief Administrative Officer (CAO) as the Chief Financial Officer will formally establish a centralized authority responsible for guiding the City's long-term strategic financial strategy and coordinated budget planning across departments.**

Under the city's current structure, the CAO is responsible for monitoring the budget and fiscal health of the City and informing and advising the Mayor and City Council who are the fiduciary agents of the City. Renaming the CAO to Chief Financial Officer would set a centralized authority for guiding the City's long-term strategic financial health. The creation of a CFO role was proposed by former Los Angeles Deputy Mayor, Rick Cole.

### **Enshrine the Controller's Fraud, Waste, and Abuse function**

**(Vote: 11 ayes [Unanimous])**

**Formally codifying the Controller's Fraud, Waste, and Abuse investigative authority will enshrine this function as a core responsibility of the office.**

The Fraud, Waste, and Abuse Unit was created by ordinance in 2008<sup>68</sup> and is housed under the Controller's Office in the Administrative Code<sup>69</sup>. The creation by ordinance means that it could be undone by ordinance. The Commission decided to add this function to the Controller's duties under the Charter to enshrine it as a core responsibility of the Controller's Office. This reform was proposed by the City Controller, Kenneth Mejia.

### **Adopt Ranked Choice Voting**

**(Vote: 8 ayes, 3 nay)**

**Implementing Ranked Choice Voting will allow voters to rank candidates in order of preference, promoting majority supported outcomes while saving costs for the City by eliminating a primary and runoff.**

Ranked Choice Voting (RCV) would allow voters to choose multiple candidates at the same time by ranking them in order of favorability. In the case that no candidate receives more than 50% of the vote, the candidate with the least number of votes is eliminated and their votes are assigned to those voters' second choice. This process continues until a candidate receives more than 50% of the vote. RCV has been implemented in other large cities including San Francisco and New York City as well as the state of Alaska. This reform was proposed by a number of advocacy groups.

### **Lower the voting age to 16**

**(Vote: 7 ayes, 4 nay)**

**Expanding the voting electorate by lowering the voting age to 16 for City and LAUSD elections will give more residents representation in elections and broaden civic participation.**

Lowering the voting age will permit 16 and 17 year old residents to vote for members of the Board of Education and citywide elected offices. In 2016, Berkeley lowered the voting age to 16 for school board elections and in 2020 Oakland followed<sup>12,13</sup>. This reform was proposed by a number of advocacy groups.

### **Change how commissioners are appointed**

**(Vote: 8 ayes [Unanimous])**

**Extending the appointment window for boards and commissions from 40 to 60 days will provide additional time for vetting and identifying qualified candidates.**

Several Charter reforms were proposed by the Mayor's office in order to create more flexibility to appoint qualified people to boards and commissions and for those boards and commissions to have elections. The Commission voted to extend the threshold to appoint boards and commissions from 40 to 60 days for appointment and to prohibit commissioners from signing letters of resignation upon their appointment.

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<sup>12</sup> [History of Measure QQ - Oakland Youth Vote](#)

<sup>13</sup> [Historic First for California: 16- and 17-Year-Olds in Berkeley and Oakland Able to Vote for School Board in November 2024 | Berkeley Unified School District](#)

### **Change Ballot Access**

**(Vote: 10 ayes [Unanimous])**

**Revising ballot access requirements by lowering the number of required nominating signatures and extending the timeframe for collection will reduce barriers to candidacy and participation in City elections.**

Sections 420-422 of the Charter outline procedures for filing to become a candidate for elected offices and the nominating process, which include the form and requirements to be a candidate on the ballot. The Charter currently requires that a candidate must file a nominating petition signed by at least 500 registered voters to qualify for the ballot. The City Election Code sets the filing fee at \$300 (which can be waived by filing more signatures on the nominating petition)<sup>14</sup>. A candidate has to produce the same amount of signatures regardless of whether they are running for a city wide office or a Council Office. The Commission voted to lower the limit for a nominating petition to 350 signatures and extend the filing deadline by one week to give people more time to collect signatures. This reform was proposed by advocates.

### **Bifurcate the City Attorney's Roles**

**(Vote: 11 ayes [Unanimous])**

**Separating the current City Attorney role into two distinct offices will establish an elected “City Prosecutor” for prosecution and an appointed “City Attorney” for legal counsel and legislative affairs.**

The Los Angeles City Attorney is a citywide elected official that is responsible for a full spectrum of legal services, including advising on and preparing legislation, defending and settling legal claims against the City, and prosecuting misdemeanors and administering criminal justice. City departments, offices, and boards do not typically have in-house counsel and largely rely on the City Attorney's office alone for legal guidance. Several Community groups, including FairRepLA<sup>23</sup> and LAFoward<sup>24</sup>, have advocated for models that remove electoral politics from interfering with the legal advice being given by an elected City Attorney. The Commission decided to bifurcate the City Attorney's office to create an elected City Prosecutor to handle prosecution and have a separate City Attorney to act as counsel for City officials and departments and handle legislative affairs.

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<sup>14</sup> [City Of Los Angeles. Office of the City Clerk. Municipal Candidate Filing Guide](#)

**Increase Mayoral Powers****(Vote: 7 ayes, 4 nay)****Expanding Mayoral powers will centralize administrative authority in the Mayor's office by allowing the Mayor to reorganize departments, inter-departmentally transfer funds and employees, and participate in Council meetings.**

The Commission voted to expand mayoral powers including increasing the Mayor's ability to reorganize departments, allow the Mayor to participate in Council meetings, increase the Mayor's authority to inter-departmentally transfer funds and increase the Mayor's ability to transfer employees.

## Better Government

### **Provide clearer language for Suspension of a Councilmember Pending Trial and Clarify compensation requirements in Charter for electeds under suspension**

(Vote: 13 ayes [Unanimous])

**Providing clearer language for Suspension of a Councilmembers pending trial establishes a formal process that requires the introduction of a resolution calling for the temporary suspension of a Councilmember stating findings as grounds for the suspension. Clarifying the compensation requirements for electeds under suspension establishes no changes be made to the elected's compensation for suspended elected officials during suspension.**

The Commission voted to codify a process where a non voting caretaker can be put in place of a suspended councilperson and to guarantee the pay of a councilmember while on suspension.

### **Require the City to hold a special election for vacancies if more than one year remains**

(Vote: 8 ayes [Unanimous])

**Requiring the City to hold a special election for vacancies if more than one year remains for all elected City officials provides residents the ability to have a democratic process to replace these officials.**

In recent years many council offices have been left vacant due to a member being found guilty of a criminal violation or resigning.<sup>15</sup> However, the Charter does not have a codified process for how to fill these vacancies. The Commission voted to require a special election to fill a vacancy if more than one-year remains and to require the special election to be called within 30 days of the vacancy and held within 180 days.

### **Remove Charter Sec. 803 (LAUSD) & add to Municipal Code**

(Vote: 8 ayes [Unanimous])

**Removing Charter Section 803 and adding it to the Municipal Code allows more flexibility in updating the rules and regulations.** The Ethics Commission recommended removing Section 803 from the Charter, and placing it into the Municipal Code so LAUSD elections are treated the same as citywide candidate elections. This would give the City more flexibility in terms of updating rules quickly<sup>16</sup>. The Commission voted to remove this section and add it to the municipal code.

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<sup>15</sup>[LA Council President resigns after leaked audio of racist remarks surfaces](#)

<sup>16</sup> [Letter from Ethics Commission to Charter Reform Commission \(Oct. 28, 2025\)](#)

**Apply the LAUSD process for adjusting contribution limits to City contribution limits****(Vote: 10 ayes [Unanimous])****Aligning the City contribution limits with the LAUSD process for adjusting contribution limits, making them every 4 years for both City and LAUSD elections aligns the timeline for both contribution limits.**

The current LA Municipal Code Section 49.7.3 and Charter Section 702(h) requires the Ethics Commission to make annual adjustments to limitations and disclosure thresholds for City election contributions. However, Section 803(c) says that the Ethics Commission will review the contribution limits every four years for LAUSD elections. The Ethics Commission proposes to make the election adjustment periods they review match and be every four years for both LAUSD and City elections.<sup>17</sup>

**Specify in the Charter that additional public financing models are permissible****(Vote: 8 ayes [Unanimous])****Including broad, nonlimiting language permitting the City Council to consider additional public financing models for candidates beyond the existing matching funds program allows for more funding opportunities.**

The public matching funds program helps qualified City candidates fund their campaigns for elected City office by providing limited public monies to match qualified contributions from private parties. Candidates who participate in the program are required to abide by highly detailed rules and requirements in the Campaign Finance Ordinance (CFO) and the Los Angeles Administrative Code (LAAC), rather than in the Charter. Advocates have stated Council should be given more flexibility to make changes or adopt new methods to honor the public matching funds' goals of encouraging individuals to run for office. The Commission chose to reform the Charter to provide limited public matching funds for qualified candidates and appropriate at least two million dollars (\$2,000,000) per fiscal year for public campaign funding. The reform was proposed by the Ethics Commission

**Article IX, Section 900: Purpose, Replace the term "Citizen" with "Civic"****(Vote: 13 ayes [Unanimous])****Replacing the term "Citizen" with "Civic" includes residents of Los Angeles without citizenship's participation in the government process.**

Includes residents of Los Angeles without citizenship's participation in the government process.

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<sup>17</sup> Ibid

**Amend language establishing Department of Neighborhood Empowerment (DONE) by replacing term "Officers" with "Board Members"**

**(Vote: 13 ayes [Unanimous])**

**Replacing the term “Officers” with “Board Members” updates Charter language to reflect that DONE now uses the term “Board Members” instead of “officers”.**

Updates Charter language to reflect that DONE now uses the term “Board Members” instead of “officers.”

**Clarify the Board of Neighborhood Commissioner’s (BONC’s) role in approval of contracts and leases prepared on behalf of Neighborhood Councils**

**(Vote: 13 ayes [Unanimous])**

**Clarifying the Commission’s role in approval of contracts and leases prepared on behalf of the Neighborhood Councils, gives BONC the responsibility for policy setting and policy oversight, alongside approval of contracts and leases prepared on behalf of Neighborhood Councils or the Neighborhood Council System.**

Gives the Board of Neighborhood Commissioners the responsibility for policy setting and policy oversight, approval of contracts and leases prepared on behalf of Neighborhood Councils or the Neighborhood Council System.

**Update Section 904 title**

**(Vote: 13 ayes [Unanimous])**

**Updates Charter Section 904 title from “Development of the Neighborhood Council Plan” to “Development and Maintenance of the Neighborhood Council Plan” to allow the City Council and DONE the ability to consistently check the Neighborhood Council plan is being followed and allows the necessary edits to the Plan to be made.**

**Update Section 905 title to "Initial Implementation of the Plan"**

**(Vote: 13 ayes [Unanimous])**

**Updating Charter Section 905 from "Implementation of the Plan" to "Initial Implementation of the Plan" will convey to those interpreting that this is the initial plan Neighborhood Councils filed. There have since been additional plans submitted and updated, but this initial plan remains on file and is not the current plan Neighborhood Councils follow.**

**Update Section 906(a)(1) Certification of Neighborhood Councils to clarify that Bylaws must specify the method officers & Board members are selected****(Vote: 13 ayes [Unanimous])**

Updating Section 906(a)(1) Certification of Neighborhood Councils to clarify that Bylaws must specify the method officers and Board members are selected changes the charter language to acknowledge the updated selection structure of Neighborhood Councils.

**Replace "everyone who lives, works, or owns property in the area" with "all stakeholders as defined by City Ordinance"****(Vote: 13 ayes [Unanimous])**

Updating Charter Section 906 ensures that Neighborhood Council membership is inclusive to Community Interest Stakeholders and all within Los Angeles who have any stake in the city.

**Change Section 907 title****(Vote: 13 ayes [Unanimous])**

Changing Section 907 title from "Early Warning System" to "Advance Notice & Opportunities for Input" aligns with the language within the section and prevents misinterpretation when referring to this section of the Charter.

**Expand Section 908****(Vote: 13 ayes [Unanimous])**

Expanding Section 908 titled Powers of Neighborhood Councils to include Neighborhood Council's advisory role to the City, responsibility of outreach, strengthening community engagement, representation, etc. will clearly outline the role of Neighborhood Councils within the City of Los Angeles.

**Neighborhood Councils delivering a Community Impact Statement shall be in a separate queue from public comment.****(Vote: 13 ayes [Unanimous])**

Establishing a separate queue from public comment for Neighborhood Councils to deliver a Community Impact Statement within City Council public meetings will allow Neighborhood Councils to effectively provide the Council with the statements affecting their respective community. This will ensure they are able to effectively be the liaison between City Council and Angelenos.

**Neighborhood Councils, regardless of the City’s position, may deliver to any governmental agency a statement related to the purpose of Neighborhood Councils passed in a Brown Act public meeting at which there is quorum. The City may create and require language to indicate the NC is speaking for itself and not the City.**

**(Vote: 10 ayes, 3 nay)**

Allowing Neighborhood Councils to deliver statements related to the purpose of Neighborhood Councils passed via their Brown Act council meetings, to any governmental agency and allowing the City to establish the language Neighborhood Councils must use when delivering this statement to indicate the Neighborhood Council is speaking on behalf of its own Council and not the City of Los Angeles will allow for Neighborhood Councils to advocate for their constituents on all levels of state legislation.

**Neighborhood Councils may include consent calendars on their agendas. Items on consent calendars may include common agenda items including, but not limited to, approval of minutes and the Monthly Expenditure Report and may include agenda items voted by a committee.**

**(Vote: 13 ayes [unanimous])**

Granting Neighborhood Councils the ability to include consent calendars on their meeting agendas will allow them to include things such as approval of minutes, Monthly Expenditure Reports, and etc to keep their constituents informed on the actions of their Neighborhood Council governing body.

**Capitalized Neighborhood Councils throughout the Charter**

**(Vote: 13 ayes [Unanimous])**

Updating the Charter with the correct capitalization for Neighborhood Councils throughout the document is updating the language to use the correct capitalizations as is used throughout City documents when referring to Neighborhood Councils.

**Provide NCs the opportunity to submit questions to ask General Manager candidates during the employment interview**

**(Vote: 13 ayes [Unanimous])**

Granting Neighborhood Councils the opportunity to submit questions for the General Manager candidates during the DONE employment interview ensures their voices are heard and considered in the selection process of their General Manager.

**Increase the number of BONC commissioners from seven to nine with the two additional commissioners being at-large and appointed by Neighborhood Councils**

**(Vote: 13 ayes [Unanimous])**

Increasing the number of Board of Neighborhood Commissioners from seven to nine and authorizing Neighborhood Councils to appoint the two additional Commissioners gives Neighborhood Councils the opportunities to select two Commissioners who will be representing them in the BONC structure.

**At the same time as departments, Neighborhood Councils shall submit their budget request for the following year. The chair or their designated BONC commissioner shall be a single point-of-contact and shall organize the requests into a single request for the Mayor's consideration.**

**(Vote: 13 ayes [Unanimous])**

Granting Neighborhood Councils the ability to submit their budget requests through a BONC Commissioner or Chair for the Mayor's consideration ensures their budget requests are not overlooked and are taken into consideration same as other service providing departments.

**Members of BONC shall not be permitted to vote at Commission meetings if they have not completed their required training within 30 days of being seated and to be able to continue voting their required training must be current.**

**(Vote: 13 ayes [Unanimous])**

Requiring all members of BONC to have completed their training 30 days prior to a meeting to be eligible to vote ensures those with voting eligibility are knowledgeable about the various aspects of being on a Neighborhood Council Board before voting.

**Require that City Council, City Council committees, and City commissions make provision for Neighborhood Councils to comment via telephone or online teleconferencing at all meetings of those bodies in compliance with state law.**

**(Vote: 13 ayes [Unanimous])**

Requiring Neighborhood Councils have the ability to comment via teleconferencing methods at City Council meetings and committees, and city commission meetings ensure Neighborhood Councils have an opportunity to share their constituents' concerns and support for agenda items.

**Prohibit the use of campaign funds to pay certain fines**

**(Vote: 13 ayes [Unanimous])**

Prohibiting candidates from using campaign funds to pay certain ethics and campaign finance fines forces candidates to pay fines with their personal funds.

**Make the maximum civil penalty for violations of the campaign finance laws the same as the maximum administrative penalty**

**(Vote: 13 ayes [Unanimous])**

Aligning the maximum penalty amount for civil penalty violations with the maximum administrative penalty ensures the maximum penalty for civil penalty violations are valued at the same penalty rate as the maximum administrative penalty<sup>18</sup>.

**Authorize the Ethics Commission to place ordinance changes on the ballot**

**(Vote: 13 ayes [Unanimous])**

Giving the Ethics Commission the authority to place measures within their jurisdiction on the ballot after presenting to the City Council allows them to let the voters decide on measures within their jurisdiction if the City Council does not place it on the ballot.<sup>19</sup>

**Specify the Ethics Commission has its own general counsel**

**(Vote: 13 ayes [Unanimous])**

Providing the Ethics Commission with the authority to hire their own General Counsel and a limited staff of attorneys serving exclusively under their direction will allow them to have legal counsel as needed that may cause conflicts of interest with the City Attorney.<sup>20</sup>

**Clarify a secured budget for Ethics Commission**

**(Vote: 13 ayes [Unanimous])**

Clarifying an increased budget for the Ethics Commission to allow for Inspector General and outside legal counsel costs will ensure they are budgetarily able to fund an Inspector General and outside counsel without using allocated funds to finance this added position.<sup>21</sup>

**Establish an inspector general team within the Ethics Commission and increase the minimum budget to fund inspector general functions and increased enforcement staff**

**(Vote: 13 ayes [Unanimous])**

Establishing an Inspector General to support the Ethics Commission, housed within the Commission with the authority of a senior auditor of the City and increasing their budget to accommodate this new position.<sup>22</sup>

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<sup>18</sup> [Letter from Ethics Commission to Charter Reform Commission \(Oct. 28, 2025\)](#)

<sup>19</sup> Ibid

<sup>20</sup> Ibid

<sup>21</sup> Ibid

<sup>22</sup> Ibid

### **Protected Budget and Independent Legal Counsel for Independent Redistricting Commission (IRC)**

**(Vote: 9 ayes [Unanimous])**

**Grants the Independent Redistricting Commission (IRC) a protected budget and independent legal counsel on a limited, case-specific basis.**

The Independent Redistricting Commission (IRC) was approved by voters in 2014 to create maps of council districts and LAUSD commissioner districts every ten years. The Commission voted to further strengthen the IRC by giving it a protected budget of no less than \$10 million and independent legal counsel.

### **Strengthen language access in the Charter**

**Works to ensure equitable access to public information, City services, and opportunities for civic participation by providing information through various languages.**

**(Vote: 13 ayes [Unanimous])**

The Commission voted to amend the Los Angeles City Charter to strengthen language access by adding a section on Language Access in Article I of the Charter, the Inclusion of Language as a Demographic Considerations in various sections of the Charter, and add the value of promoting language access in the Charter preamble.

### **Preamble**

**(Vote: 13 ayes [Unanimous])**

**The statement of values and principles for the City at the beginning of the Charter.**

The LA City Charter currently has a one sentence preamble, however it is not easily available and is not on the website that hosts the charter. The preamble is meant to be a values statement. The idea of rewriting the preamble was supported by the Rewrite LA process and was also promoted by advocate groups. The Charter Reform Commission votes to update the charter preamble and include a value of providing immigration deportation defense counsel and directing the city council to commit to confront and repair past and present injustices and to build more equitable systems.

### **Align the Charter with State Law on public banking provisions**

**(Vote: 13 ayes [Unanimous])**

**Aligning the Charter with State Law on public banking provisions will clarify the legal process for a future potential creation of a public bank in Los Angeles.**

Advocates requested that the Charter be aligned with state law in terms of public banking provisions. The Commission voted to define the term “Public Bank” in the charter to be the same as the California Public Banking Act and that City actions relating to a public bank shall be consistent with the California Public Banking Act and DFPI's regulations.

## Personnel and Budget

### **Develop a two-year operating budget and adopt a community driven participatory budgeting process.**

**(Vote: 13 ayes [Unanimous])**

#### **Transitioning to a two-year budget will encourage longer-term fiscal planning and better facilitate public participation in the budgeting process.**

The Charter currently requires the city to approve a new budget process each year and calls out specific dates for departments to submit budget requests and the Mayor to release the budget. Several advocates as well as city officials including the City Controller and City Administrative Officer advocated for the Charter to be changed so the budget process occurs every two years. The Commission voted to adopt a two-year budget process as presented in Attachment 1 of March 13, 2026 report by the City Administrative Officer under City Council File: 23-1027-S3 with amendments to increase public participation and public comment.<sup>23</sup>

### **Add periodic charter review to the Charter**

**(Vote: 13 ayes [Unanimous])**

#### **Enshrines periodic charter review into the Charter every ten years with the Commissioner selection process beginning in every year ending in four.**

The current Charter does not require the charter to be periodically reviewed. Instead, the ordinance that created the 2026 Charter Reform Commission also includes language requiring the Charter to be reviewed every 10 years<sup>24</sup>. The Commission voted to place periodic Charter review directly in the Charter and to include a mechanism to ensure appointments to the commission are filled expediently, have an independent budget and independent staff that reports to the commission, have the authority to send its recommendations directly to the voters, have *ex parte* communication disclosures, and include a parallel civic assembly process.

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<sup>23</sup> [LA City Council File: 23-1027-S3](#)

<sup>24</sup> [LA City Ordinance 188303](#)

**All Council approved motions and ordinances relating to Police Accountability shall be sent to the Board of Police Commissioners, the Chief of Police, and the Los Angeles Police Department and must be agendized at a public hearing. In the event of a conflict between instructions issued by the Board of Police Commissioners and ordinances adopted by Council, the ordinances of the Council shall prevail.**

**(Vote: 12 ayes [Unanimous])**

Granting City Council the authority to place motions and ordinances related to Police Accountability on the relevant Police agenda for a vote. If the Board of Police Commissioners vote creates a conflict with the City Council's ordinance, then the City Council's ordinance will become law.

### **Liability Insurance for Police Officers**

**(Vote: 12 ayes [Unanimous])**

**As a City policy and per the City of Los Angeles Charter, the Police Department must purchase liability insurance for each police officer in a sum of no less than \$1 million dollars provided such insurance is available at a cost not exceeding \$50.00 per month per officer. The cost of this insurance shall be indexed to the Los Angeles CPI annually as published by the U.S Department of Labor statistics. If an Officer is found liable or a Settlement is reached finding the City liable for the conduct of the officer, each policy of \$1 million dollars should be used in each settlement, judgement, etc, if applicable, and this sum would not be paid from the General Fund.**

Requiring the City of Los Angeles to provide liability insurance of at least \$1 million to individual police officers as a policy, at the cost of \$50 per officer to be paid by the individual officer, allows less General Fund dollars to be spent on Police liability Settlements.

**Clarify and strengthen the authority of the Chief of Police, consistent with due process and applicable laws to initiate and pursue the removal of officers with documented, repeated histories of harm or misconduct. In addition, if the Chief of Police and the Board of Rights concludes that an individual officer should not be terminated, the City Council shall have the power to override the non-firing of the officer in a way similar to the revised Charter Section 245 (e) which is used for land use. If Council concludes the officer should be fired, that decision shall be final subject to the terminated employees' right to file a lawsuit including injunctive relief, arbitration, and any other legal proceeding to be reinstated.**

**(Vote: 12 ayes [Unanimous])**

Authorizing the Chief of Police to fire officers with documented, repeated histories of harm and authorizing the City Council to fire officers with documented, repeated histories of harm by vote provides additional layers of police accountability.

**Protect Protests & First Amendment Rights****(Vote: 12 ayes [Unanimous])**

Protecting protests and the First Amendment Rights in the Charter demonstrates the City's acknowledgment and support for the constitutional rights of Angelenos regardless of immigration status including members of the media to peacefully assemble and protest. This also requires the Los Angeles Police Department to protect constitutional rights and avoid using violent means to manage peaceful crowds.

**Include "best value" in competitive bid in Section 371(a)**

**This will allow proprietary departments to select bids based on their best value instead of lowest bid during competitive bidding.**

**(Vote: 11 ayes [Unanimous])**

Section 371(a) currently states: "Contracts shall be let to the lowest responsive and responsible bidder furnishing satisfactory security for performance. This determination may be made on the basis of the lowest ultimate cost of the items in place and use." The Port of LA proposed replacing "lowest bid" criteria with "best value" in the Charter in order to deliver specialized projects such as the marine terminals. Emphasizing price over best value is also an outdated criteria that constrains the city's ability to secure suppliers that meet the needs of their system and customer.<sup>25</sup>

**Remove required ordinance for competitive sealed proposals and allow this procurement method to be approved by the Board of Harbor Commissioners in Section 371(b)****(Vote: 11 ayes [Unanimous])**

This will remove the required ordinance ensuring the need for prior Council approval for Request for Proposals (RFP).<sup>26</sup>

**Include exceptions to lowest bid criteria for critical infrastructure and software in Section 371(e)****(Vote: 11 ayes [Unanimous])**

This will allow proprietary departments to select bids based on their best value instead of lowest bid for critical infrastructure and software.<sup>27</sup>

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<sup>25</sup> [January 15th Presentation by the Port of LA to the Personnel and Budget Committee of the Charter Reform Commission](#)

<sup>26</sup> [January 15th Presentation by the Department of Water and Power to the Personnel and Budget Committee of the Charter Reform Commission](#)

<sup>27</sup> [January 15th Presentation by the Port of LA to the Personnel and Budget Committee of the Charter Reform Commission](#)

**Allow technical or administrative defects to be cured. Sec 470(c)(12)(H)****(Vote: 11 ayes [Unanimous])****This will allow technical or administrative defects on forms submitted by bidders to be cured without causing a 6 to 12 month delay in the process.**

Currently a single missed signature on a CEC Form 55 has been interpreted as fatal to the bidder's proposal which excludes and discourages qualified small and local bidders while simultaneously causing a 6 to 12 month delay as procurement is issued. The Charter Reform Commission adopted a reform that would allow this type of issue to be cured via an ordinance passed by Council.<sup>28</sup>

**Leases up to 66 years. Sec. 607(a)****(Vote: 11 ayes [Unanimous])****This will allow LAWA leases to be up to 66 years instead of the current 30 year cap.**

LAWA proposed amending Charter Section 607(a) to allow their leases to be up to 66 years.<sup>29</sup> The current Charter language says leases “shall not exceed 30 years or the term specified by applicable federal or state law, whichever is less.”

**Increase Purchase Order limits****(Vote: 11 ayes [Unanimous])****This will increase the low blanket purchase order amounts for General Managers in proprietary departments as this amount has not been increased in 15 years.**

The authority of General Managers over proprietary departments to approve personnel and professional services contracts is limited to one year and \$150,000, which hasn't been updated for 15 years.<sup>30</sup> For non-personnel and non-professional contracts, the General Manager's authority is limited to \$5 million annually. Due to this, the Commission recommended increasing low blanket purchase orders.

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<sup>28</sup> [January 15th Presentation by the Los Angeles World Airports to the Personnel and Budget Committee of the Charter Reform Commission](#)

<sup>29</sup> Ibid

<sup>30</sup> [January 15th Presentation by the Department of Water and Power to the Personnel and Budget Committee of the Charter Reform Commission](#)