

Charter Reform Comparison Brief

Purpose

This document compares the Bel Air-Beverly Crest Neighborhood Council's initial Community Impact Statements with the Charter Reform Commission's final recommended package. It is intended to help the Neighborhood Council decide whether to support, oppose, or request amendments to specific recommendations before the City Council acts.

Executive Summary

BABCNC's initial CISs asked for ambitious charter reform focused on transparency, accountability, neighborhood voice, land use reform, commission reform, ethics, budgeting, infrastructure, and public safety. The Charter Reform Commission adopted some of those ideas, partially adopted others, and left several major BABCNC priorities either unaddressed or deferred to a future charter review process.

The Commission package should not be treated as a single uncomplicated "support" item. Some recommendations align strongly with BABCNC's prior positions, especially Council expansion, Area Planning Commission reform, capital planning, ethics strengthening, and better recognition of Neighborhood Councils. Other recommendations were not addressed by BABCNC and may be controversial, including ranked-choice voting, lowering the voting age to 16, expanding mayoral powers, bifurcating the City Attorney, police accountability provisions, and budget set-asides.

The key issue for BABCNC is to distinguish between recommendations that track prior CIS positions, recommendations that only partially address BABCNC's concerns, and recommendations that were not previously reviewed by the board.

What BABCNC Asked For vs. What the Commission Recommended

City Council Expansion

BABCNC asked for: Increasing the City Council to at least 25 members, with a population-based formula embedded in the Charter so the number of seats can adjust over time. BABCNC also supported independent redistricting.

Commission recommended: Expanding the City Council from 15 to 25 single-member districts beginning with the 2032 elections.

Assessment: Strong alignment, although the Commission appears to recommend a fixed number rather than a population-based formula.

Neighborhood Council Power and Process

BABCNC asked for: A major elevation of Neighborhood Councils, including early access to budget and policy decisions, required department attendance when requested, written/public responses to NC input, independent budget and staffing protections for DONE, at least one sitting NC member on every City commission, guaranteed minimum three-minute speaking time for active CISs, and timelines that allow NCs to act before City decisions are finalized.

Commission recommended: Strengthening Charter Section 908; creating a separate queue for Neighborhood Councils presenting Community Impact Statements; requiring remote participation opportunities; allowing consent calendars on NC agendas; allowing NCs to submit budget requests through the BONC chair; allowing NCs to submit questions for General Manager candidates; expanding BONC from seven to nine members, including two NC-selected members; and modernizing Article IX language.

Assessment: Partial alignment. The Commission improves recognition and access, but does not give NCs the level of enforceable power BABCNC requested. The Commission did not adopt guaranteed three-minute CIS speaking time, required written responses, a public dashboard, mandatory department attendance, independent DONE budget/staffing protections, or NC representation on every relevant commission.

Land Use and Area Planning Commissions

BABCNC asked for: Strengthening the land use role of Neighborhood Councils; requiring discretionary permit applicants to appear before NCs; giving NC findings meaningful weight; requiring written findings when decision-makers reject NC recommendations; granting NCs standing to appeal discretionary land use decisions; reforming or eliminating Area Planning Commissions; removing PLUM/Council from quasi-judicial appeals; restoring or creating an expert appeals body; and preserving Section 245(e) as a safeguard.

Commission recommended: Replacing Area Planning Commissions with a five-member Board of Neighborhood Appeals; allowing de novo appeal review; modifying Section 245(e) to allow Council remand with time limits; streamlining quasi-judicial processes by moving details to ordinance; and changing certain land use procedural rules.

Assessment: Partial alignment. BABCNC's critique of Area Planning Commissions was substantially recognized, but the Commission did not give Neighborhood Councils formal land use standing, required deference, or a guaranteed role in discretionary permit proceedings.

City Commissions Generally

BABCNC asked for: A Charter-mandated review of all City commissions, with public-interest criteria, appointment transparency, subject-matter expertise, cost transparency, sunset/review provisions, limits on using commission appointments as political rewards, and mandatory NC representation on commissions affecting land use, public safety, ethics, and budgeting.

Commission recommended: Deferring comprehensive review of the commission system to a future periodic charter review process.

Assessment: This is a major disappointment. The Commission acknowledged the issue but did not take it on. BABCNC may want to explicitly state that deferral is inadequate and that commission reform should be included in the current package or scheduled with a binding deadline.

Ethics and Transparency

BABCNC asked for: Stronger Ethics Commission independence, clear removal/replacement rules, expanded disclosures, retained communications, recorded virtual meetings, and restrictions on back-channel position sharing in quasi-judicial land use matters.

Commission recommended: Ethics Commission Inspector General capacity; independent Ethics Commission counsel; secured Ethics Commission budget; clearer suspension rules; limits on using campaign funds to pay certain fines; special elections when more than one year remains in a term; campaign finance changes; and other ethics/accountability reforms.

Assessment: Partial alignment. The Ethics Commission reforms are meaningful, but the Commission did not appear to adopt BABCNC's stronger open-government proposals around back-channel communications, record retention, and deliberation transparency.

Budgeting, Infrastructure, Parks, and Fire Safety

BABCNC asked for: A two-year budget cycle, a capital infrastructure plan, advance maintenance/funding schedules, and fire-safety/resilience infrastructure requirements.

Commission recommended: A Capital Improvement Program; a 2% budget allocation to Public Works; increased Recreation and Parks funding; a CFO; and a two-year budget cycle with participatory budgeting.

Assessment: Partial alignment. The infrastructure and budget recommendations track some BABCNC priorities. The fire-safety-specific recommendations were not clearly adopted.

Additional Neighborhood Council Recommendations in the Commission Package

The Commission package includes some Neighborhood Council-related recommendations that BABCNC did not explicitly request or did not emphasize:

- Expanding BONC from seven to nine members, with two members selected through Neighborhood Council approval.
- Replacing "Citizen" with "Civic" participation in Article IX language.
- Updating "Officers" to "Board Members" in DONE provisions.
- Modernizing certification and bylaws requirements.
- Allowing consent calendars on Neighborhood Council agendas.
- Allowing Neighborhood Councils to submit budget requests through the BONC chair.
- Allowing Neighborhood Councils to submit questions for General Manager candidates.

- Requiring BONC training within 30 days for voting eligibility.
- Requiring remote participation opportunities at City Council and commission meetings.

These are generally positive process reforms, but they do not substitute for the stronger enforceable rights BABCNC requested.

Major Recommendations BABCNC Did Not Previously Address

Ranked-Choice Voting

Recommendation: Adopt ranked-choice voting for City and LAUSD elections, replacing the current primary/runoff system.

Potential benefits: Could reduce runoff costs, allow voters to rank sincere preferences, reduce spoiler dynamics, and encourage broader coalition-building.

Potential concerns: Could confuse voters, create implementation and voter education burdens, change electoral incentives in ways that are not well understood, and generate controversy if voters distrust tabulation or exhaustion rules.

Lower Voting Age to 16

Recommendation: Allow 16- and 17-year-olds to vote in City and LAUSD elections.

Potential benefits: Encourages civic participation, gives young people a voice in decisions affecting schools, transit, climate, policing, parks, and housing, and may create lifelong voting habits.

Potential concerns: Likely controversial with voters; may distract from governance reforms; could create administrative complexity; and may be politically framed as changing the electorate rather than reforming City Hall.

Bifurcation of the City Attorney

Recommendation: Split the current City Attorney role into an appointed City Attorney serving as legal counsel and an elected City Prosecutor handling prosecutions.

Potential benefits: Reduces conflicts between civil legal advice and prosecution; allows the City Attorney to focus on professional legal counsel and legislative drafting; gives the prosecutor a clearer public safety and enforcement role.

Potential concerns: Converts a major portion of an elected citywide office into an appointed office; may reduce direct democratic accountability; could create new conflicts over who controls legal positions; and requires careful transition planning.

Expanded Mayoral Powers

Recommendation: Expand mayoral authority to reorganize departments, transfer funds and employees between departments, and participate in Council meetings.

Potential benefits: Could create clearer executive accountability, reduce bureaucratic fragmentation, improve service delivery, and allow the Mayor to coordinate departments more effectively.

Potential concerns: Could weaken Council's legislative and budget authority; centralize too much power in the Mayor's office; reduce district-level responsiveness; and allow major operational changes without sufficient legislative deliberation. In a city with weak trust in government, concentrating power in one elected executive may be risky unless paired with strong oversight, transparency, and checks.

Context: Some of this likely reflects requests from the Mayor or mayoral reform priorities, but BABCNC should avoid stating that as a fact unless confirmed. It is fair to say the recommendation is consistent with a stronger-mayor model and may have been attractive to the Mayor's office.

Police Accountability Provisions

Recommendation: Add Council authority over police policies, personal liability insurance for officers, strengthened removal authority for repeated misconduct, and First Amendment protections.

Potential benefits: Strengthens democratic oversight, creates clearer accountability for misconduct, and affirms constitutional rights.

Potential concerns: Likely to face major opposition from law enforcement unions or public safety stakeholders; officer liability insurance may be legally, financially, or labor-relations complex; and Council authority over police policy may raise operational concerns.

Budget Set-Asides

Recommendation: Dedicate at least 2% of the City budget to Public Works and increase the Recreation and Parks funding floor.

Potential benefits: Forces long-term investment in infrastructure, parks, and deferred maintenance.

Potential concerns: Reduces budget flexibility during fiscal crises; may crowd out other urgent needs; and may be criticized as budgeting by charter formula.

Issues Requiring Special Attention

Sale or Transfer of Parkland / Recreation and Parks Property

BABCNC should treat this as a separate concern because the Neighborhood Council already has an approved CIS opposing the sale or transfer of parkland/non-park Recreation and Parks property through a streamlined process. The Commission package includes a recommendation to allow Recreation and Parks to sell or transfer land that is determined not viable for public recreation or open space, subject to findings and process requirements.

Even if the Commission frames this as limited to land not suitable for park use, this is likely to be controversial in hillside and open-space communities. The definition of "not viable" or "unsuitable" could become a loophole if not tightly drafted.

Failure to Reform the Commission System

BABCNC specifically asked for a meaningful review and reform of City commissions. The Commission's final report acknowledges that Los Angeles has a sprawling commission system and that no comprehensive evaluation has been done, but it defers this work to a future charter review process.

This is inadequate. Many of the city's accountability failures occur through commissions that are politically appointed, under-scrutinized, low-visibility, and sometimes disconnected from relevant expertise or affected communities. A charter reform process that claims to address accountability should not postpone commission reform entirely.

What Councilmember Yaroslavsky May Have Been Referring To

Councilmember Katy Yaroslavsky reportedly said the Commission did not understand how the City actually operates and recommended things that would not allow legislators to legislate. Without a transcript, this can only be interpreted cautiously. The most likely targets are:

- **Land use and quasi-judicial reforms.** Moving land use appeals away from PLUM/Council and toward administrative or quasi-judicial bodies may be viewed by Councilmembers as limiting their ability to respond to constituents and negotiate project outcomes.
- **Expanded mayoral powers.** Ironically, while this strengthens the Mayor, it may weaken Council's practical authority over departments, budgets, and implementation.
- **Budget set-asides.** Charter-mandated funding floors reduce Council's discretion to legislate through the budget.
- **City Attorney bifurcation.** Changing the legal-advice structure could affect Council's ability to obtain legislative drafting and legal guidance.
- **Moving details to ordinance.** Some recommendations streamline the Charter by moving details to ordinance, but if poorly designed, this may create uncertainty about who controls implementation.

BABCNC can agree that operational details matter without accepting that reform should be watered down. The right response is not to abandon reform, but to insist on reforms that are both ambitious and operationally sound.

Items That Could Be Folded Into a Later CIS

The parkland/open-space concern does not necessarily need to be discussed as a separate agenda item if the board does not want to spend meeting time on it. It can be folded into the CIS as part of the comparison between BABCNC's prior positions and the Commission's final package.

Similarly, the Commission's failure to take on commission reform can be addressed in the CIS without requiring a separate board discussion, so long as the adopted position clearly authorizes comment on the Commission package and its omissions.

Notes for Board Discussion

The board may want to focus discussion on a limited number of threshold questions:

- Which Commission recommendations clearly align with BABCNC's prior CISs?
- Which recommendations are new, controversial, or outside the scope of prior BABCNC positions?
- Which Neighborhood Council recommendations are helpful but insufficient?
- Which omissions matter most, especially commission reform and stronger Neighborhood Council authority?
- Are there any provisions that should be explicitly carved out because BABCNC has concerns or prior contrary positions?

This document is intended as a comparison and issue-spotting memo, not as a proposed final position.