



OFFICE OF THE CITY ATTORNEY

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January 12, 2007

Honorable Members of the
Education and Neighborhoods Committee
200 N. Spring Street, Room 360
Los Angeles, CA 90012

Attention: Patrice Lattimore

Re: Los Angeles Neighborhood Council Congress Advice Letter


Honorable Members:

Pursuant to the request of the Chair of the Education and Neighborhoods Committee of the City Council, transmitted herewith is a copy of the advice letter this office sent to the Department of Neighborhood Empowerment pertaining to legal questions regarding the Los Angeles Neighborhoods Council Congress ("LANCC").

A member of this office will be available when you discuss this matter to answer any question you may have.

Sincerely,

ROCKARD J. DELGADILLO, City Attorney

By: 
GWENDOLYN R. POINDEXTER
Assistant City Attorney

GRP:pm
Attachment



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November 29, 2006

Lisa W. Sarno
Interim General Manager
Department of Neighborhood Empowerment
334-B East Second Street
Los Angeles, California 90012

Re: The Los Angeles Neighborhood Councils Congress

Dear Ms. Sarno:

This Office has recently received requests for advice from your Department and various neighborhood council board members on a variety of issues regarding the Los Angeles Neighborhood Councils Congress (LANCC), including whether the LANCC is subject to the Brown Act, whether it is a city entity, whether neighborhood councils may participate in its activities, and whether neighborhood council board members would assume personal liability if they choose to participate in the LANCC. We also received inquiries as to whether the LANCC is authorized to convene and conduct the Charter-mandated Congress of Neighborhood meetings. To respond to these questions, we analyzed the City's legislative framework relating to neighborhood councils as well as how the LANCC was formed in the context of the citywide system of neighborhood councils by looking at its proposed charter and organizing minutes.

SUMMARY OF ADVICE

Because the LANCC was not formed by any official action of the City of Los Angeles, it is not a City entity. Although neighborhood councils have not been authorized to join or create separate organizations, neighborhood council members may participate with other groups or organizations, including the LANCC so as long as that participation relates to their City Charter role and purpose of the citywide system of neighborhood councils. Whether individual neighborhood council board members who participate in the LANCC will receive indemnification and defense from the City for possible liability will depend upon the particular facts of each case and whether the person was acting within the scope and authority of his or duties as a neighborhood

