

**INTRA-CITY MEMORANDUM OF UNDERSTANDING BETWEEN CERTIFIED
NEIGHBORHOOD COUNCILS AND DEPARTMENT OF WATER AND POWER**

This two year Memorandum of Understanding (hereinafter "MOU") is mutually agreed upon this 5th of April, 2005 by and between two entities of the City of Los Angeles: the Department of Water and Power ("LADWP") and Certified Neighborhood Councils.

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

LADWP WILL DO THE FOLLOWING:

LADWP will designate a person as the primary point of contact to each Neighborhood Council. LADWP will assign a primary Liaison to each of the seven Los Angeles Planning Districts. LADWP Liaisons may be assigned to more than one Neighborhood Council.

Each LADWP Liaison will be responsive to each Neighborhood Council whose boundaries fall, in whole or in part, within the Planning District to which they are assigned.

LADWP will provide notification as soon as practical of all matters that it deems to be significant, or any matter that the Neighborhood Council Oversight Committee has informed LADWP in writing is significant. Among the purposes of notification by LADWP is permitting Neighborhood Councils to have input into decisions by LADWP and to monitor the delivery of services by LADWP. A good faith effort will be made by both parties to abide by the timeframes in this MOU.

LADWP will provide notification as soon as practicable, but before the Board of Water and Power Commissioners (the "Board") adopts a major policy or program, or significant changes in an existing major policy or program.

LADWP and the Neighborhood Councils recognize that many issues regarding LADWP services will be specific to individual neighborhoods. For such local issues, the Neighborhood Council Representatives will contact their LADWP Liaison.

LADWP will use its best efforts to provide notification of Significant Projects 90 days prior to the commencement of work to be constructed within the City of Los Angeles. For purposes of this subsection, "Significant Projects" is defined as those projects, programs and activities that would require either an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND) in accordance with the California Environmental Quality Act (CEQA) and excludes programs, projects and activities that would qualify for either a simple negative declaration or a categorical exemption.

Closing of Streets: LADWP will use its best efforts to notify the affected Neighborhood Councils when LADWP applies for an excavation permit that will involve the closing or partial closing of streets for 48 hours or more.

In October or November of each year, LADWP will hold a Neighborhood Council Budget Workshop at a time and location designed to be convenient for as many Neighborhood Council members as possible.

In January or February of each year, LADWP will host a Neighborhood Council Budget Workshop at a time and location designed to be convenient for as many Neighborhood Council members as possible.

At the Winter Budget Workshop, LADWP will provide further clarifications to any questions from the Neighborhood Councils regarding the upcoming fiscal year's budget, based upon the information provided at the Fall Budget Workshop.

When materials for the upcoming fiscal year draft budgets are posted for review (generally May or June of each year) on LADWP'S website, LADWP will use its best efforts to provide notification to the Neighborhood Councils. The website will also contain the time and meeting location for the Board of Commissioner's Draft Budget and Financial Plans Review. It is LADWP's policy to post matters for review as soon as they are completed.

LADWP will use its best efforts to provide notification of any proposed Rate Action 90 days before the proposed rate action is submitted to the Board. Such notification will include the Rate Action and upon request copies of the supporting documentation provided to the Board and the City Council for consideration.

LADWP will use its best efforts to provide seven (7) days' notice of any meeting at which the Board is scheduled to take action on a proposed rate action.

LADWP Liaisons will educate Neighborhood Councils regarding the organization and workings of LADWP.

LADWP may provide such education through workshops, participation in Neighborhood Council Congresses, presentations at Neighborhood Council meetings, and distribution of written materials.

Educational Site Visits: LADWP may invite members of Neighborhood Councils or stakeholders to participate in site visits to LADWP facilities. LADWP will provide information about the site visits to Neighborhood Councils and/or other interested parties.

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

LADWP will hold an annual meeting with the Neighborhood councils in each of the seven Los Angeles planning areas to discuss delivery of services at a programmatic level.

LADWP will identify and provide to the Neighborhood Councils the standards it uses to measure its performance.

LADWP will identify and provide existing, readily-available, non-proprietary reports regarding LADWP's performance.

When LADWP has adoption of a major policy or program, or a change in an existing major policy or program, under consideration, LADWP will provide notification in accordance with paragraphs 2.2 and 2.3, above, as early in the planning process as practicable, but in any event no later than 120 days before LADWP adopts a formal position regarding the Major Policy or Program.

NEIGHBORHOOD COUNCILS WILL DO THE FOLLOWING:

Each Neighborhood Council shall designate a person as the point of contact for communications with LADWP. Each Neighborhood Council is responsible for determining how this person ("NC Representative") is designated.

Each Neighborhood Council will provide the name, mailing address, phone numbers(s) and e-mail address of its representative to the designated LADWP Liasons(s) that is responsible for interfacing with such Neighborhood Council. In order to assure good communication, updated contact information will be provided to the assigned LADWP Liason(s).

LADWP will recognize official actions taken by Certified Neighborhood Councils. "Official Actions" are actions adopted by motion at a properly noticed public meeting.

If a Neighborhood Council, or a committee of a Neighborhood Council, intends to include on any meeting agenda any matter relating to LADWP, that Neighborhood Council shall provide 14 days notice to LADWP before the Neighborhood Council, or committee of a Neighborhood Council, takes any official action on that matter.

At the meeting, LADWP will request the opportunity to present LADWP's position on the matter raised by the Neighborhood Council, including giving and LADWP representative a reasonable amount of time to make a presentation.

Where LADWP has provided the Neighborhood Councils with notification pursuant to any of section of this MOU, each Neighborhood Council will make its best efforts to provide written input to LADWP within 60 days after receipt, unless otherwise provided by this MOU.

Each Neighborhood Council will independently decide whether to enter into this MOU. Due to the large number of Neighborhood Councils, it will be impractical for each Neighborhood Council to separately negotiate any modifications to the MOU with LADWP, and for LADWP to separately negotiate modifications with each Neighborhood Council. For this reason, each Neighborhood Council that enters into the MOU will be asked to separately agree to the appointment of a Neighborhood Councils' LADWP Oversight Committee.

The members of the Neighborhood Councils' LADWP Oversight Committee shall be selected by the NC Representatives from each of the Neighborhood Councils that enter into the MOU.

GENERAL PROVISIONS

This MOU may be modified in writing by mutual agreement between the Board of Water & Power Commissioners and each Neighborhood Council or the NC LADWP Oversight Committee.

This MOU shall expire two (2) years after it is first executed by LADWP

This MOU can be extended in writing by mutual agreement of the parties.