

Memorandum

To: Policy Board Members and Alternates

From: Robert D. Miller, Director

Date: November 12, 2003

Subject: City Attorney Memorandum on NRP Policy Board Powers

In September, as part of the Board packet, I provided you with copies of an August 11 memorandum to CPED Director Lee Sheehy that proposed expanding NRP's contract administration activities. The proposal was made to try and correct performance, cost and timeliness issues that have been concerns for many years. As part of our discussions with CPED on the potential changes I agreed to request a legal opinion on this proposal from the City Attorney and made the request in an August 26 memorandum that was also included in the September Board packet.

Mr. Sheehy made a request for a legal opinion at the same time, but covering additional questions. On October 22 the City Attorney responded to Mr. Sheehy's questions with the attached Interoffice Memorandum on NRP Policy Board Powers. The memorandum opines that the existing statutes provide no authority for the NRP Policy Board to implement neighborhood action plans or perform the contract administration function for any contract that implements a neighborhood action plan strategy.

The Policy Board has the authority to review, modify and approve neighborhood action plans and review the activities funded with program money to determine if the expenditure is in compliance with the neighborhood action plan. I have attached a copy of the Interoffice Memorandum from the City Attorney to Mr. Sheehy for your information and reference. I have also enclosed another copy of my August 11 and 26 memorandums for easy reference.

For the past two weeks NRP staff has been meeting with CPED and City Attorney staff to review and clarify the City Attorney opinion and to develop a contract processing system that will meet the requirements of the City Attorney and still be as cost effective and efficient as possible. Some duties and responsibilities for both NRP and City staff will probably change but at this time the extent of the changes and their impact are still being analyzed. These changes will also impact the neighborhoods. Our goal, however, continues to be to improve the "efficiency, effectiveness and costs of the present contract management and administrative support processes" and make it as responsive as possible to the needs of the neighborhoods.