

ADOPTED 04/02/13

# CITY OF LOS ANGELES

CALIFORNIA

## BOARD OF NEIGHBORHOOD COMMISSIONERS

**PAUL PARK**  
PRESIDENT

**LEONARD SHAFFER**  
VICE PRESIDENT

**DOUGLAS EPPERHART**  
**DANIEL GATICA**  
**LINDA LUCKS**  
**KAREN MACK**

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**ANTONIO R. VILLARAIGOSA**  
MAYOR

## DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

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GENERAL MANAGER

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## MINUTES

### BOARD OF NEIGHBORHOOD COMMISSIONERS

### REGULAR MEETING

**MONDAY, MARCH 18, 2013 – 1:00 P.M.**

**CITY HALL, 10<sup>TH</sup> FLOOR CONFERENCE CENTER  
ROOM 1070, 200 NORTH SPRING STREET  
LOS ANGELES, CA 90012**

#### COMMISSIONERS PRESENT

Paul Park, President  
Leonard Shaffer, Vice President  
Douglas Epperhart  
Karen Mack

#### ABSENT

Daniel Gatica  
Linda Lucks

#### DEPARTMENT STAFF PRESENT

Grayce Liu, General Manager  
Leyla Campos, Senior Project Coordinator  
Stephen Box, Acting Senior Project Coordinator  
Joseph Hari, Project Coordinator  
Janet Lindo, Executive Administrative Assistant

#### CITY ATTORNEY REPRESENTATIVE

Darren Martinez, Deputy City Attorney  
Carmen Hawkins, Deputy City Attorney  
Alois Phillips, Deputy City Attorney

1. Introduction (5 minutes)

**ACTION: President Park gave the introduction.**

2. Call to Order and Commission roll call. (1 minute)

**ACTION: President Park called the meeting to order at 1:10 p.m. Commission roll was called at 1:37 p.m., by Janet Lindo, Executive Administrative Assistant, upon the arrival of Commissioner Mack, a quorum was established.**

3. Approval of the Minutes of the Special Meeting of March 4, 2013. (Click on the link to view a copy of the document.) (3 minutes)

[http://done.lacity.org/dnn/portals/0/documents/LEARN/About\\_the\\_commission/03-04-13\\_draft\\_SPECIAL\\_COMMISSION\\_MEETING\\_MINUTES.pdf](http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/03-04-13_draft_SPECIAL_COMMISSION_MEETING_MINUTES.pdf)

**ACTION:** This agenda item was taken out of order after agenda item no. 6. Commissioner Epperhart moved approval of the Minutes of the meeting of February 5, 2013, as written. Commissioner Mack seconded the Motion.

**VOTE:** Ayes – 4  
Nays – 0

**Motion passes unanimously.**

4. General Public Comments - Comments from the public on non-agenda items within the Board's subject matter jurisdiction. This agenda item will last a total of 15 minutes and no individual speaker will be allowed more than three minutes. (15 minutes)

**This agenda item was taken out of order after agenda item no. 1. Public comment received from:**

**Jill Banks-Barad – President Sherman Oaks Neighborhood Council. Suggest for the Congress in September that the person who is presenting the awards follow a script to allow equal time for each recipient.**

**Glenn Bailey – concerned about the Brown Act no longer being enforced, has to do with no requirement to show identification to come to a public meeting.**

**William Kuzman – concerned about how Granada Hills South Neighborhood Council reaches their constituents.**

**Linda Romney – Granada Hills South Neighborhood Council has done no outreach regarding the community plan.**

5. Verbal update from a representative of the Office of the Mayor Antonio Villaraigosa, Neighborhood and Community Services. (10 minutes)

**ACTION: No representative present.**

6. General Manager's Report. (10 minutes)
  1. Briefing on Departmental activities.
  2. Staffing, budget and other operational matters.

**ACTION: General Manager, Grayce Liu, Senior Project Coordinator, Leyla Campos, and Project Coordinator, Joseph Hari, gave a verbal update on Departmental activities, staffing, budget and other operational matters.**

- The funding report submitted to Education and Neighborhoods Committee summarizes some of the issues related to funding and the proposal for a checking account.
- We have contacted all the Neighborhood Councils that are late in one or more of their reconciliations for their purchase card. They were given an April 1<sup>st</sup> deadline to submit the documents or we will have to start freezing funds for

those Neighborhood Councils who have two or more quarters of reconciliations that are late.

- We are working to bring contract and leases up to date and to put those that we need to have under contract under contract such as web designers.
- The Department was contacted about hosting an international delegation of governmental officials who will be coming in early April to learn more about the Neighborhood Council system.
- There is currently one group in the South area in exhaustive efforts and one group in the Central area in pre-exhaustive efforts.
- The Department has been working closely with Councils for Councils program volunteers and the Valley Resource Board.
- On Saturday we had a very successful Budget Day – 145 participants total throughout the City, South/Harbor – 57, East - 28, Central/West - 20, Valley – 40. Received a lot positive feedback regarding the regional format.
- Budget Advocates will be meeting with the Mayor next week.
- The Budget will be coming out on April 19, 2013.

7. Commission Committee Reports. (10 minutes)

1. Ad Hoc Committee re Standards and Outreach (Members: Mack-Chair, Park, and Lucks)

**ACTION: None.**

8. Discussion regarding the recommendations from the Commission's Regional Plan Review Committees suggesting changes to the Stakeholder definition. Currently, a stakeholder in the Neighborhood Council system is defined as a person who "lives, works, or owns property in the neighborhood and any individual who declares a stake in the neighborhood and affirms the factual basis for it." The Commission may take action on this definition recommending further meetings to discuss the definition and/or provide recommendations to the City on who should be a stakeholder. (30 minutes)

**ACTION: Commissioner Shaffer moved to postpone agenda item 8 to the May 7, 2013. Commissioner Epperhart seconded the motion. Commissioner Shaffer withdrew the motion and moved a new motion to move the agenda item be postponed until May 20, 2013, so that it occurs here in City Hall. Commissioner Epperhart seconded the motion.**

**VOTE: Ayes – 4  
Nays – 0**

**Motion passes unanimously.**

**Public comment received from:**

**Glenn Bailey – to defer this to the next meeting is not going to allow adequate time for the Valley Alliance of Neighborhood Councils, that meet after that date, it will not allow enough time for the Los Angeles Neighborhood Council Coalition to meet which is also after that date so if you are going to defer this, I would suggest that you do it to your April 15 meeting here, centrally located in downtown Los Angeles. I would suggest a template language to help make it easier for Neighborhood Councils saying if you want the full wide range or you want it more narrow.**

Jill Banks Barad – the two things we added were real property and included work as volunteer work. What is factual basis? There was so much vagueness about what it means. Our panel saw it as community interest, those people who belong to a church or synagogue, on park advisory boards, their children is in school. This is really community interest. I think the term is not correct. Factual basis does not mean anything.

Patti Berman – believe the motion is a good idea for the Neighborhood Councils. Factual basis needs to be defined by the Neighborhood Councils.

Russell Brown – commend DONE and BONC for starting this conversation. I agree that we are basically discussing two different issues. We are discussing community involvement in substantial way and everybody else.

Jose Felix Cabrera – we are in favor that you limit the number of factual basis in the Neighborhood Councils because we did not have good experiences. A Neighborhood Council should be filled with members of the community. We are in favor of the changes.

Rick Coca – representative from Councilmember Huizar’s office, the motion works well. The only consideration we would have would be over the definition of factual basis stakeholder and to define ahead of time at least a such as clause. Confer with the City Attorney to see if a such as clause is needed (such as somebody who goes to church in a particular area, such as somebody whose children attend a school in a particular area). We need to have stated language about the robustness and that it should equal the standard of live, work, or own property, substantive and ongoing description.

Mary Garcia – I echo the two people who spoke before me. It’s been a nightmare thinking about this stakeholder no definition of what it is. It should be community interest the other is so vague no one knows what it means.

Charles Lindenblatt – if you postpone your decision to the next meeting and not the one after, it won’t be enough time for our board to consider it. Our next meeting is April 9. I would suggest that you give Neighborhood Councils more time to weigh in on the specifics of this motion

Margarita Lopez – there was a time we had a need to add factual basis members because we didn’t have a quorum. We came to the Commission to have this approved. I want to mention to you that this was a big mistake.

Pete Nicholas – there are layers of problems, one, the Charter wasn’t well written as far as Neighborhood Empowerment and secondly there is the conflict the City included by ordinance factual basis. Ultimately, the Charter needs to be revised and the City Ordinance needs to be revised. I am absolutely against jumping the gun here and starting voting on things that are still in process. This is such a hot button issued because of so many issues of takeovers.

David Rockello – I applaud people that go around the city and are factual basis voters because they are participating in the whole citywide thing, but we got a good way of

controlling how many votes can be factual basis. We had one factual basis seat that casual factual basis voters could vote for. That saved us from having incidents of community members coming in and perjuring themselves like they did in Greater Echo Park Elysian Neighborhood Council where they did not have the right bylaws set up. It's about factual basis plus self-affirmation which is a door too wide open for perjury and we need some way to control that and I think showing proof is the way to control that. Please go forward with this as soon as possible.

Alisa Smith – as an Independent Elections Administrator and poll manager it was really terrific when we had elections that enabled people who weren't otherwise allowed to participate in our democratic system to be able to vote. It is important to be able to have rules that are easy to enforce that are clear. My theme was to make it easy to vote and hard to cheat. Issues that you have heard can solve through Neighborhood Council bylaws.

Ivan Spiegel – my council meets tomorrow night. This is not fair unless everybody has a chance to weigh in on this. This is something that is too important to rush through just because we are trying to get it into the election cycle. That is not the way to do business. You have to give all the Neighborhood Councils a chance to weigh in. Please don't rush or else you are going to have a lot of complaints coming in from Neighborhood Council and it is going to destroy your process.

9. Discussion by the Commission of Article VI, section 2(c) of the Plan for a Citywide System of Neighborhood Councils which establishes a process for allowing the Commission to expand a Neighborhood Council's boundaries in order to incorporate an adjacent area that has not been included within a Neighborhood Council. The Commission may take action developing Policies that establish the process for expanding the Neighborhood Council's boundaries and any procedures necessary for the Commission to conduct its hearing under Article VI, section 2(c). (30 minutes)

**ACTION: None.**

**Public comment received from:**

David Rockello – your proposal does not have wordings for boundary adjustments between councils not to create a new council, but to give territory from a Neighborhood Council that is too large to a smaller Neighborhood Council that has a shared boarder.

10. Discussion and possible action on the Department of Neighborhood Empowerment's election report, including proposed funding options for the 2014 Neighborhood Council elections. (Click on the link to view a copy of the document.) (30 minutes)  
[http://done.lacity.org/dnn/portals/0/documents/LEARN/About\\_the\\_commission/CF\\_11-1912\\_Dept.Rpt\\_NC\\_Elections\\_02-15-13.pdf](http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/CF_11-1912_Dept.Rpt_NC_Elections_02-15-13.pdf)

**ACTION: Commissioner Shaffer moved that because of the importance of holding elections on a regular basis and because of the importance of the collaboration between the City Clerk and the Department of Neighborhood Empowerment for the proper running of elections that we strongly urge the Mayor and City Council not to impede the progress of elections and to fully fund those elections for the Spring of**

2014. Commissioner Epperhart seconded the motion and moved an amendment to add after 2014, and at least every two years thereafter. Commissioner Shaffer seconded the amendment.

VOTE: Ayes – 4  
Nays – 0

Motion passes unanimously.

Commissioner Park will work with the Department to draft a letter to the Mayor's Office.

Public comment received from:

Glenn Bailey – I can report that we had a meeting of the Encino Neighborhood Council executive committee which did vote to make a recommendation to the full board which will come up next week which was to recommend that the elections be held in the Spring of 2014 with jointly staffed between the Department of Neighborhood Empowerment and the City Clerk and that Neighborhood Councils not be charged for any costs associated with that. I think consistency is important.

Patti Berman – we don't get enough money anyway. We got a brand new board who will be serving over a little over a year because their elections were one of the last one. I don't think it is fair for all of us to be pushed into one boat.

Russell Brown – having been involved for 11 years when we first started we were at \$50,000, just taking a 4 percent inflation rate for 11 years we are already at a 44 percent reduction even if we had the full \$50,000 in purchasing power. When you actually look at \$37,500 and you look at the added expenses going in we are drastically getting to the point that we've cut back on most community projects which also cuts back on our participation with a lot of stakeholder groups and especially organizations that would like to participate.

Jose Felix Cabrera – due to the bad experience that we had at the last elections we didn't have any support to do outreach to the community. So everything was from person to person. I think it is very important that you secure funds for outreach or maybe recommend the Neighborhood Councils to support us for the coming elections. It is very important that we not wait to 2015 because if we are going through all these problems how can we wait one more year to solve this? Please take into consideration that we work very hard in the community.

Jay Handal – Chair, Budget Advocates, we passed a motion about taking away the money, moving the elections, we also are the ones who filed with the City Attorney on Charter Section 911 because it has become extremely evident both in what the Department can perform and where we are going with our funds and by taking the elections and making us pay for it or moving it because we won't pay for it in total, again it inhibits the Department and the Neighborhood Councils from doing the job they are supposed to do under the City Charter. Elections, consistency, I don't care if you do them in the Spring 2014 or the fall of 2015, whatever you do at that point you have to be consistent after that point.

**Charles Lindenblatt** – we were also on the last cycle to be seated in mid-November. We have about half of our board is new and they would only be serving little over a year. I oppose having the Neighborhood Councils paying for their elections unless a good part of this money that is taken would be used for outreach.

**Ivan Spiegel** – I was also one of the IEAs. I echo what Glen Bailey said. I think this report is excellent. At some point we have to put our foot down and say stop taking money from Neighborhood Councils because every time you do it makes it harder and harder and harder for us to do our jobs. In terms of the timing of this, I think the recommendation to work in conjunction with the City Clerk is excellent. I felt they did a great job when they actually ran the elections. Combining the resources and skills is an excellent way to solve most of the problems. We have to figure out other ways of getting candidates.

**Dan Wiseman** – things came on very fast the last week or two and the Neighborhood Councils were furious. My Neighborhood Council, West Hills moved three things: 1) West Hills recommends that the 2013-2014 City budget include provisions to restore the annual allocation to \$50,000 per year, 2) the budget include provisions to support and fund the 95 Neighborhood Council's elections in calendar 2014, 3) serious danger that the DONE will be involved in a materially impaired state. Neighborhood Council's funds were originally put into a special fund and are set so that they are not changed each year, but changed every other year, Section 911 of the Charter. What are you going to do about it?

11. Discussion and possible action on the Department of Neighborhood Empowerment's funding report recommending the current Neighborhood Council funding structure be changed to a checking account system. (30 minutes)

**ACTION: None.**

**Public comment received from: Mary Garcia** – the checking account system suggested is perfect. It is critical to our Neighborhood Councils. The way it has been operating it causes such stress, we are volunteers.

12. Commission Business - Comment from Commissioners on subject matters within the Board's jurisdiction. (20 minutes)
  1. Comment on Commissioners' own activities/brief announcements.
  2. Brief response to statements made or questions posed by persons exercising their general public comment rights/ask staff questions for clarification.
  3. Introduce new issues for consideration by the Commission at its next meeting and direct staff to place on the agenda.
  4. Ask staff to research issues and report back to the Commission at a future time.

**ACTION: None.**

13. General Public Comments - Comments from the public on non-agenda items within the Board's subject matter jurisdiction. This agenda item will last a total of 15 minutes and no individual speaker will be allowed more than three minutes. (15 minutes)

**Public comment received from:**

**Russell Brown – I want to thank you for having the conversations that we had today. As we continue through the Neighborhood Council review process over the next six weeks or couple of months I think it's probably important to focus bringing to your attention the actions that will most directly be affected by the bylaws changes and the elections. I think it would be best if we focus on the finances and the elections definitions especially factual basis and stakeholder basis those don't seem to be totally defined and I think it will be really clear once we start elections. Not having that clear definition is a problem.**

**Pete Nicholas – you Commissioners eventually adopted a resolution today about funding, but in the discussion it was early pointed out that you had already taken a position and it might not be necessary to take a position. I have found in dealing with different bodies that if one position comes in and it is dated yesterday and another one comes in and it is dated four months ago, the one dated yesterday is psychologically taken as more important and I have found it valuable in organizations that if you take a position in January and the issue comes up again in another body like City Council in May, instead of just saying we've taken a position I found it advantageous to take another instant vote so that like if you have a position before today you vote to readopt the position so that next week when City Council or another body takes it up they have something right there that is new and fresh.**

14. Adjourn

**ACTION: Meeting adjourned at 4:28 p.m.**

**####**