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GENERAL MANAGER

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MINUTES

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING

MONDAY, MAY 16, 2011 – 11:30 A.M.

CITY HALL, 10<sup>th</sup> FLOOR CONFERENCE CENTER  
ROOM 1060, 200 NORTH SPRING STREET  
LOS ANGELES, CA 90012

COMMISSIONERS PRESENT

Albert Abrams, President  
Daniel Gatica, Vice President  
Esther Cepeda-Hatch  
John Kim  
Linda Lucks  
Karen Mack

ABSENT

Carlene Davis

DEPARTMENT STAFF PRESENT

BongHwan Kim, General Manager  
Janet Lindo, Executive Administrative Assistant  
Grayce, Liu, Senior Project Coordinator

CITY ATTORNEY REPRESENTATIVE

Anthony-Paul Diaz, Deputy City Attorney

1. Introduction (5 minutes)

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

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

**ACTION: President Abrams called the meeting to order at 11:35 a.m. Commission roll was called by Executive Administrative Assistant, Janet Lindo.**

3. Approval of the Minutes of the Regular Meeting of May 3, 2011. (3 minutes)

**ACTION: Commissioner Lucks moved that the Minutes of the Regular Meeting of May 3, 2011, be approved as written. The Motion was seconded by Commissioner Cepeda-Hatch.**

**Vote: Ayes - 5, 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 two minutes. (15 minutes)

**ACTION: Public comments were received from:**

Ivan Spiegel –rollovers being eliminated by City Council, no advance warning given; wants a letter to City Council early on ask them to state in advance if rules have been changed.

Ida Talalla – from Echo Park – GEPENC; 2009 – came before BONC asking for decertification of the NC – DONE gave a report which she considers inaccurate.

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

**ACTION: Joseph Hari, Office of the Mayor, West Los Angeles Area Director, Neighborhood & Community Services, introduced himself and gave a brief background on his prior experience to the Commission. He is the liaison from the Mayor's Office and is here to support the Commission in any way that he can.**

6. General Manager's Report (10 minutes)

1. Briefing on Departmental activities
2. Staffing, budget and other operational matters.

**ACTION: General Manager, BongHwan Kim, provided an update on Departmental activities. Commissioner Abrams requested a description on the certification process which the General Manager provided.**

**Public comments were received from:**

Leonard Shaffer – year-end accounting was asked for in April. Wants to know when this will be reviewed.

Ida Talalla – wants GM report in writing – thinks that “decertification” description is inadequate – wants more detail on it.

7. Discussion and approval of the following two Neighborhood Purposes Grants (NPG). (15 minutes)
- A. Olympic Park Neighborhood Council and Los Angeles Neighborhood Initiative for \$30,000. Funds will be used as part of the Community Redevelopment Agency funded San Vicente Median Project that allows for the creation of pocket parks, walking paths and planting within those medians.

- B. Pico Neighborhood Council and Los Angeles Neighborhood Initiative for \$20,000. Funds will provide green space and landscaped walkways for the community.

**ACTION: Agenda item was taken off calendar.**

8. Discussion regarding the Education and Neighborhoods Committee, Special Joint Meeting with the Board of Neighborhood Commissioners, held on March 23, 2011, including an update on the future administration of Neighborhood Council elections by the City Clerk. (20 minutes)

**ACTION: None**

**Public comments were received from:**

Bennett Cohon – has concerns if the City Clerk does not do elections – perhaps a hybrid election would work.

Len Shaffer – postponing elections until 2014 is breaking promises to Neighborhood Councils – would 2013 elections with municipals has problems – Voting Rights Act, for example, and can Neighborhood Councils “select” their board.

Ivan Spiegel – polling inspector for the City – wants the BONC to read the minutes of the Neighborhood Council Elections Task Force.

Ida Talalla – elections are transparency for the Neighborhood Council system – Neighborhood Council standards would have to be the same as municipal election candidates.

9. Discussion and possible action regarding the City Administrative Officer’s recommendation to postpone Neighborhood Council elections to 2014. (15 minutes)

**ACTION: None.**

**Public comments were received from:**

Doug Fitzsimmons – postponing elections are a blow to Neighborhood Council legitimacy.

Len Shaffer – CAO (City Administrative Officer) does not have authority to postpone elections – ask City Clerk and City Council not to postpone until 2014.

Ivan Spiegel – Neighborhood Councils can fund their own elections – City Council should pay for elections.

Ida Talalla – Do not postpone 2012 elections. Neighborhood Council elections are not dispensable – are City Council’s postponeable? Keep 2012 elections

10. Discussion and possible action regarding a recommendation to Neighborhood Councils to consider revising their bylaws to include a provision whereby a minimum of one seat or ten percent of the membership of each Neighborhood Council will include a seat reserved for factual basis stakeholder. (15 minutes)

**ACTION: Commissioner Lucks moved that:**

**WHEREAS the Los Angeles City Council, in an attempt to create wider citizen inclusiveness in the Neighborhood Council system, has amended the definition of**

**stakeholder to include the phrase “and any individual who declares a stake in the neighborhood and affirms the factual basis for it”, and**

**WHEREAS people qualifying as stakeholders under this amendment have become known as “factual basis stakeholders”, and**

**WHEREAS the Los Angeles City Council did not provide any restrictions or guidelines for the implementation of this amendment, and**

**WHEREAS factual basis stakeholders have been allowed to qualify as such by as minimally as producing a receipt for coffee purchased within a Neighborhood Council’s boundaries, and**

**WHEREAS in the subsequent (2010) elections, factual basis stakeholders have managed to gain a majority of seats on several Neighborhood Council boards, and**

**WHEREAS these new boards have begun submitting bylaws amendments to solidify their control in the future, and**

**WHEREAS without further definition, special interests will be able to gain control of more Neighborhood Council boards, thus further disenfranchising stakeholders who actually live, work, or own property in a community, and**

**WHEREAS the Board of Neighborhood Commissioners has the duty to establish policies to protect and enhance the integrity of the Neighborhood Council system,**

**BE IT RESOLVED that the Board of Neighborhood Commissioners sets the following policy:**

**It is recommended and advised that all Neighborhood Councils revise their bylaws to include language stating that:**

- 1- Each Neighborhood Council shall allow for the inclusion of a minimum of one board seat or a maximum of (10) percent of the total board composition that factual basis stakeholders can run or vote for in all upcoming elections. If no factual basis stakeholder chooses to seek election to that seat it may be filled with a non-factual basis stakeholder.**

**IT IS FURTHER RESOLVED that the Board of Neighborhood Commissioners, in its role of approving any changes to a Neighborhood Council’s board structure, shall recommend the denial of applications for board structure amendment that do not comply with the recommendations.**

**The Motion was seconded by Commissioner Cepeda-Hatch.**

**Deputy City Attorney, Anthony Paul Diaz, advised that the last paragraph is not appropriate for this Motion, since it is a recommended policy and a recommended change. It would be beyond the Commission’s authority to say that you would or possibly deny applications for a bylaw amendment, if it did not comport with the recommendations made.**

**Commissioner Lucks agreed to amend the above Motion by:**

**changing the word “shall” under #1, line 1, to the word “should”,  
changing the word “or” under #1, line 3, to the word “and”,  
deleting the last paragraph.**

**Vote: Ayes - 5, Commissioners Abrams, Cepeda-Hatch, Gatica, Lucks, and Mack.**

**Abstention - 1: Commissioner Kim**

**Motion passes.**

**Public comments were received from:**

Len Shaffer – 1) inherent ambiguity – who votes for the factual basis stakeholder (FBS) position, 2) problem is the FBS definition.

Ivan Spiegel – people want the BONC to protect Neighborhood Councils from being taken over by interests.

Bennett Cohon – if you say ten percent of board (e.g., Westside NC has 17) – do you make it one or do you make it two? Should there be a provision in the actual bylaw that says a person can only vote as affirm factual basis for a specific number of offices?

**The following items were taken off the calendar due to a loss of quorum at 1:30 pm**

11. Discussion and possible action by the Commission recommending that City Council should adopt an ordinance that will require the Neighborhood Council's governing board to have a minimum number of seats on its board designated for factual basis stakeholders (and/or require that a certain percentage of the seats, e.g., 10%, be assigned to factual basis stakeholders). The Commission may also discuss and provide recommendations on the tools that may be implemented to insure compliance with the allocation of board seats. (15 minutes)

**ACTION: Agenda item was taken off calendar.**

12. Commission Business - Comments 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: Agenda item was taken off calendar.**

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 two minutes. (15 minutes)

**ACTION: Agenda item was taken off calendar.**

14. Adjourn

**ACTION: Meeting ended at 1:30 p.m.**

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