

CITY OF LOS ANGELES
CALIFORNIA

BOARD OF NEIGHBORHOOD
COMMISSIONERS

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TELEPHONE: (213) 485-1360



ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF
NEIGHBORHOOD EMPOWERMENT

334-B EAST SECOND STREET
LOS ANGELES, CA 90012

TELEPHONE: (213) 485-1360
TOLL-FREE: 3-1-1
FAX: (213) 485-4608
E-MAIL: done@lacity.org

BONGHWAN (BH) KIM, MPA
GENERAL MANAGER

www.EmpowerLA.com

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING AGENDA

MONDAY, MAY 16, 2011 – 11:30 A.M.

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

The public is requested to fill out a “**Speaker Card**” to address the Board on any agenda item before the Board takes an action on an item. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the agenda that are within the Board’s jurisdiction will be heard during the Public Forum period. Public comment is limited to 15 minutes maximum. No individual speaker will be allowed more than 2 minutes, unless presiding officer of the Board decides differently. The agenda is posted for public review in Main Street Lobby of City Hall East at 200 North Main Street and at 334-B East Second Street, Los Angeles. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Report(s) related to an agenda item will be available for review at www.EmpowerLA.org. Sign language interpreters, assisted listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72-hours) prior to the meeting by contacting the Commission Executive Assistant at (213) 485-1360 OR toll-free at 3-1-1.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR A LA OFICINA 3 días de trabajo (72 horas) ANTES DEL EVENTO. SI NECESITA ASISTENCIA CON ESTA NOTIFICACION, POR FAVOR LLAME A NUESTRA OFICINA AL (213) 485-1360.

1. Introduction (5 minutes)
2. Call to Order and Commission roll call. (1 minute)

3. Approval of the Minutes of the Regular Meeting of May 3, 2011. (3 minutes)
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)
5. Verbal update from a representative of the Office of the Mayor Antonio Villaraigosa, Neighborhood and Community Services. (10 minutes)
6. General Manager's Report (10 minutes)
 1. Briefing on Departmental activities
 2. Staffing, budget and other operational matters.
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.
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)
9. Discussion and possible action regarding the City Administrative Officer's recommendation to postpone Neighborhood Council elections to 2014. (15 minutes)
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)
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)

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.
 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)
 14. Adjourn
-

Future Meetings, Future Board of Neighborhood Commissioner Meetings (INFORMATION ONLY)

(Please note: The items listed below are tentative and may be subject to change. You are encouraged to visit the City's website at www.lacity.org and subscribe to the Commission's agendas through the Early Notification System.)

- Regular meeting on Tuesday, June 7, 2011, at 6:00 p.m., at John Liechty Middle School – Auditorium, 650 South Union Avenue, Los Angeles, CA 90017.
- Regular meeting on Monday, June 20, 2011, at 11:30 a.m., at the City Hall, 10th Floor Conference Center, Room 1060, 200 North Spring Street, Los Angeles, CA 90012.
- Regular meeting on Tuesday, July 5, 2011, at 6:00 p.m., in the West area, in the South Robertson Neighborhood Council area.
- Regular meeting on Monday, July 18, 2011, at 11:30 a.m., at the City Hall, 10th Floor Conference Center, Room 1060, 200 North Spring Street, Los Angeles, CA 90012.

FINALIZATION OF BOARD ACTION:

Per City Charter Section 245, the Board's determination shall become final at the expiration of the next five meeting days of the Council during which the City Council has convened in regular session, unless the City Council acts within that timeframe by a two-thirds vote to bring the action before them or to waive review of the action.

EXHAUSTION OF ADMINISTRATIVE REMEDIES:

If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence on these matters delivered to this agency at or prior to the public hearing. California Code of Civil Procedure Section 1094.6 governs the time in which a party may seek judicial review of this determination. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5 only if the petition for Writ of Mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision became final.

RECONSIDERATION:

The Commission may make a **MOTION TO RECONSIDER** and alter its action taken on any item listed on this agenda at any time during this meeting, or make a **MOTION TO RECONSIDER** at its next regular meeting as indicated below:

If the Commission moves and approves a Motion for Reconsideration at the *initial* meeting wherein an action was taken, then the underlying item may be reconsidered at that time.

If the Commission moves and approves a Motion for Reconsideration at *the next regular meeting* then consideration of the item may *only* occur at this regularly scheduled meeting if the item for consideration has been placed on that meeting's agenda. If the underlying item for reconsideration has not been placed on the agenda for that next regular meeting, then it shall be considered at a subsequent meeting pursuant to the Ralph M. Brown Act.

PUBLIC ACCESS OF RECORDS

BOARD OF NEIGHBORHOOD COMMISSIONERS
REGULAR MEETING AGENDA
MONDAY, MAY 16, 2011
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"In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the Board of Neighborhood Commissioners in advance of their meetings, may be viewed at the office of the Department of Neighborhood Empowerment, located at 334-B East Second Street, Los Angeles, California 90012, by clicking on the Department's website at <http://www.EmpowerLA.org> or at the Commission meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact Janet Lindo, Executive Administrative Assistant, at (213) 847-7084 or via e-mail: janet.lindo@lacity.org."

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MINUTES

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING

TUESDAY, MAY 3, 2011 – 6:00 P.M.

PECK PARK COMMUNITY CENTER - AUDITORIUM
560 NORTH WESTERN AVENUE
SAN PEDRO, CA 90732

COMMISSIONERS PRESENT

Albert Abrams, President
Esther Cepeda-Hatch
Carlene Davis
Linda Lucks
Karen Mack

ABSENT

Daniel Gatica
John Kim

DEPARTMENT STAFF PRESENT

BongHwan Kim, General Manager
Janet Lindo, Executive Administrative Assistant

CITY ATTORNEY REPRESENTATIVE

Carmen Hawkins, 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 6:20 p.m. Commission roll was called by Executive Administrative Assistant, Janet Lindo.

3. Approval of the Minutes of the Regular Meeting of April 18, 2011. (3 minutes)

ACTION: Commissioner Lucks moved that the Minutes of the Regular Meeting of April 18, 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:

Linda Alexander – welcomed the BONC to San Pedro – provided Commissioners a copy of the Central San Pedro Neighborhood Council newspaper/newsletter.

Diana Nave – President of Northwest San Pedro Neighborhood Council invited the Commission to the grand opening of Peck Park Canyon – partly funded by Neighborhood Councils.

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

ACTION: None.

6. General Manager's Report (10 minutes)

1. Briefing on Departmental activities
2. Staffing, budget and other operational matters.
3. Congress of Neighborhoods Update
4. Funding Update

ACTION: General Manager, BongHwan Kim, provided an update on Departmental activities.

Public comments were received from:

Linda Alexander – concerned about City Council cuts to roll-overs. Takes time to fund projects.

Andrew E. Silber – on the governing board of the Central San Pedro Neighborhood Council- budget crisis can be solved if the City of Los Angeles collect the debts that are owed to them. The City should do more to collect the collectible revenue.

7. 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: With the consensus of the Commissioners present, President Abrams and Commissioner Davis will work together to prepare a motion/letter to the City Council regarding the Commission's thoughts on Neighborhood Council elections:

1. **2014 is way too long to wait**
2. **Need to find a way as soon as possible to find a perfect mode for elections for Neighborhood Councils.**
3. **Money needs to be set aside to study or can have good report completed.**

Public comment was received from:

Diana Nave – 2014 will be too long – can a Neighborhood Council hold its own “selection process” in the interim?

8. Discussion regarding the term "factual basis stakeholders" under the Plan for a Citywide System of Neighborhood Councils, including a discussion on changing the stakeholder definition in the Plan that could impact the participation of factual basis stakeholders in the Neighborhood Council system. Stakeholders are currently defined as: any individual 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. (15 minutes)

ACTION: None.

Public comments were received from:

Linda Alexander – resistant to change the factual basis stakeholder definition.

Diana Nave – there have been takeover attempts in San Pedro.

Bill Roberson - factual basis stakeholder is not a problem with Central San Pedro Neighborhood Council.

9. 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 the following Motion:

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 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.
2. Factual basis stakeholders may not occupy more than a maximum of ten (10) percent of the total board composition.

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 reject any applications for board structure amendment that do not comply with the recommendations stated above.

Commissioner Cepeda-Hatch seconded the Motion made by Commissioner Lucks.

Commissioner Mack made a motion to amend the Motion and delete the last paragraph of the Motion.

No second received to the amended Motion made by Commissioner Mack.

Commissioner Lucks agreed to withdraw the Motion for tonight. Commissioners Abrams, Cepeda-Hatch, Davis, and Lucks, along with the City Attorney's office, will work on new language for the Motion.

Public comment received from:

Andrew E. Silber – the issue is becoming .confused and does not make sense.

Bill Roberson – two problems, the Motion is addressing 1) how we set up the governance of our board, 2) elections problem is solved by the openness of the elections proceeding.

10. 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: None.

11. Discussion with various Harbor area Neighborhood Council representatives who wish to report concerns, operations, and best practices. Neighborhood Council representatives should complete their questionnaire in advance of the meeting. This matter will last a maximum of 20 minutes and the time will be divided among those representatives wishing to speak. (20 minutes)

ACTION: None.

Public comment received from:

Linda Alexander – Reported on Central San Pedro Neighborhood Council and handed out their newspaper.

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: Comments were received from Commissioners Abrams, Cepeda-Hatch, Davis, and Lucks. Comments also received from General Manager, BongHwan Kim, and Deputy City Attorney, Carmen Hawkins.

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: None.

14. Adjourn

ACTION: President Abrams moved that the meeting be adjourned at 8:20 p.m. The Motion was seconded by Commissioner Cepeda-Hatch.

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