

CITY OF LOS ANGELES
CALIFORNIA

BOARD OF NEIGHBORHOOD
COMMISSIONERS

DEPARTMENT OF
NEIGHBORHOOD EMPOWERMENT

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MINUTES

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING

TUESDAY, JUNE 7, 2011 – 6:00 P.M.

JOHN LIECHTY MIDDLE SCHOOL – AUDITORIUM
650 SOUTH UNION AVENUE
LOS ANGELES, CA 90017

COMMISSIONERS PRESENT

Albert Abrams, President
Daniel Gatica, Vice President
Linda Lucks
John Kim
Karen Mack

ABSENT

Esther Cepeda-Hatch
Carlene Davis

DEPARTMENT STAFF PRESENT

BongHwan Kim, General Manager
Leyla Campos, Senior Project Coordinator
Melvin Canas, Neighborhood Empowerment Analyst
Janet Lindo, Executive Administrative Assistant

CITY ATTORNEY REPRESENTATIVE

Carmen Hawkins, Deputy City Attorney
Rita Venegas, 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 May 16, 2011. (3 minutes)

ACTION: Commissioner Lucks moved that the Minutes of the Regular Meeting of May 16, 2011, be approved as written with corrections to some minor typos. President Abrams requested the following changes be made: add a sentence to Agenda Item No. 6: Commissioner Abrams requested a description on the certification process which the General Manager provided. Page 3, public comment by Len Shaffer, the word “braking” change to “breaking”, before Agenda Item No. 11, make a note that we lost quorum at that point.

The Motion was seconded by Commissioner Kim.

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:

Glen Bailey – upset over conflict of City department calendar items. Wants General Manager to check with other City departments.

Ivan Spiegel – Los Angeles Alliance of Neighborhood Councils (LAANC) passed a motion to get parking spaces; wants the Commission to pass a grievance procedures; wants a decision re: elections, wants rules on funding.

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.

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

7. Discussion and approval of the Board of Neighborhood Commissioners Policy Number 2011-02, 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. (5 minutes)

ACTION: Commissioner Lucks moved that:

Be it resolved that the Board of Neighborhood Commissioners sets the following policy regarding factual basis stakeholders:

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,

WHEREAS Section 902(b) Article IX of the City Charter provides that the Commission "shall be responsible for policy setting and policy oversight ... and the promulgation of rules and regulations but not be responsible for the day-to-day management."

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

POLICY NUMBER:

2011-02

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

1. Each Neighborhood Council should 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 and 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.

The Motion was seconded by President Abrams.

Previous vote at May 16, 2011, Commission meeting:

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

**Abstention - 1: Commissioner Kim.
Motion passes.**

Public comments received from:

Ivan Spiegel - concerned about the wording of the motion.

8. **PUBLIC HEARING** and determination regarding the Application for Neighborhood Council Certification submitted by Westlake North Neighborhood Council, File No. 10-112, and Westlake South Neighborhood Council, File No. 11-113. (120 minutes)

ACTION: President Abrams opened the Public Hearing for Westlake North Neighborhood Council Certification at 7:27 p.m.

President Abrams closed the Public Hearing for Westlake North Neighborhood Council Certification at 8:24 p.m.

Commissioner Lucks, asked if the Applicant would consider adding a line as Mr. Spiegel had suggested, an escape clause that if the seats for the particular board member seats are not filled within a period of time, that there be a procedure available that they can be converted to at-large-seats so there are no vacancies on the board.

Commissioner Gatica moved that the Commission:

1. **ADOPT** the findings contained herein in the Department of Neighborhood Empowerment's Evaluation of the Certification Application report dated June 7, 2011, for the Westlake North Neighborhood Council.
2. **FIND** that the boundaries meet the criteria set forth in the Plan and Administrative Code, including that the boundaries contain a minimum population size of 20,000 stakeholders, the boundaries follow historic and contemporary community and neighborhood borders, and that the area is geographically compact and contiguous as follows:
 - **NORTH:** The south side of Beverly Boulevard from Carondelet Street eastbound, as it becomes 1st Street, to Edgeware Road.
 - **SOUTH:** The north side of 3rd Street from Carondelet Street eastbound to the east side of Alvarado Street. South on Alvarado Street to Maryland Street; east on Maryland Street to Westlake Avenue. North on Westlake Avenue to 3rd Street; east on 3rd Street to Bonnie Brae Street. South on Bonnie Brae Street to Maryland Street; east on Maryland Street to Burlington Avenue. South on Burlington Avenue to 6th Street; east on 6th Street to Bixel Street;
 - **EAST:** The west side of Bixel Street from 6th Street northbound to Miramar Street; east on Miramar Street to the east property line of the Miguel Contreras Learning Complex; northbound on the east property line of the Complex to 2nd Street. West on 2nd Street to Edgeware Road;

- **WEST:** The east side of Carondelet Street from Beverly Boulevard south to 3rd Street.
3. **FIND** the Applicant has complied with Article III of the Plan for a Citywide System of Neighborhood Councils and section 22.810.1 (b) of the Administrative Code.
 4. **FIND** that a permissible boundary overlap exists with the adjacent certified Downtown Los Angeles Neighborhood Council under Article III, section 2 (ii) of the Plan where the northeastern corner of the boundaries includes Miguel Contreras Learning Complex, a Los Angeles Unified School District high school which is a site that is considered a school, library, park, landmark or facility with historical significance that is allowed to overlap under the Plan.
 5. **FIND** that though the Applicant has satisfied the outreach criteria including the collection of two hundred ninety original unique signatures as set forth in the Plan, there should be additional efforts to continue ongoing outreach, as detailed and recommended in the Department's Evaluation of Certification Application report.
 6. **FIND** that the Applicant has submitted proposed bylaws that satisfy the governing structure requirement set forth in the Plan.
 7. **FIND** that based on the reports presented by the Department to the Board and any additional evidence presented during the public hearing that the Applicant satisfies the criteria set forth in the Plan and Administrative Code.
 8. **CERTIFY** the Applicant as a Los Angeles City Neighborhood Council, thereby approving the application.

The Motion was seconded by Commissioner Kim.

Ayes – 5, Commissioners Abrams, Gatica, Kim, Lucks, and Mack.

Nays – 0

Motion passes unanimously.

Public comments were received from:

John Brannigan – concerned about beautification – kids at Belmont High School.

Elizabeth Corey – (for the record) – I hope that we can establish a Neighborhood Council for this area! We need to invest in this community!

Ivonnenanette Machado – to provide affordable housing in the area and create a bike line for daily user.

Gladys Mania – (for the record) in favor of this item.

Suzanne D. Manriquez – Representative of LA County Supervisor Gloria Molina. In favor of this item.

Margarita Lopez – in favor of this item.

Jose L. Perez – Aztecs rising supports the Application for Neighborhood Council Certification submitted by Westlake North and Westlake South Neighborhood Councils.

Alastair Rundle – (for the record) – InnerChange is a Christian non-profit that has been in this neighborhood for 20 plus years. We work to develop local leaders, the “Cambria” apartment transformation on corner of Union and Cambria is an example of our quick, yet thorough work. We are committed to the Westlake neighborhood and strongly approve of the formation of a Neighborhood Council.

Lyndy Rutledge – (for the record) – I would like to see a Neighborhood Council in the Westlake neighborhood of L.A.! I am a part of a Christian non-profit called InnerChange and we have been committed to this neighborhood for 20 years! We are here to stay!

Beatriz Sanchez – Wants more police patrols around schools in the morning and evening to protect children.

Ivan Spiegel – worked on the bylaws – recommends that any unfilled seats be made at-large.

Anthony Tucker – in favor of the certification of Westlake North Neighborhood Council.

Adaly Ugalde – in favor of the certification of Westlake North Neighborhood Council.

ACTION: President Abrams opened the Public Hearing for Westlake South Neighborhood Council Certification at 8:46 p.m.

President Abrams closed the Public Hearing for Westlake South Neighborhood Council Certification at 9:44 p.m.

Commissioner Mack, stated that since we suggested that the other Council have the escape clause related to the composition of the board that perhaps the Applicant might consider that as well.

Commissioner Kim moved that the Commission:

- 1. ADOPT the findings contained in the Department of Neighborhood Empowerment’s Evaluation of the Certification Application report dated June 7, 2011, for the Westlake South Neighborhood Council.**
- 2. FIND that the boundaries meet the criteria set forth in the Plan and APPROVE the final staff boundary determination as:**
 - **North: Beginning south side of Maryland Street at Alvarado Street, east to Westlake Avenue (east side), north to 3rd Street (south side), east to Bonnie Brae Street (west side), south to Maryland Street (south side), east to Burlington Street (west side), south to 6th Street (south side), east to Witmer Street.**
 - **East: Beginning west side of Witmer Street at 6th Street, south to 7th Street (south side), east to Bixel Street (west side), south to 8th Street (south side), east to 110 Freeway, south to Olympic Boulevard;**

- **South: Beginning north side of Olympic Boulevard at Alvarado Street, east to 110 Freeway Overpass;**
 - **West: Beginning east side of Alvarado Street at Olympic Boulevard, north to Maryland Street.**
3. **FIND that the boundaries satisfy the criteria stated in the Plan, including that the boundaries contain a minimum population size of 20,000 stakeholders, the boundaries follow historic and contemporary community and neighborhood borders, and that the area is geographically compact and contiguous.**
 4. **FIND that the Applicant has complied with Article III of the Plan for a Citywide System of Neighborhood Councils.**
 5. **FIND that though the Applicant has satisfied the outreach criteria including the collection of 289 original unique signatures as set forth in the Plan, there are additional efforts that should be made to continue ongoing outreach efforts, as detailed and recommended in the Department's Evaluation of Certification Application report.**
 6. **FIND that the Applicant has satisfied the governing structure requirement set forth in the Plan.**
 7. **FIND that based on the reports presented by the Department to the Board and any additional evidence presented during the public hearing that the Applicant satisfies the criteria set forth in the Plan and Administrative Code.**
 8. **ADOPT the findings contained in the Staff Report and MOVE TO CERTIFY the Applicant as the Westlake South Neighborhood Council.**

The Motion was seconded by Commissioner Gatica.

Ayes – 5, Commissioners Abrams, Gatica, Kim, Lucks, and Mack.

Nays – 0

Motion passes unanimously.

Public comments were received from:

Jennifer Hulme – (for the record) I apologize that I am not able to stay for the full certification meeting. I wish to note my support for the certification of the Westlake South Neighborhood Council. Thank you very much.

Irene Lewis – new President of Pico Union Neighborhood Council.

Carmen Vaughn – from Pico Union Neighborhood Council – will work with Westlake South Neighborhood Council.

Eddie White – supports Westlake South Neighborhood Council and looks forward to working with the group.

9. 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: Commissioner Kim commented that he submitted to the Commission that is running the California redistricting process, the Neighborhood Council boundary file and recommended to that Commission that they use the file to draw the assembly, senate, and congressional lines. He heard last week that the Commission is indeed using the boundaries in their first draft, and so that should, if it survives the next rounds of drafting, help to define some of the electoral districts in the City of Los Angeles and also make it easier to make the argument for City Council boundaries to concur with these lines as well.

10. 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.

11. Adjourn

ACTION: President Abrams moved that the meeting be adjourned at 9:50 p.m.

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