

CITY OF LOS ANGELES

CALIFORNIA

BOARD OF NEIGHBORHOOD COMMISSIONERS

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GRAYCE LIU
GENERAL MANAGER

www.EmpowerLA.org

MINUTES

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING

MONDAY, JUNE 17, 2013 – 1:00 P.M.

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

COMMISSIONERS PRESENT

Paul Park, President
Leonard Shaffer, Vice President
Linda Lucks
Karen Mack

ABSENT

Douglas Epperhart
Daniel Gatica
Arnetta Mack

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

Valerie Flores, Assistant 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 1:07p.m. Commission roll was called at 1:20 p.m. by Janet Lindo, upon the return of Commissioner Lucks. A quorum was established.

3. Approval of the Minutes of the Regular Meeting of June 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/06-04-13_draft_COMMISSION_MINUTES.pdf

ACTION: Commissioner Mack moved approval of the Minutes of the meeting of June 4, 2013, as written. Commissioner Lucks 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)

Public comment received from:

Glenn Bailey – wanted to share a flyer for the Community Bike Rally, held on June 9, 2013, sponsored by Chatsworth Neighborhood Council and co-sponsored with Councilmember Englander, REI, Starbucks, Cycle World and Kaiser Permanente, over 330 riders participated in the ride.

Craig Jones – concerned citizen with the Central area. Oppose the Central area Neighborhood Council they are a bunch of renegades and have stolen money and limited the ability for my community to function as a viable entity within the City of Los Angeles because of the funding. The money is gone, the murders are increasing.

Rusty Millar – member of the Silverlake Neighborhood Council. I would like to call your attention to a letter you probably received first part of February based on an action our Board took at the February meeting pertaining to a boundary adjustment. The information provided to you in that letter is certainly full of false and misleading information. If I was a member of this Commission I would be careful about adopting something like this when the misinformation borders on plain lies.

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, Grayce Liu, gave a verbal update on Departmental activities, staffing, budget and other operational matters.

- We are four days away from the last day for us to clear all the demand warrants.
- We had over 390 demand warrants come in.
- The Funding team and I worked over the weekend trying to get all the demand warrants done by Friday.
- We have been asking treasurers and second signatories to provide us with documentation that we will need to open the Wells Fargo checking accounts.
- We hope to finalize the policies and procedures by Friday.
- Next Tuesday we start weekly training sessions and workshops on the new funding program so that board members, treasurers and signatories will have the necessary information that they need in order to launch this program.
- P-card closed on Friday at noon.
- Bylaws – we received a number of bylaw adjustments as well as boundary adjustments applications. We will be bringing that before the Commission.
- Elections – Glenn Bailey provided an update. Election Procedure Stipulation Worksheet. We have been soft opening this with the citywide and regional alliances in terms of letting folks know to start thinking about elections and to get their election committees set up or elections committee chair.
- Outreach – Stephen Box provided an update. 55 Neighborhood Councils celebrated their 10th anniversary and 22 are celebrating their 10th anniversary. The yearbook is celebrating a decade of civic engagement and it is our hope to continue this tradition of the EmpowerLA yearbook celebrating all the great things that Neighborhood Councils do and all the great partners that Neighborhood Council have.
- Eight post cards that are coming out with different messages about getting involved with Neighborhood Councils.
- Field operations – Leyla Campos provided an update. We will be ending our advocacy training this month.
- Last Board Development Series training, scheduled to take place in the Harbor Area on Saturday, June 29, 2013 at the Kaiser Permanente Conference Center, 8:00 a.m. to 12:00 p.m.
- Field staff are helping to close out the old funding program. We have been processing demand warrants, collecting paperwork that is still needed.
- Staff is processing bylaws application.
- We are starting the Planning trainings. We are partnering with the Planning Department as well as PlanCheck NC to bring the Neighborhood Councils that training on Planning 101 and also the ZMAS training. Central area training will happen on July 20, Valley - August 17, Harbor area – August 24.

Public comment received from:

Rusty Millar – as you know Neighborhood Councils sometimes move slightly at a glacial pace. I know that Glenn has been working on the elections in the March, April, May timeframe. So that's sort of like six to nine months out and there's certain deadlines date wise that we have to meet to be able to within DONE and within the community to let them know about stuff. So I was curious where our election date was

going to be and I am sure other Neighborhood Councils are also so that you can put these things in place.

7. Discussion and possible action on the Eagle Rock Neighborhood Council's bylaw amendment application requesting the following board structure change: converting a one of two Civic Director seats to an Arts Director seat, one of two Business Director seats to a Boulevard Director seat and adding one At Large Factual Basis seat. (10 minutes)

ACTION: Commissioner Shaffer moved that the Commission approve the action on the Eagle Rock Neighborhood Council's bylaws amendment application requesting changes to their board structure that is converting one of two Civic Directors seat to an Arts Director seat, one of two Business Director seats to a Boulevard Director seat, and adding one At-Large seat that can be occupied by an elected by Factual Basis Stakeholder.

Commissioner Mack seconded the motion.

Commissioner Shaffer revised his motion.

Commission FINDs that the Eagle Rock Neighborhood Council's request to change their Board structure to change the President seat from an elected seat to a position selected by the Board members, a Civic Director seat to an Arts Director seat, a Business Director seat to a Boulevard Director seat and to add an At-Large seat for Factual Basis Stakeholders consistent with the principles governing a Certified Neighborhood Council's purpose and operations per Article VI, Section 3c of the Plan for a Citywide System of Neighborhood Councils; and APPROVE the requested change to the Eagle Rock Neighborhood Council's bylaws.

Commissioner Mack seconded the Motion.

**VOTE: Ayes – 4
Nays – 0**

Motion passes unanimously.

8. Discussion and possible action on the Mission Hills Neighborhood Council's bylaw amendment application requesting the following board structure change: eliminating a Business Property Owner Seat and one of two renter seats. (10 minutes)

ACTION: Commissioner Mack moved to FIND the Mission Hills Neighborhood Council's request to change their Board structure to converting the Business Property Owner and one (1) Residential Renter Seat into At-Large Seats consistent with the principles governing a Certified Neighborhood Council's purpose and operations per Article VI, Section 3c of the Plan for a Citywide System of Neighborhood Councils; and APPROVE the requested change to the Mission Hills Neighborhood Council's bylaws. Commissioner Lucks seconded the Motion.

**VOTE: Ayes – 4
Nays – 0**

Motion passes unanimously.

Public comment received from:

Craig Jones – I am concerned about how you are speaking of these issues and you have these items before you. Our community haven't had the same liberties or afforded the same rights. When you are presenting these applications and you are mentioning things in this application I am quite sure the constituents or the stakeholders in my community would really like to be made aware of even if we have the ability to remove individuals or to create other seats within our board to takeover some of the gangsterisms that goes on with the board. You guys have some good things and we have not knowledge of it. We don't have a representative here. There is no one to pass any information on to us. Once it leaves here how do we get the information? We don't, we're left out it almost seem like. I guess because we are in the Central area. I feel like we are being excluded.

9. Discussion and possible action on the North Hills East Neighborhood Council's bylaw amendment application requesting the following board structure change: increase the current board size of nine seats to fifteen by splitting the Business/Employee Stakeholder seat into two separate seats, adding a Senior Citizen Stakeholder seat, and adding four Regional Stakeholder seats. (10 minutes)

ACTION: Commissioner Lucks moved that the Board of Neighborhood Commissioners FIND the North Hills East Neighborhood Council's request to change their Board structure from nine (9) to fifteen (15) seats by splitting the existing Business/Employee Stakeholder seat to two (2) separate seats, adding a Senior Citizen Stakeholder seat and adding four (4) Regional Stakeholder Seats for new internal boundaries based on a population of roughly 10,000 residents per representative consistent with the principles governing a Certified Neighborhood Council's purpose and operations per Article VI, Section 3c of the Plan for a Citywide System of Neighborhood Councils; and APPROVE the requested change to the North Hills East Neighborhood Council's bylaws. Commissioner Shaffer seconded the Motion.

**VOTE: Ayes – 4
Nays – 0**

Motion passes unanimously.

10. Commission Committee Reports. (10 minutes)
 1. Ad Hoc Committee re Standards and Outreach (Members: Mack-Chair, Park, and Lucks)
 2. Neighborhood Council Plan Review Committee (Members: Epperhart-Chair, and Shaffer)

ACTION: None.

11. Discussion regarding Commission Policy Number 2011-02 (the "Policy") regarding Factual Basis Stakeholders and an amendment/correction to the Policy to reflect the Commission's action at its May 20, 2013, Commission meeting. The Commission's Policy recommends that Neighborhood Councils have one or a maximum of 10% of its board seats allocated to factual basis stakeholders. At the May 20, 2013, meeting the Commission moved that the Policy be clarified to state that the seats should be an at large seat, where any stakeholder could run or vote for the seat. (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/2011-02_Proposed_Draft_Policy_FactualBasisStakeholder_06-17-13.pdf

ACTION: None.

Public comment received from:

Ivan Spiegel – This is the gift that keeps on giving. This issue is never going to go away as long as it is an ordinance. It's going to keep being redefined, redefined, around and around and like Commissioner Mack had said a couple of meetings ago, wait a minute we're right back where we started, what's wrong with the policy we already have. So that's where I am going to go with you, what's wrong with the policy that you already have? The reasons for defining this policy is because Councils were being taken over by special interest groups. There needed to be some restriction to protect the Councils to keep it from happening and you took care of that. You came up a policy, minimum of one no more than ten percent that protects everybody. If the Councils choose to ignore that then that becomes their problem if they get taken over. So please don't remove the ten percent maximum. There has to be some sort of cap on this. Please don't change your policy.

12. Discussion and possible action regarding the recommendations from the Commission's Regional Plan Review Committees suggesting changes to the Factual Basis 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 amendments to the Los Angeles City Administrative Code Section 22.811(a) (2). (30 minutes)

Possible proposed motions include:

Resolved, the Board of Neighborhood Commissioners recommends that sections of the City's Administrative Code which touch upon Neighborhood Council stakeholders be amended as follows:

- (1) remove the current definition of factual basis stakeholder; and
- (2) allow each neighborhood council to adopt its own definition of factual basis stakeholder.

ACTION: Commissioner Shaffer moved to recommend to the City Council that the Administrative Code Section 22.811 (a) (2) and the Plan for Neighborhood Councils be amended by removing the current factual basis stakeholder definition and substituting therefore as an additional stakeholder besides lives, work, or owns property a community interest stakeholder, being defined as a person who affirms a substantial and ongoing participation and who may be in a community organization such as, but not limited to, educational, nonprofit, and or religious.

Commissioner Mack seconded the motion.

Commissioner Lucks moved to add language after line two: substantial ongoing participation within the Neighborhood Council boundaries.

Amended Motion:

Recommend to the City Council that the Administrative Code Section 22.811 (a) (2) and the Plan for Neighborhood Councils be amended by removing the current factual basis stakeholder definition and substituting therefore as an additional stakeholder besides lives, work, or owns property a community interest stakeholder, being defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council boundaries and who may be in a community organization such as, but not limited to, educational, nonprofit, and or religious.

Commissioner Mack seconded the motion.

VOTE: Ayes – 4
 Nays – 0

Motion passes unanimously.

Motion restated by Commissioner Shaffer

Recommend that the City Council amend the Administrative Code Section 22.811 (a) (2) and the Plan for Neighborhood Councils to remove the current definition of factual basis stakeholder and substitute with the community interest stakeholder defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council boundaries and who may be in a community organization such as, but not limited to, educational, nonprofit, and or religious.

VOTE: Ayes – 4
 Nays – 0

Motion passes unanimously.

Commissioner Shaffer moved that the second portion of the original motion: allow each neighborhood council to adopt its own definition of factual basis stakeholder be removed from the agenda.

Commissioner Lucks seconded the motion.

VOTE: Ayes – 4
 Nays – 0

Motion passes unanimously.

Public comment received from:

Glenn Bailey – I was at the combined Plan Review meeting and believe that Commissioner Shaffer’s substitute motion accurately incorporates the sense of the body and so I support it. It’s important to remember that candidates must provide documentation in order to qualify as a candidate. So what this is about, this issue of affirm and document vs documentation or how you get to that point is really dealing with the voters and not the candidates because they are going to have to provide documentation. Even if they are surfers they somehow have to provide documentation.

Craig Jones – no one from my particular community is going to say I declare the above to be actual and true. There is no oath for affirmation, there is no promulgation or

pandemonium of any kind of rules or regulations readily available. I have not seen a promulgation of rules in my community. Ain't nobody going to affirm nothing in South Los Angeles. They've been coming from the outside to get that money. The money is still missing. People are still stealing the money. The money is missing. The money been missing since 2008. The money still missing. Who's going to stop the Central area thieves? Stop those thieves.

Dr. Priscilla Reed –We were being taken over by a Union, SEIU 721. Everything that you all are talking about how someone can take over or how someone could be dishonest coming into your community shopping and actually get on your board and start to syphoning the money out of your organization. All of that happened to our organization. We kept calling DONE office but they were understaffed and even the people that was taking the money knew they were understaffed, they knew there would be no repercussions, nothing would happen. I was hoping that when you all did come to a conclusion on this, what a stakeholder is, that the Commissioners would be able to actually sit down and make a basic guide rather than allow the Neighborhood Councils to do it.

Ivan Spiegel –We spent four years trying to define factual basis, we're still here. Now we found a little bit of a definition. We're going spend the next four years debating the definition of substantial because that's really the key to what Commissioner Shaffer and the collected wisdom of the Neighborhood Council system has proposed to you. What does substantial mean? Are you going to define it? Probably not. You're just going to throw it in there the same way the City Council threw in factual basis. So now you're going to have 95 Councils each having to define for themselves what substantial means. Before you rush to make these kind of changes you better think what position you're putting us into. The reason I'm very sensitive to this is because I have been one of the IEA's and guess what we're the one that end up having has to make these decisions. Please think about what you're doing. If you're going to put the word substantial in and I think it should be in, you better define it for us.

13. 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.

14. 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)

ACTION: None.

15. Adjourn

ACTION: Commissioner Shaffer moved that the meeting be adjourned at 3:59 p.m.
Commissioner Mack seconded the motion.

VOTE: Ayes – 4
Nays – 0

Motion passes unanimously.

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