

CITY OF LOS ANGELES
CALIFORNIA

BOARD OF NEIGHBORHOOD
COMMISSIONERS

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BONGHWAN (BH) KIM, MPA
GENERAL MANAGER

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MINUTES

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING

MONDAY, SEPTEMBER 19, 2011 – 11:30 A.M.

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

COMMISSIONERS PRESENT

Daniel Gatica, President
Carlene Davis, Vice President
Esther Cepeda-Hatch
Linda Lucks
Paul Park

ABSENT

Karen Mack

DEPARTMENT STAFF PRESENT

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

CITY ATTORNEY REPRESENTATIVE

Darren Martinez, Deputy City Attorney
Carmen Hawkins, Deputy City Attorney
Rita Venegas, Deputy City Attorney

1. Introduction (5 minutes)

ACTION: President Gatica gave the introduction.

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

ACTION: President Gatica, called the meeting to order at 11:40 a.m. Commission roll was called by Janet Lindo, Executive Administrative Assistant.

3. Approval of the Minutes of the Regular Meeting of September 6, 2011. (3 minutes)

ACTION: Commissioner Davis moved that the Minutes of the Regular Meeting of September 6, 2011, be approved as written.

Commissioner Cepeda-Hatch seconded the Motion.

Vote: Ayes - 4, (President Gatica, Vice President Davis, Commissioners Cepeda-Hatch, and Park)

Nays – 0

Motion passes unanimously.

For the record Commissioner Lucks arrived at 12:10 p.m.

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 received from:

Manuel Aldana, Jr. – Boyle Heights Neighborhood Council, Brown Act violations by the board, no email response. Loss of \$15,000 to Boyle Heights community. Board members removed due to lack of attendance.

Leonard Shaffer – Elections Task Force is coming together again to deal with postponement.

Dr. Tom Williams – big project on Wilshire. Are the NCs involved? Feel that NCs are being ignored. Why have Community Impact Statements?

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: The General Manager provided the following updates regarding Departmental activities, budget and staffing:

- **Congress of Neighborhoods, Saturday, September 24, 2011, 21 workshops – approximately 400 people pre-registered, encouraged Commissioners to turn out and pre-register.**
- **Community Gardens project – partnered with Los Angeles Neighborhood Land Trust, and the Community Health Council and a few Neighborhood Councils, Panorama City, West Adams, and Harbor Gateway North. Kickoff orientation session October 15, morning – Panorama City, afternoon - South Los Angeles.**
- **Neighborhood Council Volunteer and Mentoring program – will be launched at the Congress.**
- **Westlake North and Westlake South Neighborhood Councils – newly certified Neighborhood Councils held their public selection on September 17, 2011.**
- **Budget – still working on transfers and hires into the Department.**

7. **PUBLIC HEARING:** Determination regarding the bylaw amendment applications filed by the Woodland Hills-Warner Center Neighborhood Council, requesting changes to their Board structure. (10 minutes)

ACTION: Agenda item was taken off calendar.

8. Draft report from the Retreat Planning Ad Hoc Committee and possible action regarding the Board of Neighborhood Commissioners' planning retreat. (10 Minutes)
http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Draft_Agenda_10.17.2011.pdf

ACTION: Retreat scheduled for October 17, 2011, at 9:30 a.m., at City Hall, Room 1035.

Public comment received from:

Dr. Tom Williams – Why have a retreat? Get goals.

9. Presentation and discussion with the Department of Neighborhood Empowerment, including BongHwan Kim, General Manager, regarding the following motions approved by City Council on August 16, 2011, regarding changes to the Neighborhood Council system:

(a.) Motion relative to requesting a report back with an implementation plan for a training program for Neighborhood Council board members that covers various topics including: 1) Ethics and Legal Issues (including the Brown Act, Public Records Act and Conflicts of Interest); 2) Workplace Violence and Sexual Harassment; 3) Funding Program; 4) City Government Basics; 5) Parliamentary Process; and 6) Community Leadership.

<http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=11-1017.>)

(b.) Motion relative to requesting a report back with an implementation plan for a system of regional complaint panels composed of board members of various Neighborhood Councils that will convene to address stakeholder and board member grievances as-needed and by request of the Department of Neighborhood Empowerment, and related matters.

<http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=11-1018.>)

(c.) Motion relative to requesting a report back with a plan to implement, in the next budget year, a structure of governance and administration that provides greater autonomy and self-governance for Neighborhood Councils and reduces the Department of Neighborhood Empowerment's workload, and related matters.

<http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=11-1019.>)

(d.) Motion relative to requesting report backs and adopting policies in regards to the Neighborhood Council Funding Program including the use of budget and reconciliation templates, a prescribed accounting system, rollover of funds, equipment purchases, development of an electronic system for the Neighborhood Funding Program, and related matters.

<http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=11-1020.>)

(e.) The Department of Neighborhood Empowerment will present and discuss the fact sheets on each of the motions for the town halls on the Neighborhood Council reforms.

[http://www.done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Kr
ekorian_Funding_Motion_Fact_Sheet.pdf](http://www.done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Kr
ekorian_Funding_Motion_Fact_Sheet.pdf)

[http://www.done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Kr
ekorian_Grievance_Motion_Fact_Sheet.pdf](http://www.done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Kr
ekorian_Grievance_Motion_Fact_Sheet.pdf)

[http://www.done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Kr
ekorian_Regional_Governance_Motion_Fact_Sheet.pdf](http://www.done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Kr
ekorian_Regional_Governance_Motion_Fact_Sheet.pdf)

[http://www.done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Kr
ekorian_Training_Motion_Fact_Sheet.pdf](http://www.done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Kr
ekorian_Training_Motion_Fact_Sheet.pdf)

ACTION: None.

Public comments received from:

Glenn Bailey – regional issues - need to get more mid-city NCs to regionalize. Training – include election training as part of the training.

Leonard Shaffer – get involved in the process and remember your partners with NCs. Training – who are we, how do you define NC board members, the definition will determine what you need by way of training. Grievances – what do we mean by grievances – do we really mean complaints? Funding – NCs should still have the ability to spend their dollars in a way they thinks benefit their community and heeds their outreach the most. Regional governance – most difficult and thing Commission should mostly get involved with.

Ivan Spiegel – make sure recommendations are not vague. Needs to be teeth.

Dr. Tom Williams – recommend separate opinions and notes on each Motion. Training - does it have to be mandated? Who decides how do you enforce?

10. Presentation by the Office of the City Attorney regarding the legal rules applicable to the Board of Neighborhood Commissioners, including a discussion on the parameters for the Commission's existing authority. This discussion will also include a question and answer session with the Office of the City Attorney on laws applicable to the Commission including the Brown Act, the Public Records Act, the City Charter, the Administrative Code, the Plan for a Citywide System of Neighborhood Councils, and the Commission's standing rules and policies. (120 minutes)

ACTION: Deputy City Attorney, Darren Martinez, provided an overview of some of rules and laws applicable to the Commission:

- **Brown Act** – law that requires that Commission meetings be publicly noticed, and publicly agendized, requires that you list items being spoken on, on the agenda so an item can be discussed.
- **Public Records Act** – members of the public are entitled to receive and obtain any communication that you send as a Commissioner.
- **Ad Hoc Committees** – can be established by the Board or the Commission President, limited to have no more than three people on the committee. The Ad Hoc Committee is for a limited duration – generally under a year, can be defined, and is limited, in that it cannot take any action.

- **Charter Section 900** – is like the City’s constitution, what provides the framework for the entire City and sets up the parameters for both how the Department operates and how the Commission operates.
- **Charter Section 902** – deals specifically with the Board of Neighborhood Commissioner.
- **Charter Section 902b** – Commission does not control the day-to-day management of the Department.

Public comments received from:

Glenn Bailey – When there is a problem with an NC

Leonard Shaffer – all materials on-line.

Ivan Spiegel – feels we are back in a hole. There needs to be some enforcement. Maybe meet with all pertinent.

Dr. Tom Williams – general issue, one is mandated to include items in bylaws.

11. 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: Taken out of order, before Agenda Item No. 10.

Commissioner Cepeda-Hatch announced her resignation from the Commission.

Deputy Mayor, Larry Frank, made a presentation to Commissioner Cepeda-Hatch, for her dedication and commitment to the City and the Board of Neighborhood Commissioners, and her Neighborhood Council.

President Gatica – discuss City Hall Commission meetings time change to 1:00 p.m.

Vice President Davis – elections update report from the City Clerk.

Commissioner Lucks – report back from the Department on recommendations passed by the Commission, status, and procedure for notification to NCs.

12. 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)

Public comments received from:

Glenn Bailey – City Clerk is focusing on 2014 elections. Should agendaize. Meeting off-site should be put on wave file to listen after.

Dr. Tom Williams – his NC having issues with bylaws. Recommend that Department of Neighborhood Empowerment have a policy in place for NCs that do not have bylaws in place. All training programs should be mandated.

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13. Adjourn

ACTION: Meeting adjourned at 2:25 p.m.

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