

CITY OF LOS ANGELES

CALIFORNIA



BOARD OF NEIGHBORHOOD COMMISSIONERS

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BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING AGENDA

TUESDAY, OCTOBER 1, 2013 – 6:00 P.M.

HOLLYWOOD ADVENTIST CHURCH
FELLOWSHIP HALL
1711 NORTH VAN NESS AVENUE
LOS ANGELES, CA 90028

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 3 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 20th Floor, City Hall, 200 North Spring 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) 978-1551 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) 978-1551.

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

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3. Approval of the Minutes of the Special Meeting of September 9, 2013. (Click on the link to view a copy of the document.) (3 minutes)
http://empowerla.org/wp-content/uploads/2013/09/09-13_draft_MINUTES_SPECIAL-COMMISSION-MEETING.pdf
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)
5. Verbal update from a representative of the Office of the Mayor Eric Garcetti, 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. Commission Committee Reports. (10 minutes)
 1. Ad Hoc Committee re Standards and Outreach (Members: Mack-Chair, and Lucks)
 2. Neighborhood Council Plan Review Committee (Member: Shaffer)
8. Recognition and presentation of 10 Year Anniversary Certificates to the Olympic Park Neighborhood Council and the Greater Wilshire Neighborhood Council. (10 minutes)
9. Discussion with various Central 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. (Click on the link to view a copy of the document.) (20 minutes)
http://empowerla.org/wp-content/uploads/2013/09/BEST-PRACTICES_NC_-CVR-LTR_QUESTIONNAIRE.pdf
10. Discussion and possible action regarding the recommendations from the Commission's Regional Plan Review Committees which suggest establishing, changing, reaffirming, or adding to the following: (Click on the links to view copies of the documents.) (75 minutes)
http://empowerla.org/wp-content/uploads/2013/09/Feedback-on-Nine-Proposed-Neighborhood-Council-Plan-Review-Committee-Motions_09-26-13.pdf
http://empowerla.org/wp-content/uploads/2013/09/Attachment-A_SurveyResults_9-motions_09262013.pdf
http://empowerla.org/wp-content/uploads/2013/09/Attachment-B_NC-Resolutions_9-motions_092613.pdf
<http://empowerla.org/wp-content/uploads/2013/09/SurveyContent.pdf>
 - 1) Neighborhood Council subdivision/boundary adjustment policies

Possible proposed motion includes:

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

A new Neighborhood Council may be created from within the boundaries of an existing Neighborhood Council by the following process:

- a. The subdividing group shall undertake the process for Neighborhood Council formation as already described for new councils.
- b. The Department of Neighborhood Empowerment shall set an election to take up the question within 90 days of verifying all paperwork is complete.
- c. A majority of the votes cast by stakeholders of the entire original Neighborhood Council shall be required to complete the separation and create a new council.
- d. If an area leaves a Neighborhood Council, the original council should simply be required to adjust its boundaries and board structure and not recertify.
- e. If an area moves between two existing Neighborhood Councils, neither should be required to recertify.

2) Grievances and complaints policies and procedures

Possible proposed motion includes:

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

- a. The grievance procedure and the complaint process be merged into one system; that the Department of Neighborhood Empowerment (Department) establish a single set of procedures with a regional grievance panel empowered to render a final decision on a grievance without further right of appeal, which shall be based on the grievance policy recommendations already made by the Department as reflected in its report dated November 22, 2011, and contained in Council File Number 11-1018. (Click on the links to view copies of the documents.)
http://empowerla.org/wp-content/uploads/2013/09/11-1018_RPT_DONE_11-22-11.pdf
<http://empowerla.org/wp-content/uploads/2013/09/GrievanceFlowChart.pdf>

3) Rules for governing board selections

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners recommends that:

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- a. The Department of Neighborhood Empowerment look at establishing rules and guidelines for Board selections so that they are more uniform and more open to the public.

4) Election policies and procedures; term limits

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners recommends that sections of the City's Administrative Code which touch upon Neighborhood Council election policies and procedures be reaffirmed or amended as follows:

- a. Reaffirm support for the authority having been returned to the Department of Neighborhood Empowerment to conduct Neighborhood Council board elections and to partner with the City Clerk for back office administrative services.
- b. All Neighborhood Councils need to participate in elections or selections at least every two year cycle.
- c. Existing Neighborhood Council boards are encouraged to partner with other Neighborhood Councils and with the Department of Neighborhood Empowerment for candidate recruitment and election outreach.
- d. The City of Los Angeles should not require Neighborhood Councils to impose term limits. It should be left to each Neighborhood Council's discretion.
- e. There shall be participatory involvement of Neighborhood Councils in reviewing election policies and procedures prior to Neighborhood Council elections.

5) Brown Act and posting policies

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners reaffirms and/or amends its policies to reflect the following:

- a. Reaffirm support for the Brown Act for Neighborhood Councils and its single accessible 24 hour posting requirement, and reaffirm current board policies regarding electronic mail and website posting, with only one physical posting site as opposed to many. The email requirement shall specify that agendas be sent to "NCSupport" with the intent that the Department will post them to the city's agenda system.
- b. Neighborhood Councils that do not have a website must post in at least five (5) physical locations.

6) Department of Neighborhood Empowerment General Manager and Board of Neighborhood Commissioners appointments, and Neighborhood Council involvement in the formulation of rules and regulations

Possible proposed motion includes:

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Resolved, the Board of Neighborhood Commissioners recommends that sections of the City's Administrative Code which touch upon the appointment of the Department General Manager and the Board of Neighborhood Commissioners, and sections which touch upon the formulation of Department rules and regulations be amended to reflect the following:

- a. Neighborhood Councils should have a greater role in the formulation of rules and regulations as promulgated by the Department and shall continue to have an advisory role in the appointment of the Department General Manager and the members of the Board of Neighborhood Commissioners.
- 7) Duties of the Department in Sec 22.801(j) which currently states that "[The Department shall] with the assistance of the Information Technology Agency, create and maintain an internal and external information and communication network, including a Citywide database of neighborhood organizations and similar information, that would be available for public use;"

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners recommends that Sec 22.801(j) of the Administrative Code be amended as follows:

"with the assistance of the Information Technology Agency, create and maintain an internal and external information and communication network that would be available for public use to:

- a. Provide organized access to all current rules, regulations, and election/selection/voting and any other procedures adopted by the Department of Neighborhood Empowerment,
- b. Provide organized access to all historic rules, regulations, and election/selection/voting and any other procedures adopted by the Department of Neighborhood Empowerment that are no longer in force,
- c. Provide organized access to all current legal opinions by the City Attorney on matters relating to the Department of Neighborhood Empowerment, Board of Neighborhood Commissioners, Department rules or regulations, and Department procedures for elections/selections/voting and any other matter,
- d. Provide organized access to all historic legal opinions by the City Attorney on matters relating to the Department of Neighborhood Empowerment, Board of Neighborhood Commissioners, department rules or regulations, and department procedures for elections/selections/voting and any other matter that are no longer in force,
- e. Provide a Citywide database of existing neighborhood organizations and similar information, sortable by areas and individual Neighborhood Councils;"

8) Duties of the Board of Neighborhood Commissioners

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners recommends that sections of the City's Administrative Code which touch upon the duties of the Board of Neighborhood Commissioners be amended to reflect the following:

- a. The Board of Neighborhood Commissioners be given more power to enforce its policies.

9) Exhaustive efforts process

Possible proposed motion includes:

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

As part of exhaustive efforts the Department shall be able to recommend to the Board of Neighborhood Commissioners that the board of a Neighborhood Council be removed prior to having to recommend involuntary decertification.

11. Discussion regarding the recommendations from the Commission's Regional Plan Review Committees which suggest establishing, changing, reaffirming, or adding to the following: (20 minutes)

1) Elections

Possible proposed motion includes:

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

The Department of Neighborhood Empowerment is to be permanently placed in charge of administering elections.

2) Training and leadership development

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners will adopt the following policy:

Neighborhood Council board members be required to complete Ethics, Financial Policy, Sexual Harassment, and ADA Compliance training, and that the Department offer classes including, but not limited to Leadership, City Government Basics, parliamentary procedures, land use, and candidate training.

There be a citywide standard period of time from date of seating, not to exceed 90 days, that a Board member will have to pass the required training, and that this be enforced by the neighborhood council bylaws, which shall prohibit voting on any matter coming before the Neighborhood Council board. Inability of any board member(s) to vote for failure to timely complete training will not affect quorum.

3) Early Notification System

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners recommends that all appropriate rules, which may include sections of the City's Administrative Code, which touch upon the Neighborhood Council Early Notification System be amended as follows:

An Early Notification System be established by each city department, commission, and the City Council, and its committees to provide Neighborhood Councils with a minimum of 60 days notice of any proposed action.

For any proposed ballot measure or ordinance Neighborhood Councils must receive at least 60 days notice.

4) Initiation of Council files

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners recommends that the City Council initiate a motion as follows:

Neighborhood Councils have the right to open Council files. No Neighborhood Council board member shall be required to file a financial disclosure form for a neighborhood council to open a Council file. There shall be no limit on the number of Council files that a neighborhood council may open each year.

5) Review of delivery of City services

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners, with the aid and advice of citywide Neighborhood Councils, will adopt policies establishing best practices for monitoring the delivery of City services.

6) Community Impact Statements

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners recommends that all appropriate rules, which may include sections of the City's Administrative Code, which touch upon Community Impact Statements be amended as follows:

City agendas should once again include the full text of the brief CIS from each NC submitting one, with links to any background materials that were provided as support. Any time a CIS is, for whatever reason removed from a subsequent agenda, the city clerk will send a notice to the neighborhood council.

7) Neighborhood Councils presenting at public meetings

Possible proposed motion includes:

Resolved, the Board of Neighborhood Commissioners recommends that all appropriate rules, which may include sections of the City's Administrative Code, which touch upon Neighborhood Council public testimony be amended as follows:

Official Neighborhood Council or Neighborhood Council Alliance representatives addressing the City Council, its committees, City commissions, and boards be granted up to 5 minutes of presentation time separate from general public comment, to present the official view of the Neighborhood Council Board or Alliance. Neighborhood Councils should receive priority as city entities and be called for comment before general public comment.

12. 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.
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 three minutes. (15 minutes)
14. Adjourn

Future Board of Neighborhood Commissioners 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 Web site at www.lacity.org and subscribe to the Commission's agendas through the Early Notification System.)

- Regular Meeting on Monday, October 21, 2013, at 1:00 p.m., at City Hall, 10th Floor Conference Center, Room 1060, 200 North Spring Street, Los Angeles, CA 90012.

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- Regular meeting on Tuesday, November 5, 2013, at 6:00 p.m. in the Harbor Area in the Harbor Gateway South Neighborhood Council area.
- Regular Meeting on Monday, November 18, 2013, at 1:00 p.m., at City Hall, 10th Floor Conference Center, Room 1060, 200 North Spring Street, Los Angeles, CA 90012.
- Regular meeting on Tuesday, December 3, 2013, at 6:00 p.m. in the East Area in the Greater Echo Park Elysian Neighborhood Council area.

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:

"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 City Hall, 20TH Floor, 200 North Spring Street, Los Angeles, California 90012, by clicking on the Department's Web site 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) 978-1551 or via e-mail: janet.lindo@lacity.org."