

CITY OF LOS ANGELES

CALIFORNIA

BOARD OF NEIGHBORHOOD COMMISSIONERS

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ARNETTA MACK
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MINUTES

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING

MONDAY, OCTOBER 21, 2013 – 1:00 P.M.

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

COMMISSIONERS PRESENT

Leonard Shaffer, Vice President
Lydia Grant
Linda Lucks
Arnetta Mack
Karen Mack
Victor Medina
Olivia Rubio

ABSENT

None

DEPARTMENT STAFF PRESENT

Grayce Liu, General Manager
Joseph Hari, Project Coordinator
Glenn Bailey, Citywide Election Administrator
Janet Lindo, Executive Administrative Assistant

CITY ATTORNEY REPRESENTATIVE

Alois Phillips, Deputy City Attorney

1. Introduction (5 minutes)

ACTION: Vice President Shaffer gave the introduction.

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

ACTION: Vice President Shaffer called the meeting to order at 1:05 p.m. Commission roll was called by Janet Lindo. Commissioner Karen Mack arrived to the meeting at 1:10 p.m.

3. Approval of the Minutes of the Regular Meeting of October 1, 2013. (Click on the link to view a copy of the document.) (3 minutes)
http://empowerla.org/wp-content/uploads/2013/10/10-01-13_draft_COMMISSION-MINUTES.pdf

ACTION: Commissioner Medina moved approval of the Minutes of the Regular meeting of October 1, 2013, as written. Commissioner Arnetta Mack seconded the Motion.

VOTE: Ayes – 7
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:

Pete Nicholas – give some thought somewhere down the line changing the existing rule either from the Board or the Department that has to do with the membership along the street where two Neighborhood Councils meet.

Ivan Spiegel – welcome the new Commissioners.

5. Verbal update from a representative of the Office of the Mayor Eric Garcetti, 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: General Manager, Grayce Liu, gave the General Manager's report.

- Welcome the new Commissioners to the Board.
- Currently, working with the Mayor's Office on the Department's new Performance Metrics.
- Will be doing a webinar for Neighborhood Councils to weigh in on the metrics within the month of November.
- The Department's budget will be due on December 13, 2013.
- Funding – still waiting on checking accounts.
- Personnel - filled two vacant Sr. Project Coordinator positions – Stephen Box, Director of Outreach and Communication and Joseph Hari, Policy Director.
- Budget Day is Saturday, October 26, 2013. As of this date we have 100 rsvp's and more are coming.
- Neighborhood Council elections – working with the City Clerk's office. We are under a deadline to get information to the City Clerk so they can start preparing ballots.

- **Outreach** – last Saturday started EmpowerLA Leadership Academy focusing on connectivity and how to do outreach for the Neighborhood Council elections.
 - **Field** – Neighborhood Empowerment Analyst (NEA) is going out and trying to provide as much coverage as possible to struggling Neighborhood Councils, as well as Council for Councils mentors, as well as the Valley Alliance Neighborhood Council Resource Board. We have two Neighborhood Councils in exhaustive efforts – McArthur Park Neighborhood Council and North Hills West Neighborhood Council.
 - **The motion to mandate sexual harassment training for all Neighborhood Council board members was approved in Education and Neighborhoods Committee.**
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)

ACTION: None.

8. Previously, the Commission established Regional Standing Committees to provide recommendations to the Commission regarding improvements to the Citywide System of Neighborhood Councils. The Regional Standing Committees, also known as the Neighborhood Council (NC) Plan Review Committees, have forwarded their recommendations to the Commission for review and action. The Commission may be acting on the following recommendations: (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/2013/10/Attachment-B_Amended_NC-Resolutions_9-motions_092613.pdf
- <http://empowerla.org/wp-content/uploads/2013/09/SurveyContent.pdf>

- 1) Rules for governing board selections

NC Plan Review Committees' Recommendation:

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.

(Possible Action by the Commission on this recommendation, including but not limited to requesting a follow-up verbal report from staff regarding existing selection procedures and/or recommendations for improving the selection process.)

ACTION: Commissioner Lucks moved that 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.

Commissioner Karen Mack seconded the Motion.

**VOTE: Ayes – 7
Nays – 0**

Motion passes unanimously.

Public comment received from:

Ivan Spiegel – if you're going to set up rules for selections, you must include outreach as a component of it. For the most part it is a way of escaping and election. Please standardize so that they don't become a joke.

2) Brown Act and posting policies

NC Plan Review Committees' Recommendation:

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.

AND

Neighborhood Councils that do not have a website must post in at least five (5) physical locations.

(Possible Action by the Commission on this recommendation, including but not limited to reviewing Commission Policy Number 2010-02 (Revised December 17, 2012 and signed January 14, 2013) regarding Neighborhood Council Posting Requirements, determining whether any amendments to the Policy should be enacted and/or requesting staff to prepare an amended policy for review and adoption at a future Commission hearing.) (Click on the link to view a copy of the document.)

http://empowerla.org/wp-content/uploads/2013/10/Neighborhood-Council-Agenda-Posting-Requirements_REV-12-17-12.pdf

ACTION: Commissioner Medina left the room at 2:03 p.m. Commissioner Medina returned to the room at 2:06 p.m.

Commissioner Lucks moved that the Commission postponed this item until the next regular meeting and have the staff report back with a timeline of the previous Board Resolution.

Commissioner Grant seconded the Motion.

**VOTE: Ayes – 3 – (Grant, Lucks, Karen Mack)
Nays – 4 – (Arnetta Mack, Medina, Rubio, Shaffer)**

Motion fails.

Commissioner Shaffer moved to 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 and Neighborhood Councils that do not have a website must post in at least five (5) physical locations.

Commissioner Arnetta Mack seconded the Motion.

VOTE: Ayes – 3 – (Shaffer, Arnetta Mack, Karen Mack)
Nays – 4 – (Grant, Lucks, Medina, Rubio)

Motion fails.

Commissioner Shaffer moved to amend the Motion stating that a consequence of failing to adhere to the posting policy if complained about prior to the meeting will result in a cancellation of the meeting for failure to comply and if a meeting is held and there is a violation of this posting policy the complaint registered with the Neighborhood Council and/or the Department of Neighborhood Empowerment upon confirmation that this policy was not adhered to will result in all actions at the meeting being annulled and being required to be acted upon just as though it were a formal Brown Act violation.

Commissioner Medina seconded the amendment to the Motion.

Commissioner Lucks moved to postpone the suggested amendment indefinitely.

Commissioner Arnetta Mack seconded the Motion.

VOTE: Ayes – 7
Nays – 0

Motion passes unanimously.

Public comment received from:

Glenn Bailey – I am uncomfortable with there not being multiple posting locations, but I don't think five should be the magic number. I think that some Neighborhood Councils are very large and just having one location, maybe it is better to have a couple of locations depending on the geographic of the Neighborhood Council. I am not so sure one size fits all. Some flexibility is necessary.

Glenn Bailey - amendment – over the years that I have been on the board, yes we have been advised by City Attorney, when something was not done right, that you need to revote on it, reagendaize it, revote at the next meeting.

Pete Nicholas – I think it is entirely appropriate that the Department of Neighborhood Empowerment takes agendas and post it on their website. I think each public library in the City of Los Angeles grant web access to anyone that is interested. The policy as adopted still states that we are going to comply with the Brown Act and have 24 hour

handicap accessible posting somewhere and it requires that those Neighborhood Councils that have a web site post that agenda there. I think that is sufficient.

Pete Nicholas - amendment – support the idea of there being consequences.

Ivan Spiegel – Our mission as Neighborhood Councils is to reach out to our stakeholders and represent them. If we don't do that, we are operating in a vacuum and we are not fulfilling our mandate. We should be adding posting places. Do not vote for this and continue your current policy.

Ivan Spiegel - amendment – opening up an entire can of worms that is way too problematic. Over-thinking this.

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

NC Plan Review Committees' Recommendation:

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.

(Possible Action by the Commission on this recommendation, including but not limited to drafting a communication or Resolution for City Council or the Department regarding an increase in the role of Neighborhood Councils in developing regulations.)

ACTION: Commissioner Arnetta Mack moved that 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.

Commissioner Medina seconded the Motion.

Commissioner Lucks moved to amend the Motion by adding the words "Board of Neighborhood Commissioners" after the word Department. The Motion to read as follows: Neighborhood Councils should have a greater role in the formulation of rules and regulations as promulgated by the Department and Board of Neighborhood Commissioners shall continue to have an advisory role in the appointment of the Department General Manager and the members of the Board of Neighborhood Commissioners.

Commissioner Medina seconded the Motion.

**VOTE: Ayes – 7
Nays – 0**

Motion passes unanimously.

Commissioner Lucks moved to amend the Motion directing that a communication be sent to the Department, Mayor, and City Council.

Commissioner Lucks moved to amend the Motion by adding the words “Board of Neighborhood Commissioners” after the word Department. The Motion to read as follows: Neighborhood Councils should have a greater role in the formulation of rules and regulations as promulgated by the Department and Board of Neighborhood Commissioners shall continue to have an advisory role in the appointment of the Department General Manager and the members of the Board of Neighborhood Commissioners. It is further directed that a communication be sent to the Department, Mayor, and City Council.

Commissioner Arnetta Mack seconded the Motion.

**VOTE: Ayes – 7
Nays – 0**

Motion passes unanimously.

Public comment received from:

Pete Nicholas – we strongly support that there be greater participation of the various and potentially all the Neighborhood Councils in policy, in procedures developed by the Department.

4) Duties of the Board of Neighborhood Commissioners

NC Plan Review Committees’ Recommendation:

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

(Possible Action by the Commission on this recommendation, including but not limited to drafting a communication or Resolution for City Council or the Department regarding an increase in the authority for the Commission and/or the establishment of an ad hoc committee to further evaluate and report back to the Commission with recommendations on this issue.)

ACTION: Vice President Shaffer formed an Ad Hoc Committee consisting of Shaffer-Chair, Grant, and Lucks. The Ad Hoc Committee will report back with an initial report at the Commission’s second regular meeting on November 18, 2013.

Commissioner Lucks moved to postpone this agenda item to the regular meeting of November 18, 2013.

Commissioner Karen Mack seconded the motion.

**VOTE: Ayes – 7
Nays – 0**

Motion passes unanimously.

Public comment received from:

Pete Nicholas – I am in favor of a general policy of the Board and the Department adopting rules that says when a policy or a new policy is adopted by the Board and is enforced by the Department, if any standing Neighborhood Council bylaws are in conflict once the Board has voted, those bylaw sections in conflict automatically become null and void.

Ivan Spiegel – This is something that I have been yelling about for years. This is one of the biggest holes in the Neighborhood Council system. The whole point here is that whatever you approve you should have the right to tell the Department they have to enforce it. You must have this right to enforce your policies.

9. Previously, the Commission established Regional Standing Committees to provide recommendations to the Commission regarding improvements to the Citywide System of Neighborhood Councils. The Regional Standing Committees have forwarded their recommendations to the Commission for review and action. PUBLIC HEARING on the following recommendations from the Regional Standing Committees: (20 minutes)

1) Elections

NC Plan Review Committees' Recommendation:

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

ACTION: None.

2) Training and Leadership Development

NC Plan Review Committees' Recommendation:

a. 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.

b. 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.

ACTION: None.

Public comment received from:

Glenn Bailey - (2b) – I personally think 90 days is too long, but it's certainly better than what we have now. You have to make sure that people who get appointed to fill vacancies, a method to track that.

Ivan Spiegel - this is the other big hole in the Neighborhood Council system. More boards are failing in their actions, they're failing at what they are doing cause they just don't know what to do. You must have basic board training. The most important is leadership training.

3) Early Notification System

NC Plan Review Committees' Recommendation:

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.

ACTION: None.

Public comment received from:

Ivan Spiegel - great idea. Congress unanimously passed this very motion asking for 60 days notice.

4) Initiation of Council files

NC Plan Review Committees' Recommendation:

Neighborhood Councils should 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.

ACTION: None.

5) Review of delivery of City services

NC Plan Review Committees' Recommendation:

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.

ACTION: None.

Public comment received from:

Ivan Spiegel - this is our mission. This is what the Plan says. None of us are really setting ourselves up to do it.

6) Community Impact Statements

NC Plan Review Committees' Recommendation:

City agendas should once again include the full text of the brief Community Impact Statement from each Neighborhood Council submitting one, with links to any background materials that were provided as support. Any time a Community Impact Statement is, for whatever reason removed from a subsequent agenda, the City Clerk will send a notice to the Neighborhood Council.

ACTION: None.

Public comment received from:

Glenn Bailey – it's not just when council file numbers are changed. In fact it's more frequent when they stay the same and a subsequent amendment or motion or deviation from the original proposal is made and there's been a decision made by the City Clerk that those previously filed community impact statements will no longer be showing up because the original proposal has changed and that happens more frequently. We need to be notified of that so that we can either restate our position or clarify it based on how that change is. Sometimes it's something just as simple as a report back by a particular department that will trigger that.

Ivan Spiegel - if you don't know what is going on with this, sometimes someone will make an amendment, they put in a council motion, they give it a file number and then in committee someone will make an amendment and they change the file number and then your community impact statement goes away because it doesn't correspond to the file number anymore. This was a way to try to get the City Council to either let us know that the file number changed so we can resubmit or if they changed the number it should go along, it should move with the new file.

7) Neighborhood Councils presenting at public meetings

NC Plan Review Committees' Recommendation:

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.

ACTION: None.

Public comment received from:

Ivan Spiegel – this was the second motion that passed unanimously at the Congress. What we are asking for is when you have Neighborhood Councils coming in and

representing a position that their council voted on, not coming in as an individual, but coming in as that representative that they should have some time on the agenda. We should be treated like City departments are where we get to talk and explain what's going on. We're asking for a minimum of five minutes. We're asking to be placed separately before general public comment like City departments are.

10. Discussion and possible action changing the Commission's regular meeting days. (10 minutes)

ACTION: Commissioner Karen Mack moved to postpone this agenda item to the next regular meeting.

Commissioner Medina seconded the motion.

**VOTE: Ayes – 7
Nays – 0**

Motion passes unanimously.

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: None.

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)

Public comment received from: None.

14. Adjourn

ACTION: Commissioner Medina moved that the meeting be adjourned at 3:42 p.m.

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