

# CITY OF LOS ANGELES

CALIFORNIA

## BOARD OF NEIGHBORHOOD COMMISSIONERS

**PAUL PARK**  
PRESIDENT

**LEONARD SHAFFER**  
VICE PRESIDENT

**DOUGLAS EPPERHART**  
**DANIEL GATICA**  
**LINDA LUCKS**  
**KAREN MACK**

JANET LINDO  
Executive Administrative Assistant  
TELEPHONE: (213) 978-1551



**ANTONIO R. VILLARAIGOSA**  
MAYOR

## DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

20<sup>th</sup> FLOOR, CITY HALL  
200 NORTH SPRING STREET  
LOS ANGELES, CA 90012

TELEPHONE: (213) 978-1551  
TOLL-FREE: 3-1-1  
FAX: (213) 978-1751  
E-MAIL: [done@lacity.org](mailto:done@lacity.org)

**GRAYCE LIU**  
INTERIM GENERAL MANAGER

[www.EmpowerLA.org](http://www.EmpowerLA.org)

## MINUTES

### BOARD OF NEIGHBORHOOD COMMISSIONERS

### REGULAR MEETING

**MONDAY, DECEMBER 17, 2012 – 1:00 P.M.**

**CITY HALL, 10TH FLOOR CONFERENCE CENTER  
ROOM 1050, 200 NORTH SPRING STREET  
LOS ANGELES, CA 90012**

#### COMMISSIONERS PRESENT

Paul Park, President  
Leonard Shaffer, Vice President  
Douglas Epperhart  
Linda Lucks

#### ABSENT

Daniel Gatica  
Karen Mack

#### DEPARTMENT STAFF PRESENT

Grayce Liu, Interim General Manager  
Stephen Box, Acting Senior Project Coordinator  
Janet Lindo, Executive Administrative Assistant

#### CITY ATTORNEY REPRESENTATIVE

Carmen Hawkins, 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 1:05 p.m. Commission roll was called by Janet Lindo, Executive Administrative Assistant.**

3. Approval of the Minutes of the Meeting of December 4, 2012. (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/12-04-12\\_DRAFT\\_COMMISSION\\_Meeting\\_Minutes.pdf](http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/12-04-12_DRAFT_COMMISSION_Meeting_Minutes.pdf)

**ACTION: Commissioner Lucks moved that the Minutes of the Meeting of December 4, 2012, be approved as written. Commissioner Epperhart 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: Manuel Aldana, and Glenn Bailey.**

5. Verbal update from a representative of the Office of the Mayor Antonio Villaraigosa, Neighborhood and Community Services. (10 minutes)

**ACTION: Yolanda Fuentes, Associate Director, Neighborhood & Community Services, thanked the Commission for all their hard work throughout the year.**

6. General Manager's Report. (10 minutes)
  1. Briefing on Departmental activities.
  2. Staffing, budget and other operational matters.

**ACTION: Interim General Manager, Grayce Liu, gave a verbal update on Departmental activities, staffing, budget and other operational matters.**

- **Wrapping Neighborhood Council elections**
- **The Department will be preparing a report back to the City Council regarding elections.**
- **Council for Councils (C4C) is actively helping Neighborhood Councils in the East area and other regions**

7. Commission Ad Hoc Committee Reports. (10 minutes)
  1. Neighborhood Council Plan Review Committee.

**ACTION: None.**

8. Discussion and possible action appointing an Ad Hoc Committee that would provide recommendations to the Commission on standards or best practices that Neighborhood Councils should strive to achieve in order to increase stakeholder participation through outreach. (10 minutes)

**ACTION: Commissioner Lucks moved that an Ad Hoc Committee be appointed that would provide recommendations to the Commission on standards or best practices that Neighborhood Councils should strive to achieve in order to increase stakeholder participation through outreach. Commissioner Shaffer seconded the motion.**

**VOTE: Ayes – 4  
Nays – 0**

**Motion passes unanimously.**

9. PUBLIC HEARING: Discussion and possible action regarding Commission Policy 2010-02 regarding Neighborhood Council Agenda Posting Requirements. This policy requires Neighborhood Councils to comply with the Brown Act requirements for each of their posting locations. The Commission may discuss whether this policy should be further amended or clarified. (Click on the link to view a copy of the document.) (20 minutes)  
[http://done.lacity.org/dnn/portals/0/documents/LEARN/About\\_the\\_commission/NC\\_Agenda\\_Posting\\_Requirements\\_080310.pdf](http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/NC_Agenda_Posting_Requirements_080310.pdf)

**ACTION:** Commissioner Epperhart moved that the Board of Neighborhood Commissioners, Neighborhood Council Agenda Posting Requirements--Policy Number 2010-02, No. 1, be amended to read that:

Just one of the five (5) to seven (7) locations be fully Brown Act requirement and that the others do not have to.

Commissioner Shaffer seconded the motion.

Commissioner Shaffer made a motion to amend the motion to include:

1. Neighborhood Councils shall comply with the current five (5) to seven (7) physical locations posting requirement imposed during their certification process; one (1) of the posting locations shall be Brown Act compliant; the remaining posting locations shall be within the Neighborhood Council boundaries and shall comply with Brown Act time limits for posting.

Commissioner Lucks seconded the amended motion.

**VOTE:** Ayes – 4  
Nays – 0

Amended motion passes unanimously.

Commissioner Shaffer moved that an ad hoc committee be formed with regards to the posting policy because of the results that we have heard from the General Manager as to the survey that was put out.

Commissioner Epperhart seconded the motion.

**VOTE:** Ayes – 3 (Park, Shaffer, and Epperhart)  
Nays – 1 (Lucks)

Motion does not pass.

Public comment received from:

Glenn Bailey – as with many things in life it's the quality not necessarily the quantity. We do have a 24/7 location it's in a glass case that has a lock and we have a key. The agenda is visible inside the locked glass case. For many people it is more convenient to go online and check for the agenda on a Web site rather than scurrying around to a physical location.

**Ivan Spiegel – This has now become a very complex issue. I have been working doing trainings with the Department for Neighborhood Councils and have been telling them one 24 hour place. I think the answer to this is one 24 hour place and the others do the best you can.**

**Alexia Teran – not all communities are the same. Not all communities have accessibility to businesses and such. For communities without accessibility maybe we can place a banner with the days that the Neighborhood Council meets.**

10. Discussion and possible action amending the Commission's Rule of Order No. 16 to allow official Neighborhood Council representatives up to 5 minutes of speaking time before the Commission when presenting the view of their board. (10 minutes) (Click on the link to view a copy of the document.)  
[http://done.lacity.org/dnn/portals/0/documents/LEARN/About\\_the\\_commission/Rule\\_16\\_BoardofNeighComm\\_draft.pdf](http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Rule_16_BoardofNeighComm_draft.pdf)

**ACTION: Commissioner Shaffer moved that the Commission amend the Commission's Rule of Order No. 16 to allow official Neighborhood Council representatives up to 5 minutes of speaking time before the Commission when presenting the view of their board.**

**Commissioner Epperhart seconded the motion.**

**Commissioner Lucks moved to amend the motion to strike the words and non-agendized matters.**

**Amended motion not seconded.**

**Original motion:**

**VOTE: Ayes – 3 (Park, Shaffer, and Epperhart)**

**Nays – 1 (Lucks)**

**Motion does not pass.**

**Public comment received from**

**Glenn Bailey – support the policy. Concerned about non-agendized matters. Urge the Commission to consider deleting the non-agendized portion of this policy because I don't think it serves the Neighborhood Council, nor the public and frankly yourselves by not knowing what the subject matter is going to be presented for five minutes.**

**Ivan Spiegel – I agree with this policy. The Chair has latitude to expand the time limit and can also allow people to combine their comments. How are you going to determine who is the official spokesperson for the Council? If you are going to go with this policy, you have to define it somehow.**

11. Discussion and possible action on a motion from the Commission's Ad Hoc Committee the Neighborhood Council Plan Review Committee. The Commission

will take possible action establishing 3 Standing Committees, based on three geographic regions within the City who will review and provide the Commission with recommendations on changes that should be made to the ordinances and the Plan for a Citywide System of Neighborhood Councils. (20 minutes)

MOTION - The Neighborhood Council Plan Review Committee requests that the Commission adopt the following structure to undertake a review of the Plan for a Citywide System of Neighborhood Councils (Plan) and to make recommendations on changes to the ordinances and the Plan:

The Commission hereby establishes 3 Standing Committees. These Standing Committees will be chaired respectively by Commissioner Epperhart, Commissioner Shaffer, and Commissioner Gatica. The 3 Standing Committees shall reflect the geographic areas of the City as used during the Department's administration of election and be divided as follows

North and South Valley Area Plan Review Committee	- (Chair, D. Gatica)
Central and East Area Plan Review Committee	- (Chair, L. Shaffer)
South Harbor and West Area Plan Review Committee	- (Chair, D. Epperhart)

The Chair of each Committee shall have authority to name the remaining members of the Committee and each Committee shall be comprised of a total of 16 members. In naming the members of the Committee the Chairs shall contact the Neighborhood Council Presidents in their region and grant significant weight to the President's recommendations for 12 of the 16 seats on the Committee. The Chairs shall have discretion to appoint the remaining 3 seats in order to provide balance and expertise on the Committee. The quorum of the Committee shall be 5 and the Committees shall take action by a majority of its members present and voting. The Chairs are hereby delegated the authority to establish all rules necessary for the operations of the Committee. Each Committee shall follow and adhere to the Brown Act. At the conclusion of the Committees work, there shall be a joint meeting of the 3 Standing Committees in order to attempt to provide the Commission with 1 set of changes on the recommended Plan changes.

**ACTION: Commissioner Lucks moved that the Commission amend the proposed motion on the agenda to the following structure to undertake a review of the Plan for a Citywide System of Neighborhood Councils (Plan) and to make recommendations on changes to the ordinances and the Plan:**

**The Commission hereby establishes 3 Standing Committees. These Standing Committees will be chaired respectively by Commissioner Epperhart, Commissioner Shaffer, and Commissioner Gatica. The 3 Standing Committees shall reflect the geographic areas of the City as used during the Department's administration of election and be divided as follows:**

<b>North and South Valley Area Plan Review Committee</b>	<b>- (Chair, D. Gatica)</b>
<b>Central and East Area Plan Review Committee</b>	<b>- (Chair, L. Shaffer)</b>
<b>South, Harbor and West Area Plan Review Committee</b>	<b>- (Chair, D. Epperhart)</b>

Upon formation Committees shall select a Co-Chair, who shall not be a Commissioner, a Vice Chair, and a Secretary. The Co-Chairs shall conduct all meetings. The duties of the Vice Chair and Secretary shall be those that are usually accorded to Vice Chairs and Secretaries.

The Chair of each Committee shall have authority to name the remaining members of the Committee and each Committee shall be comprised of a total of 16 members. In naming the members of the Committee the Chairs shall contact the Neighborhood Council Presidents in their region and grant significant weight to the President's recommendations for 12 of the 16 seats on the Committee. The Chairs shall have discretion to appoint the remaining 3 seats in order to provide balance and expertise on the Committee. The quorum of the Committee shall be a majority and the Committees shall take action by a majority of its members present and voting. The Chairs are hereby delegated the authority to establish all rules necessary for the operations of the Committee. Each Committee shall follow and adhere to the Brown Act. At the conclusion of the Committees work, there shall be a joint meeting of the 3 Standing Committees in order to attempt to provide the Commission with 1 set of changes on the recommended Plan changes.

Commissioner Epperhart seconded the motion.

VOTE: Ayes – 4  
Nays – 0

Motion passes unanimously.

Public comment received from:

Glenn Bailey – I want to express one area of concern and that has to do with when you have a committee of 16 people and then you define the quorum as 5 there is something wrong with that in my opinion. Seems to me as with everything Neighborhood Councils it ought to be a majority, which would be 9. I also have a problem when it says then a majority of those voting, so if you have 5 present because that is a quorum that means that 3 could then be making a decision for all 16 for a particular region. It means 3 people could control by policy, by voting recommendations. I suggest that if you going to have 16 make the quorum 9.

Ivan Spiegel – The Bylaws Task Force was also a Commission Committee. I have some big problems with this. It's way too much power and influence. The thing that is really scary here is, "the chairs are hereby delegated the authority to establish all rules necessary." It's way too much control for the Commissioners. I would much rather you go to the Bylaws Task Force model. I think Commissioner Shaffer should be recused from this. Commissioner Epperhart has spoken out about the need to revise the plan. I think civilian chairs should pick the people and it needs to be open.

12. Discussion and possible action regarding two motions presented by Councilmember Jose Huizar on October 23, 2012, regarding definition of "factual basis stakeholders" and the ability of Neighborhood Councils to request a "subdivision" within their boundaries. In addition, the Commission may take action

on City Council's proposed motions, including sending a communication to City Council containing the Commission's recommendations on the proposed motions or establishing an Ad Hoc Committee to review the Commission's existing policies regarding factual basis stakeholders and boundary adjustments and report on whether the Commission's policies should be further clarified, amended, or changed." (Click on the link to view a copy of the document.) (15 minutes)

[http://done.lacity.org/dnn/portals/0/documents/LEARN/About\\_the\\_commission/FactualBasisStakeholders\\_CF\\_12-1682\\_MOT\\_10-23-12.pdf](http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/FactualBasisStakeholders_CF_12-1682_MOT_10-23-12.pdf)

[http://done.lacity.org/dnn/portals/0/documents/LEARN/About\\_the\\_commission/Subdivision\\_CF12-1681\\_MOTION\\_10-23-12.pdf](http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/Subdivision_CF12-1681_MOTION_10-23-12.pdf)

[http://done.lacity.org/dnn/portals/0/documents/LEARN/About\\_the\\_commission/2011-02\\_Resolution\\_Factual\\_Basis\\_Stakeholders\\_060711.pdf](http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/2011-02_Resolution_Factual_Basis_Stakeholders_060711.pdf)

[http://done.lacity.org/dnn/portals/0/documents/LEARN/About\\_the\\_commission/BONC\\_Boundary\\_Adjustment\\_Policy\\_04-21-08.pdf](http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commission/BONC_Boundary_Adjustment_Policy_04-21-08.pdf)

**ACTION:** Commissioner Shaffer moved that since there is a Council File (CF) number on these motions that the Commission send a Communication to the City Clerk to be posted with that CF number which will be the Commission's current policies. It would then be set up as comments from the public and it would be available to anybody and would also be noted on the agenda if these items come up.

Commissioner Lucks seconded the motion.

**VOTE:** Ayes – 4  
Nays – 0

Motion passes unanimously.

Public comment received from:

Glenn Bailey – one of the clarifications that need to be made, does it need to be an exclusive seat for factual basis stakeholder?

Martin Schlageter – Policy Director for Councilmember Huizar's office. Appreciate the Commission's continued deliberation of this matter and an invitation for us to participate in that deliberation and public discussion about it. We understand your interest in bringing this into your comprehensive plan review, we support that. We received the communication about the existing policies. These are clearly helpful and strong foundations for where we believe the discussion should lead. There is some room for additional clarification with regard to the factual basis stakeholder. As we have said before we believe that is a strong policy, however it is an advisory policy for Commissions and it is our suggestion through your comprehensive plan review that you consider making that less than advisory. Strong advice is good, but actually a mandatory aspect of the elections across commissions so that there is no confusion. Secondly, with regard to the subdivision issue the policy as spelled out is clear in terms of what should happen if a commission reduces its size and it suggest that then another neighboring commission would have to adopt that otherwise orphan community. That is clearly one path by which the borders can change. We just wanted some additional clarity about whether, as was indicated in that current policy, there could be a concurrent certification of that otherwise orphan area. Both those things

would be helpful clarifications as the intent of our motion is to encourage such clarifications and we look forward to working with you through your comprehensive plan review process.

**Alexia Teran – How do we resolve this issue? If a group of people do not want to be there, why force them to stay there? Talk to a lot of people, more than the ones who are here because there is only two or three of these people who are very knowledgeable, true, but what about the rest of 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 Epperhart moved that the meeting be adjourned at 4:10 p.m. Commissioner Shaffer seconded the motion.**

**VOTE: Ayes – 4  
Nays – 0**

**Motion passes unanimously.**