

CITY OF LOS ANGELES
CALIFORNIA

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GENERAL MANAGER

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MINUTES

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING

TUESDAY, AUGUST 2, 2011 – 6:00 P.M.

NATE HOLDEN PERFORMING ARTS CENTER
4718 WEST WASHINGTON BOULEVARD
LOS ANGELES, CA 90016

COMMISSIONERS PRESENT

Albert Abrams, President
Daniel Gatica, Vice President
Esther Cepeda-Hatch
Carlene Davis
John Kim
Linda Lucks

ABSENT

Karen Mack

DEPARTMENT STAFF PRESENT

BongHwan Kim, General Manager
Grayce Liu, Senior Project Coordinator
Amber Meshack, Neighborhood Empowerment Analyst
Janet Lindo, Executive Administrative Assistant

CITY ATTORNEY REPRESENTATIVE

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

1. Introduction (5 minutes)

ACTION: President Abrams gave the introduction.

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

ACTION: President Abrams, called the meeting to order at 6:11 p.m. Commission roll was called by Janet Lindo, Executive Administrative Assistant.

3. Approval of the Minutes of the Regular Meeting of July 5, 2011. (3 minutes)

ACTION: Commissioner Lucks moved that the Minutes of the Regular Meeting of July 5, 2011, be approved as written. Commissioner Davis seconded the Motion.

Vote: Ayes - 5, Nays – 0

Motion passes unanimously.

Public Comment received from:

Allan DiCastro – 07/05/11 Minutes do not necessarily reflect all that was said.

A second vote was taken on the Minutes after public comment by Allan DiCastro.

Commissioner Lucks moved that the Minutes of the Regular Meeting of July 5, 2011, be approved as written. Commissioner Davis seconded the Motion.

Vote: Ayes - 6, Nays – 0 (Note – The number of Commissioners' votes increased with the arrival of Commissioner Kim at 6:17 p.m.)

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 two minutes. (15 minutes)

ACTION: Public comments were received from:

Charles Lindenblatt – has some concerns about their voting – and physical interactions between members.

Ivan Spiegel – showed video about “shoppers have a right to vote” – wants these actions to stop.

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

ACTION: This item was taken out of order before Item No. 4.

Yolanda Fuentes, introduced herself as the new liaison from the Mayor's Office, working with the Department of Neighborhood Empowerment (DONE) and the Board of Neighborhood Commissioners (BONC).

6. General Manager's Report (10 minutes)

1. Briefing on Departmental activities
2. Staffing, budget and other operational matters.

ACTION: General Manager, BongHwan Kim, provided an update on Departmental activities.

7. Report from the Chair of the Ad Hoc Policy Committee. (10 minutes)

ACTION: Vice President Gatica, provided a verbal update on the Ad Hoc Policy Committee.

8. Discussion on a grievance policy for Neighborhood Councils. (10 minutes).

ACTION: Commissioner Lucks read the following motion into the record and requested that it be placed on the next agenda.

Grievance Policy - Formally Grievance and Complaint

MOTION

The Board of Neighborhood Commissioners shall adopt the following policy:

The entire Neighborhood Council system shall follow a formal grievance/complaint system as set forth herein:

Each city planning area shall be used as boundaries to determine which Neighborhood Councils shall be included in a local grievance region. If a Neighborhood Council's boundaries overlap two or more planning areas, the Board of Neighborhood Commissioners shall decide which area that Council shall be included in.

Each NC shall elect one member to their area grievance/complaint panel from a pool of current and former Board members and stakeholders. Three of the elected panel members shall hear grievances/complaints on a random rotating basis as scheduled by BONC/DONE. No member of the 3 member hearing panel shall be selected to hear a grievance/complaint involving their own council.

When a grievance/complaint is filed with BONC/DONE, the first step shall be to notify the local Neighborhood Council that a grievance has been filed and give them a specific period of time to work things out internally with the person(s) filing. If this cannot be achieved BONC/DONE shall identify and convene a three member panel from the elected pool. The panel shall hear the grievance/complaint and have 30 days to write a report, including a determination of the case. Said determination shall be sent to BONC/DONE for adjudication. A copy shall be sent to the applicant as well. Any appeals shall be made to the adjudicating body which shall have the options to affirm, deny and/or change the hearing panel's determination and order enforcement.

If the grievance/complaint is upheld, the first step of enforcement shall be to notify the Neighborhood Council involved and request that the Neighborhood Council remedy the situation within 30 days. If compliance is not forthcoming the authoritative body shall immediately mandate the remedy and suspend funding until compliance is certified.

All Neighborhood Council by-laws shall be mandated to include the following language:

Grievances:

Grievances shall be handled within the guidelines as set forth in the BONC policy dated _____.

Public comment received from:

Charles Lindenblatt – speaking for himself – impressed with the grievance policy statement – his Neighborhood Council has trouble with issues a grievance policy would help.

Ivan Spiegel – This is a draft that started with the Neighborhood Council Review Commission (NCRC) and the Bylaws Task Force – would have a cooling off period.

9. Discussion and possible action regarding possible dates for a Board of Neighborhood Commissioners' planning retreat. (20 Minutes)

ACTION: None.

10. Discussion and possible action on the Boundary Adjustment Application for the Palms Neighborhood Council. (10 minutes).

ACTION: Commissioner Kim moved to:

1. **ADOPT** the Findings and Determinations contained in the Department of Neighborhood Empowerment staff report, dated July 28, 2011, recommending rejection of the Palms Neighborhood Council Petition for Boundary Adjustment.

2. **FIND** that the Palms Neighborhood Council Petition for Boundary Adjustment is not a permissible boundary adjustment petition in accordance with Administrative Code section 22.810.1(d) because the Palms Neighborhood Council is requesting an area that already lies within the South Robertson Neighborhoods Council's certified boundaries.

3. **DENY** the boundary adjustment petition, **REJECT** the inclusion of the certified adjacent community into the Palms Neighborhood Council certified boundaries and **DEEM** the Palms Neighborhood Council bylaws not be amended to include the requested area.

Motion seconded by Commissioner Cepeda-Hatch.

Vote: Ayes: 6 - Commissioners Abrams, Gatica, Cepeda-Hatch, Davis, Kim, Lucks.

Nays: 0

Motion passes unanimously.

Public comments were received from:

Doug Fitzsimmons – wants the BONC to compare the boundaries.

11. Department update, discussion and possible action on the Boundary Adjustment Application for the South Robertson Neighborhood Council. (20 minutes)

ACTION: Combined with Agenda Item No. 12.

Commissioner Abrams moved to:

1. **ADOPT** the Findings and Determinations contained in this staff report, dated June 28, 2011, in support of the South Robertson Neighborhoods Council Petition for Boundary Adjustment.

2. **FIND** that South Robertson Neighborhoods Council has submitted a Petition for Boundary Adjustment supported by the officially elected Board of the Neighborhood Council which is consistent with the intent and spirit of the Plan for the Citywide System of Neighborhood Councils and Administrative Code section 22.810.1(d).

3. **FIND** that this is a permissible boundary adjustment petition in accordance with Administrative Code section 22.810.1(d) because the South Robertson Neighborhoods Council is including uncertified adjacent communities into its certified boundaries.

4. **FIND** that the boundary adjustment petition complies with the criteria specified in Article III Section 2 of the Plan for the Citywide System of Neighborhood Councils in that:

- the petition states a feasible rationale for including the proposed boundaries.
- the boundaries reflect, to the maximum extent feasible, the historic and contemporary community and neighborhood borders, utilizing natural boundaries that are geographically compact and contiguous.

- the boundaries will continue to represent no less than 20,000 Neighborhood Council stakeholders.

5. FIND that based on the weight of the testimony provided at the hearing on this matter, the Neighborhood Council and the community Stakeholders in the areas to be incorporated agree to the proposed incorporation. (Administrative Code section 22.810.1(d)(4).)

6. GRANT the boundary adjustment petition, APPROVE the inclusion of the uncertified adjacent communities into the South Robertson Neighborhoods Council certified boundaries and DEEM the South Robertson Neighborhoods Council bylaws boundaries amended to the following:

North Boundary – (heading east) Beverly Hills border/Whitworth Drive when west of Robertson Boulevard; Gregory Boulevard, when east of Robertson Boulevard

South Boundary – (heading east) 10 Freeway, Robertson Boulevard off ramp, Exposition Boulevard, Culver City border.

East Boundary – La Cienega Boulevard, 10 Freeway

West Boundary – (heading south) Beverly Hills border, Pico Boulevard, Motor Avenue, the southern border of Hillcrest Country Club, Anchor Avenue connecting to Club Drive east of Girila Way, National Boulevard.

Motion seconded by Commissioner Kim.

Vote: Ayes: 1 - Commissioners Abrams.

Nays: 5 - Commissioners Cepeda-Hatch, Davis, Gatica, Kim, Lucks.

Motion did not receive approval.

Item held in abeyance.

Denial of South Robertson Neighborhoods Council Petition for Boundary Adjustment
President Abrams moved to:

1. FIND that South Robertson Neighborhoods Council has submitted a Petition for Boundary Adjustment supported by the officially elected Board of the Neighborhood Council in accordance with Article VI section 2 of the Plan for the Citywide System of Neighborhood Councils and Administrative Code section 22.810.1(d).

2. FIND that both the South Robertson Neighborhoods Council and the Mid City Neighborhood Council are each seeking to incorporate the same area outside of their boundaries ("contested area").

3. FIND that at the public hearings for the Board of Neighborhood Commissioners held on July 5, 2011, and August 2, 2011, the weight of the testimony provided at these hearing was that the community stakeholders in the contested area did not agree to inclusion within the South Robertson Neighborhoods Council's boundaries pursuant to Administrative Code section 22.810.1(d)(4).

4. DENY the boundary adjustment petition, REJECT the inclusion of the certified adjacent communities into the South Robertson Neighborhoods Council certified boundaries and DEEM the South Robertson Neighborhoods Council bylaws not amended to include the requested areas.

Motion seconded by Commissioner Lucks.

Vote: Ayes: 5 - Commissioners Abrams, Cepeda-Hatch, Gatica, Kim, Lucks.

Nays: 1 - Commissioner Davis.

Motion passes.

Public comments were received from:

Barry Levine – SORO focuses on nutrition for kids and education – spent \$20,000 on elementary schools.

Eric Morales – joining with SORO – would be good kids in the local schools.

Marj Sarafinia – co-chair of outreach for SORO.

Ova Saopeng – resident of unincorporated area, three things – SORO did good outreach; choose SORO.

Kimber Smith – focus on the timeline of laws – diverse group.

Michael J. Sonntag – outreach chair and Region 3 rep.

Rose Sum – resident of unincorporated area – supports SORO.

12. Department update, discussion and possible action on the Boundary Adjustment Application for the Mid City Neighborhood Council. (20 minutes).

ACTION: Combined with Agenda Item No. 11.

Commissioner Abrams moved to:

1. ADOPT the Findings and Determinations contained in the Department of Neighborhood Empowerment staff report, dated June 28, 2011, in support of the Mid City Neighborhood Council Petition for Boundary Adjustment.

2. FIND that Mid City Neighborhood Council has submitted a Petition for Boundary Adjustment supported by the officially elected Board of the Neighborhood Council which is consistent with the intent and spirit of the Plan for the Citywide System of Neighborhood Councils and Administrative Code section 22.810.1(d).

3. FIND that this is a permissible boundary adjustment petition in accordance with Administrative Code section 22.810.1(d) because the Mid City Neighborhood Council is including uncertified adjacent communities into its certified boundaries.

4. FIND that the boundary adjustment petition complies with the criteria specified in Article III Section 2 of the Plan for the Citywide System of Neighborhood Councils in that:

- the petition states a feasible rationale for including the proposed boundaries.
- the boundaries reflect, to the maximum extent feasible, the historic and contemporary community and neighborhood borders, utilizing natural boundaries that are geographically compact and contiguous.

- **the boundaries will continue to represent no less than 20,000 Neighborhood Council stakeholders.**

5. FIND that based on the weight of the testimony provided at the hearing on this matter, the Neighborhood Council and the community Stakeholders in the area to be incorporated agreed to the proposed incorporation. (Administrative Code section 22.810.1(d)(4).)

6. GRANT the boundary adjustment petition, APPROVE the inclusion of the uncertified adjacent community into the Mid City Neighborhood Council certified boundaries and DEEM the Mid City Neighborhood Council bylaws boundaries amended to the following:

North Boundary – The south side of Pico Boulevard from Crenshaw Boulevard, continuing west to Highland Avenue, continuing south on Highland Avenue to Venice Boulevard, continuing west on Venice Boulevard to La Cienega Boulevard.

South Boundary – Culver City border starting at La Cienega Boulevard to the north wall of the Rosa Parks Freeway continuing east to Crenshaw Boulevard.

East Boundary – Crenshaw Boulevard from the Rosa Parks Freeway continuing north to the south side of Pico Boulevard.

West Boundary – La Cienega Boulevard (east side only) between Venice Boulevard and the Culver City border.

Motion seconded by Commissioner Kim.

**1st vote: Ayes: 3 - Commissioners Davis, Kim, Lucks.
Nays: 3 – Commissioners Abrams, Cepeda-Hatch, Gatica.
Failure to Act on the Motion.**

**2nd vote: Ayes: 3 - Commissioners Davis, Kim, Lucks.
Nays: 3 – Commissioners Abrams, Cepeda-Hatch, Gatica.
Failure to Act on the Motion.**

**3rd and final vote: Ayes: 4 - Commissioners Cepeda-Hatch, Davis, Kim, Lucks.
Nays: 2 – Commissioners Abrams, Gatica.**

Motion passes.

Public comments received from:

Jacqueline Alexander-Sykes – 32 years in MINC, strong, creative community.

Mark Bradford – representing artists.

Barbara Bridges – 75% of people in the community are seniors.

Bettye Bryant – treasurer of MINC – we can co-exist.

Joni Burns – for the record - in favor of MINC.

Lora Davis – MINC stakeholder – founded Farmer's Market.

Allan DiCastro – CD 10, Herb Wesson, has endorsed MINC. He knows of both competing Neighborhood Councils.

Ernest Dominquez – MINC has reduced graffiti by 60%.

Jackie Dupont-Walker – 34-year resident of LaFayette Square, also serve as president. Linkage is natural with MINC.

Bruce Durbin – Route 10 doesn't hold as a boundary issues.

Lorraine Genovese – worked on problem with Dog Town Gym – for MINC.

Gavin Glynn – active member of the community – in favor of MINC.

Scott Godfrey – as a stakeholder in the MINC area – I would like the disputed area annexed into MINC as this is a natural extension of our neighborhood.

Angie Gollmann – MINC and arts district will be linked and Culver City arts districts.

Lawrence Klutse – organizational rep for MINC.

Michael Maloney – Business rep for MINC-gathered signatures from businesses – all wanted MINC.

Cassandra Malry – a parent, resident since 1950s. and philanthropist – her comments represent both personal and profession passion for arts and culture. Art creates healthy communities.

Darlis Martin – 20 year stakeholder – seen a lot of positive changes in MINC.

Tomasita Spann – resident of unincorporated area – wants to be with MINC.

Roseanne Ware – stakeholder in MINC area for ten years-extremely important for youth to have galleries and art in their area.

Thom Washington – gave time to Ms. Dupont-Walker.

W. Joy Williams - gave time to Ms. Dupont-Walker.

13. Election of Officers for President and Vice President. (10 Minutes)

ACTION: President Abrams moved that Daniel Gatica, be elected as President, and er, Carlene Davis, be elected as Vice President.

Commissioner Lucks seconded the Motion.

**Vote: Ayes – 6: Commissioners Abrams, Cepeda-Hatch, Davis, Gatica, Kim, Lucks,
Nays - 0**

Motion passes unanimously.

14. 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: Comments received from Commissioners Davis and Kim.

15. 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: None.

16. Adjourn

ACTION: Commissioner Abrams moved that the meeting be adjourned at 9:20 pm. Motion seconded by Commissioner Cepeda-Hatch.

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