

CITY OF LOS ANGELES

CALIFORNIA

BOARD OF NEIGHBORHOOD COMMISSIONERS

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MINUTES

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING

TUESDAY, DECEMBER 3, 2013 – 6:00 P.M.

**ELYSIAN HEIGHTS ELEMENTARY SCHOOL
AUDITORIUM
1562 BAXTER STREET
LOS ANGELES, CA 90026**

COMMISSIONERS PRESENT

Karen Mack, President
Joy Atkinson
Lydia Grant
Victor Medina
Olivia Rubio

ABSENT

Linda Lucks
Leonard Shaffer

DEPARTMENT STAFF PRESENT

Grayce Liu, General Manager
Joseph Hari, Project Coordinator

CITY ATTORNEY REPRESENTATIVE

Alois Phillips, Deputy City Attorney

1. Introduction (5 minutes)

ACTION: President Mack gave the introduction.

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

ACTION: President Mack called the meeting to order at 6:08 p.m. Commission roll was called by Joseph Hari.

3. Approval of the Minutes of the Regular Meeting of November 18, 2013. (Click on the link to view a copy of the document.) (3 minutes)
http://empowerla.org/wp-content/uploads/2013/11/11-18-13_draft_COMMISSION-MINUTES.pdf

ACTION: Commissioner Medina moved approval of the Minutes of the Regular meeting of November 18, 2013, as written. Commissioner Grant seconded the Motion.

**VOTE: Ayes – 5
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:

Lisa Baca – Greater Elysian Park NC (GEPENC), ask Commission's assistance in helping to expedite the Department of Neighborhood Empowerment's audit of GEPENC 2010-2012 budget.

Ari Bessendorf – President, GEPENC, the results of our Neighborhood Council speaks for themselves. Our funds have been unfrozen since April. The items Ms. Baca is referring to in her "rebuttal" essentially state that we have no jurisdiction over Historic Philipinotown Neighborhood Council, Inc.

Tony Butka – Glassell Park Neighborhood Council, back in 2010 I went to the Los Angeles City Ethics Commission with what I believed to be a straight forward question and that was does the Ethics Commission have the legal authority to enforce the Neighborhood Councils ethics rules? Ultimately, based on the advice of the City Attorney's Office the Commission said no they do not have the authority to enforce the Neighborhood Councils rules on ethics. I then later on in the same year or 2011, went in front of the then BONC Commission here and appealed the same issue. It is now December of 2013 I am still awaiting a response. I think it is a fair question, I think it deserves an answer.

Robert Guevara – stakeholder, Eagle Rock Neighborhood Council, a lot of the outreach that is going on right now people are starting from square one to get the elections outreach. Every two years it happens. Nobody does outreach on a regular basis to inform the public. I think a lot of the empowerment turns out to be figurative. We need some kind of direction to push those things more.

Peter Nicholas – residential stakeholder Rampart Village Neighborhood Council, encourage the Commission to visit and revisit 1) street boundary between two Neighborhood Councils, 2) the succession of a section of a Neighborhood Council from an existing Neighborhood Council.

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

ACTION: No Mayor Office representative present.

6. General Manager's Report. (10 minutes)
 1. Briefing on Departmental activities.
 2. Staffing, budget and other operational matters.
 3. Briefing on survey regarding NC Plan Review Committee recommendations.

(Click on the link to take the survey)

<https://www.surveymonkey.com/s/8motions>

(Click on the link to view the survey)

http://empowerla.org/wp-content/uploads/2013/11/Survey_8-motions_text.pdf

ACTION: General Manager, Grayce Liu, gave the General Manager's report.

- Prepping for elections. Regions 1 through 4 in the Valley have completed all their Stip sheets.
- Region 1 will be having a rally in the valley which is their big launch in terms of calling out full candidates on Friday, January 10 at 6:30-8:30 pm in Pacoima.
- We are anticipating that the stakeholder definition will be changed sometime in the next two weeks by City Council. When that is done we have to update all 95 Neighborhood Council bylaws to accommodate the change in that definition and also in their board structure.
- Field – two Neighborhood Councils are in exhaustive efforts which are MacArthur Park Neighborhood Council and North Hills West Neighborhood Council. We do have a few Neighborhood Councils in pre-exhaustive efforts.
- CANNDU and South LA did request a loss of quorum to be granted to them under the Commission's policy. We will be working with them to reestablish quorum.
- Funding – we are happily anticipating that January 1 we will have checking accounts. There is another glitch that recently came up where Office of Finance told us that there is an ordinance that any bank that we select to do the checking accounts would have to satisfy in regards to their home mortgages and it's a survey they basically complete for the City and it came out of the Occupy movement about responsible banking.
- Policy – Joseph Hari gave the update. Survey responses - we are doing low on numbers. As of today we have about 115 responses. The last batch we had almost 400. One thought was to extend it by a week or a week and a half.
- Regarding the policy that we were considering regarding the sexual harassment training we originally thought that that was going to be looked at in December by the Education and Neighborhoods Committee, but they are not going to be doing that. They are going to be looking at it in January which means that if you would like to provide more time for Neighborhood Councils to weigh in then we could do that. We could extend the deadline to December 22.
- Outreach – hoping to launch Nationbuilder and NextDoor on December 12.
- Commissioner Jill Banks Barad, DWP, has gotten a small area on the DWP bills to advertise Neighborhood Councils.

Public comment received from:

Peter Nicholas – in the best of times it takes a lot of dedication and work for volunteers to help run a Neighborhood Council. We shouldn't do things that make that harder. In the last three years elections have bounced from City Clerk back to DONE and we've had bylaws changes and moratoriums on bylaw changes and now it's going to the City Clerk. We're ending up with a possible situation where City Council changes a definition during an election cycle and then we have to go out and get bylaws proposals change and then we have to wait to get it ratified and then we've got elections coming up. To the degree it's possible I would encourage the wise members of City Council to grandfather in the current elections. It's too much, too quickly, too convoluted and too conflicted to have to do this all at once.

7. Commission Committee Reports. (10 minutes)
 1. Ad Hoc Committee re Standards and Outreach (Members: Mack-Chair, Lucks, and Shaffer)
 - a. Possible action by the Commission to form an Outreach Task Force for recommendations on best practices for Neighborhood Council outreach.
 2. Ad Hoc Committee re ability of the Board of Neighborhood Commissioners to enforce citywide policies (Members: Shaffer-Chair, Grant, and Lucks)

ACTION: 7a - Commissioner Grant moved to form an Outreach Task Force for recommendations on best practices for Neighborhood Council outreach.

- **The role of the task force will be to develop best practices for outreach among Neighborhood Councils and to recommend ways that Neighborhood Councils can be supported in and held accountable for accomplishing effective outreach.**
- **The goal is to vote on the task force members by the middle of January with Commission members working to identify candidates that are not the "usual suspects." In particular, we would like to identify Neighborhood Councils members with outreach and public relations experience. Task force members should be a mix of those with a history of participation in Neighborhood Council policy making efforts and those that have not had this opportunity.**
- **Task force members to represent the seven (7) Neighborhood Council regions would be selected based on self-nominations from individuals interested in serving and nomination from Commissioners, the Department and Neighborhood Councils. There would be a total of twenty one (21) members, three (3) from each region, plus an alternate for each region who would step in should one of the members from his or her area be unable to serve. The outreach committee would be responsible for selecting the final task force members.**
- **It is expected that the task force would take sixty (60) days to complete its work, meeting four (4) times in January, February and March. We would want a report at our March 17 meeting on their findings.**
- **The meetings will be self-governing in terms of the agendas and Brown Act and the agendas will be posted and be descriptive.**

Commissioner Atkinson seconded the Motion.

VOTE: Ayes – 5

Nays – 0

Motion passes unanimously.

Public comment received from:

Ari Bessendorf – with regard to posting specifically, a simple solution is that all Neighborhood Councils are required to post at all public libraries within their district. That's the posting requirement instead of five, if you don't have website. If you do have a website, you post at your libraries and you're required to have a website, you have to post there and to your email list. To the larger issue, the Commission needs to take the Neighborhood Councils in hand and stop being so wary of the reaction of the people who shout the loudest. The Neighborhood Councils are the front door to the government for many people. Every Neighborhood Council should have the same bylaws. Every Neighborhood Council should have the same posting requirements and all these policies should be required of every single Neighborhood Council.

Robert Guevara – Brown Act is a burden, but I think it is effective. What we talked about in the Plan Review was to change it so that you would have one Brown Act compliant posting and a lot of other less strict one.

Peter Nicholas – from my point of view the entire philosophy behind the Neighborhood Council movement is outreach. I think it's all about outreach. I don't think there is anything else to it but outreach. Neighborhood Councils should have the right to customize their bylaws.

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. PUBLIC HEARING on the following recommendation from the Regional Standing Committees: (20 minutes) (Click on the links to view copies of the documents.)

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) 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.

(Discussion 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. (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: None.

Public comment received from:

Hector Huevo – Historic Highland Park Neighborhood Council and Plan Review Committee. This rule, while I think is well-intentioned and goes above and beyond what the Brown Act calls for is really cumbersome, and daunting and tedious to Neighborhood Councils. We're looking for ways for Neighborhood Councils to engage their community in ways that are innovative and not just technologically but also create in terms of being at place, being active, talking to people one on one. Physical posting locations do not matter. I want to urge you to do away with the mandatory five minimum physical posting locations requirements. Stick to one fully Brown Act compliant physical posting.

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, 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 recommendation: (20 minutes)

- 1) Training and Leadership Development

NC Plan Review Committees' Recommendation:

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.

(Possible Action by the Commission on this recommendation, including but not limited to drafting a communication or Resolution to the City regarding types of required trainings and possible consequences for those who do not complete trainings.)

ACTION: None.

Public comment received from:

Tony Butka – my observation is that the Department of Neighborhood Empowerment does not have the staff or the budget to do half of what they are currently legally obligated to do by everybody. They can't simultaneously do all of this good stuff for 95 Neighborhood Councils, play around with bylaws, do training and all the rest of that stuff. It's physically impossible. My observation is unless and until the City properly staffs the Department, properly budgets the Department, they are doing the best they can which doesn't mean they can comply with all the existing stuff and the more things you pile on them the more behind they will get and the less things that they currently are supposed to do will get done either. For that reason and that reason alone, I am opposed to this idea.

Robert Guevara - a lot of the requirements are really necessary because the ones on the board can still create liability for the City. We need to teach people not to do certain things. Besides the liability you want to have some respect for each other and some higher level of conducting business.

10. 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. 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.

- 2) 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.

3) 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.

4) 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.

5) 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.

6) 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:

Steven Appleton – Elysian Valley Riverside Neighborhood Council, elections – in Elysian Valley we are situated by the LA River which is subject of a huge revitalization effort right now and our Neighborhood Council has been very involved in that. A lot of our outreach happens by phone banking, very old school. The election process has been very confusing for us. The last time around there were really some very irregular things about it in terms of how our ballot was formed, it still leaves some residue in the community. Extending a term to two and a half years and then shortening a term to one and a half leaves us in a very difficult situation on our board regards to open things that are going on in the face of a very large focus by outside entities all the way from the federal government to huge funds into our very small local district. I think we have a lot of things to still work out for our elections.

Peter Nicholas

10-1- elections - this has to do with the City Council funding the City Clerk to hold the elections. This is all based on their cycle. This isn't our doing and sure people ought to be willing to volunteer for a four year cycle but when it comes to selling new candidates it is easier to sell somebody on a two year obligation than it is on a four year.

10-6 – in a public meeting where there is discussion of an item of business where a vote may be taken or not taken there are two kinds of meetings 1) where the board is having a discussion and various City departments may present and 2) another where a City department presents but then other City entities or community groups may be able to speak. So I want to be sure that I am only talking about those other groups that want to speak on something that's there. It's either a general item for discussion or it's been presented by a department or entity and then it's time for discussion. When it comes time to take comment to allow those other City entities being allowed comment I believe Neighborhood Councils should be allowed to have comment before the general public individuals representing nobody but themselves.

11. Discussion with various East 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/2013/11/BEST-PRACTICES-QUESTIONNAIRE.pdf>

ACTION: Ari Bessendorf, President, Greater Echo Park Elysian Neighborhood Council, Tony Butka, Glassell Park Neighborhood Council, and Robert Guevara, Eagle Rock Neighborhood Council stakeholder, shared their concerns.

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.

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:

Peter Nicholas – residents of the city and members and stakeholders and Neighborhood Councils don't really know how Mayors and City Councilmembers feel about the Neighborhood Council movement but there are obvious means of outreach that the city could almost for free facilitate.

14. Adjourn

ACTION: Commissioner Medina moved that the meeting be adjourned at 8:30 p.m. Commissioner Grant seconded the motion.

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