CITY OF LOS ANGELES
CALIFORNIA

BOARD OF NEIGHBORHOOD COMMISSIONERS

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BONGHWAN (BH) KIM, MPA
GENERAL MANAGER

www.EmpowerLA.org

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING AGENDA

MONDAY, AUGUST 15, 2011 – 11:30 A.M.

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

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 2 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 334-B East Second 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) 485-1360 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) 485-1360.

1. Introduction (5 minutes)

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

3. Approval of the Minutes of the Regular Meeting of August 2, 2011. (3 minutes)

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)

5. Verbal update from a representative of the Office of the Mayor Antonio Villaraigosa, 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. Discussion and possible action regarding the Plan for a Citywide System of Neighborhood Councils current requirement that Neighborhood Councils have a grievance procedure in their bylaws, including a discussion on alternative grievance or complaint procedures that may be implemented by the city to address stakeholder concerns. In addition, the Commission may recommend the City Council adopt the grievance or complaint procedures by ordinance. (10 minutes) (Click on the below link to view the supporting documents for this agenda item).
http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commision/Grievance_Language.pdf

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

9. **PUBLIC HEARING**: Determination regarding the bylaw amendment applications filed by the Greater Cypress Park Neighborhood Council and the Harbor Gateway North Neighborhood Council requesting changes to their Board structure. (10 minutes)

10. 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.

11. 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)

12. 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 website at www.lacity.org and subscribe to the Commission's agendas through the Early Notification System.)

- Regular meeting on Tuesday, September 6, 2011, at 6:00 p.m., in the Central area, in the Historic Highland Park Neighborhood Council area.
- Regular meeting on Monday, September 19, 2011, at 11:30 a.m., at the City Hall, 10th Floor Conference Center, Room 1060, 200 North Spring Street, Los Angeles, CA 90012.
- Regular meeting on October 4, 2011, in the West Planning Area, in the Westchester Playa Del Rey Neighborhood Council Area.
- Regular meeting on Monday, October 17, 2011, at 11:30 a.m., at the City Hall, 10th Floor Conference Center, Room 1060, 200 North Spring Street, Los Angeles, CA 90012.

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 334-B East Second Street, Los Angeles, California 90012, by clicking on the Department's website 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) 847-7084 or via e-mail: janet.lindo@lacity.org."

CITY OF LOS ANGELES
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BONGHWAN (BH) KIM, MPA
GENERAL MANAGER

www.EmpowerLA.com

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:

<u>North Boundary</u> – (heading east) Beverly Hills border/Whitworth Drive when west of Robertson Boulevard; Gregory Boulevard, when east of Robertson Boulevard
<u>South Boundary</u> – (heading east) 10 Freeway, Robertson Boulevard off ramp, Exposition Boulevard, Culver City border.
<u>East Boundary</u> – La Cienega Boulevard, 10 Freeway
<u>West Boundary</u> – (heading south) Beverly Hills border, Pico Boulevard, Motor Avenue, the southern border of Hillcrest Country Club, Anchor Avenue connecting to Club Drive east of Girla 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.

<u>Denial of South Robertson Neighborhoods Council Petition for Boundary Adjustment</u>
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.

####

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 NC 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 NC involved and request that the NC 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_____.

Agenda Item No. 9

CITY OF LOS ANGELES
DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT
334-B East Second Street, Los Angeles, CA 90012 • (213) 485-1360 or Toll-Free 3-1-1
Fax (213) 485-4608 E-mail: done@.lacity.org

Neighborhood Council Board Structure Change Request Form

Requests for changes in Board structure must be reviewed by the Board of Neighborhood Commissioners (Commission). If the Commission approves the request, the Applicant's bylaws will be deemed formally adjusted upon such action of the Commission. Should the Commission act to disapprove the request, the Applicant may, within five (5) meeting days of the City Council, during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for consideration. The City Council may, by ten (10) votes, sustain, reverse, or modify the Commission's decision.

After completing this form, please submit it by email along with a completed Bylaw Amendment Application to NCSupport@lacity.org. You may also fax or deliver the documents to our office. We will provide notification to the Neighborhood Council of the date the Commission will review the request. Please note that the information submitted on this form is public information.

Please contact the Neighborhood Council Support Help Line at (213) 485-1360 or by email at NCSupport@lacity.org if you have any questions.

PLEASE PRINT ALL INFORMATION

Neighborhood Council Name: Greater Cypress Park Neighborhood Council (GCPNC)

Primary Contact: The GCPNC is currently in Exhaustive Efforts and the Department of Neighborhood Empowerment (Department) is facilitating its meetings.

NAME	TITLE	PHONE	EMAIL
Grayce Liu	Senior Project Coordinator	(213) 495-1360	grayce.liu@lacity.org

Current Number of Board Seats: 15 Quorum: 8

What type of Board Structure Change is being requested?

X Reduction in Board Seats to: 9 and quorum to 5

☐ Change in Board Structure. Please describe:

☐ Other. Please describe:

What are the reasons for the change to the Board Structure? On May 17, 2011, the GCPNC was put into Exhaustive Efforts under Article VI, Section 4 of the Plan for a Citywide System of Neighborhood Councils because of its ongoing operational struggles. The GCPNC received a letter from the Department on May 26, 2011 (see attached) which outlined goals for the GCPNC to avoid decertification. The first goal was for GCPNC to conduct regular Board meetings which were open and inclusive of all stakeholders. The Department suggested the GCPNC consider changing its Board structure to meet this goal. The GCPNC spent several months working on their bylaws and approved them on July 19, 2011. The GCPNC chose to lower their Board seats to nine in order to focus their work on rebuilding the work of the GCPNC without struggling with the operational issues maintaining quorum.

Describe your Neighborhood Council's demographics. Please note sources of demographic information provided, e.g. 2010 census, Healthy City, etc., and attach any related documentation.

	2010
Hispanic Show description See on Map	**33,887** **68.08%**
White Show description See on Map	**6,548** **13.15%**
Black or African American Show description See on Map	**921** **1.85%**
Asian Show description See on Map	**7,391** **14.85%**
Native Hawaiian and Other Pacific Islander Show description See on Map	**29** **0.06%**
American Indian and Alaska Native Show description See on Map	**107** **0.21%**
Some Other Race Show description See on Map	**63** **0.13%**
Two or More Races Show description See on Map	**832** **1.67%**
	49,778 **100.00%**

- (Hyphen) Indicates that data for this geographic area is not available, cannot be displayed because the number of participants, or sample cases is too small.
Universe: Total Population
Data Source: Nielsen Claritas, Inc.
Data Year: 2010

From HealthCity.org

Explain what outreach has been conducted to fill existing seats. Please attach any supporting documentation, e.g. flyers, agendas, etc.

GCPNC sends emails to its stakeholders and posts at five (5) meeting locations. They also maintain a website: http://www.cypresspark.org.

For Department of Neighborhood Empowerment Use Only (Form 0810)

The Department of Neighborhood Empowerment recommends the Board of Neighborhood Commissioners take the following action on this request:

- X Adopt Requested Change(s) to Board Structure
- ❑ Reject Requested Change(s) to Board Structure.

The Department acknowledges the GCPNC's past outreach efforts and concurs with the GCPNC's reasoning to:

1. Reduce their Board seats from fifteen (15) to nine (9); and
2. Reduce their quorum from eight (8) to five (5).

The GCPNC has consistently had trouble filling its Board seats for the past several years. Because of quorum and other operational issues, they have been unable to fill all the Board seats. At the time they were put into Exhaustive Efforts, they had eleven (11) seats filled, but still could not meet quorum for the majority of meetings.

The Department recommends the Board of Neighborhood Commissioners:

FIND the Greater Cypress Park Neighborhood Council's request to change their Board structure from fifteen (15) to nine (9) Board seats and to reduce their quorum from eight (8) to five (5) consistent with the principles governing a Certified Neighborhood Council's purpose and operations per Article VI, Section 3c of the Plan for a Citywide System of Neighborhood Councils; and

APPROVE the following change to the Greater Cypress Park Neighborhood Council's bylaws:

<u>Original Bylaw Language</u>

ARTICLE V GOVERNING BOARD
Section 1: Composition

There shall be fifteen (15) Stakeholders, elected At Large, on the Board of Councilors (Board).

Section 2: Quorum

The quorum shall be eight (8) members of the Board. No floating quorums are allowed.

<u>Amended Bylaw Language</u>

ARTICLE V GOVERNING BOARD
Section 1: Composition

There shall be nine (9) Stakeholders, elected At Large, on the Board of Councilors (Board).

Section 2: Quorum

The quorum shall be five (5) members of the Board. No floating quorums are allowed.

If the Commission approves the change of bylaws, the Amended Bylaw Language shall be deemed approved and become effective immediately. If the Commission rejects the change of bylaws, the Original Bylaw Language shall remain.

Submitted by:
Grayce Liu, Senior Project Coordinator
Department of Neighborhood Empowerment

CITY OF LOS ANGELES
CALIFORNIA

BOARD OF NEIGHBORHOOD COMMISSIONERS

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334-B EAST SECOND STREET
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FAX: (213) 485-4608
E-MAIL: done@lacity.org

BONGHWAN (BH) KIM, MPA
GENERAL MANAGER

www.EmpowerLA.org

May 26, 2011 **VIA EMAIL**

Greater Cypress Park Neighborhood Council
929 Cypress Ave.
Los Angeles, CA 90065

Dear Greater Cypress Park Neighborhood Council (GCPNC) Board Members:

This letter is to follow up on the May 17, 2011 GCPNC Board meeting where because of ongoing operational struggles, the GCPNC was put into exhaustive efforts.

Articles I and II of the Plan for a Citywide System of Neighborhood Councils (Plan) calls for Neighborhood Councils to promote public participation in City governance through inclusive membership, open and transparent operations and a welcoming environment that encourages and facilitates open and civil communication and interaction. Article III, Section 2c(iii) of the Plan requires Neighborhood Councils to meet at least once per calendar quarter to conduct council business, and the GCPNC bylaws increases the meetings to once per month. As the GCPNC's inability to conduct regular meetings has prevented stakeholders from participating in the Neighborhood Council system in violation of the Plan, the Department placed the GCPNC under exhaustive efforts. Under Article VI section 4 of the Plan, if GCPNC is unable to remedy the violations of the Plan, then decertification proceedings are initiated.

In recognition of many of the existing GCPNC Board members' requests for assistance, the Department of Neighborhood Empowerment (Department) will facilitate a GCPNC Special Board meeting on Monday, June 6, 2011, from 7 p.m. to 9 p.m. The Department will provide recommendations for the GCPNC to consider regarding its Board structure and bylaws that may assist the Board in regularly conducting meetings. To accomplish this task, the GCPNC must have at least two-thirds (2/3) of the total Board members, i.e. filled Board seats, vote to approve any changes to the GCPNC bylaws.

In order to get out of exhaustive efforts, GCPNC will have to meet the following goals:

1. Conduct regular Board meetings that are open and inclusive of all stakeholders.
2. Update and amend the bylaws to abide by all city policies.
3. Maintain quorum at all Board meetings.
4. Satisfy all funding deadlines.
5. Provide an accurate Board roster to the Department.

6. Take trainings in ethics, funding, parliamentary procedures, effective communication and leadership as provided by the Department.

The Department will evaluate the GCPNC's progress monthly, and if by August 31, 2011, the GCPNC has not met these goals, the Department may seek decertification of the GCPNC with the Board of Neighborhood Commissioners.

During this period of exhaustive efforts, the Department will be responsible for setting the agenda and conducting any GCPNC's meetings with the cooperation of the Board. We will be preparing and disseminating the agenda to the Board for assistance with timely posting next week.

The Department appreciates your volunteer efforts within the community. Without dedicated volunteers, Neighborhood Councils could not thrive. We look forward to working with you in making the GCPNC a strong and effective voice for the community.

Sincerely,

BongHwan (BH) Kim
General Manager

cc: Grayce Liu, Senior Project Coordinator

Agenda Item No. 9

CITY OF LOS ANGELES
DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT
334-B East Second Street, Los Angeles, CA 90012 • (213) 485-1360 or Toll-Free 3-1-1
Fax (213) 485-4608 E-mail: done@.lacity.org

Neighborhood Council Board Structure Change Request Form

Requests for changes in Board structure must be reviewed by the Board of Neighborhood Commissioners (Commission). If the Commission approves the request, the Applicant's bylaws will be deemed formally adjusted upon such action of the Commission. Should the Commission act to disapprove the request, the Applicant may, within five (5) meeting days of the City Council, during which the Council has convened in regular session, file an appeal with the City Council. The appeal will automatically be placed on the Council's next regular agenda for consideration. The City Council may, by ten (10) votes, sustain, reverse, or modify the Commission's decision.

After completing this form, please submit it by email along with a completed Bylaw Amendment Application to NCSupport@lacity.org. You may also fax or deliver the documents to our office. We will provide notification to the Neighborhood Council of the date the Commission will review the request. Please note that the information submitted on this form is public information.

Please contact the Neighborhood Council Support Help Line at (213) 485-1360 or by email at NCSupport@lacity.org if you have any questions.

PLEASE PRINT ALL INFORMATION

Neighborhood Council Name: Harbor Gateway North Neighborhood Council (HGNNC)

Primary Contact:

NAME	TITLE	PHONE	EMAIL
Rosalie Preston	Chairperson	(310) 768-3853	hgnnc@sbcglobal.net

Current Number of Board Seats: 17 Quorum: 9

What type of Board Structure Change is being requested?

☐ Reduction in Board Seats to:

☐ Change in Board Structure. Please describe: Under our 2009 bylaws, we had created two At-Large seats for factual basis stakeholders. This time, we are changing one of those seats to Outreach Representative and leaving only one factual basis stakeholder seat, the remaining At-Large Representative.

☐ Other. Please describe:

What are the reasons for the change to the Board Structure? The HGNNC Board determined that it required a member on the Board to focus on outreach. Our website is outdated, and outreach is an important component of the HGNNC to its stakeholders. There is still one At Large seat left with the creation of the Outreach seat.

Describe your Neighborhood Council's demographics. Please note sources of demographic information provided, e.g. 2010 census, Healthy City, etc., and attach any related documentation.

Total Population: 30, 875

Latino: 15,907
African American: 11,054
Asian: 2,092
White: 1,167
Native American: 69
Hawaiian & Pacific Islander: 85

Certification Application

Explain what outreach has been conducted to fill existing seats. Please attach any supporting documentation, e.g. flyers, agendas, etc.

Postings, newsletters and website: www.harborgatewaynorth.org

For Department of Neighborhood Empowerment Use Only (Form 0810)

The Department of Neighborhood Empowerment recommends the Board of Neighborhood Commissioners take the following action on this request:

X Adopt Requested Change(s) to Board Structure
❑ Reject Requested Change(s) to Board Structure.

The Department concurs with the HGNNC's reasoning to make one (1) of the two (2) At Large seats into an Outreach seat.

The Department recommends the Board of Neighborhood Commissioners:

FIND the Harbor Gateway North Neighborhood Council's request to change their Board structure by making one (1) of two (2) At Large seats into an Outreach seat consistent with the principles governing a Certified Neighborhood Council's purpose and operations per Article VI, Section 3c of the Plan for a Citywide System of Neighborhood Councils; and

APPROVE the following change to the Harbor Gateway North Neighborhood Council's bylaws:

Original Bylaw Language

Article V – GOVERNING BOARD

Section I: Composition - The Council's Board of Directors shall consist of seventeen (17) elected Stakeholders elected by the Board and/or Community Stakeholders. The composition of the Board shall be as follows:

d. Two (2) Board members to represent the community at large who is 18 years of age or older who lives, works, or owns property and also those who declare a stake in the neighborhood and affirm the factual basis for it.

Amended Bylaw Language

Article V – GOVERNING BOARD

Section I: Composition - The Council's Board of Directors shall consist of seventeen (17) elected Stakeholders elected by the Board and/or Community Stakeholders. The composition of the Board shall be as follows:

d. One (1) Outreach Representative who is 18 years of age or older who lives, works, or owns property within the Neighborhood Council boundaries and who will perform outreach activities.

e. One (1) Board members to represent the community at large who is 18 years of age or older who lives, works, or owns property and also those who declare a stake in the neighborhood and affirm the factual basis for it.

If the Commission approves the change of bylaws, the Amended Bylaw Language shall be deemed approved and become effective immediately. If the Commission rejects the change of bylaws, the Original Bylaw Language shall remain.

Submitted by:
Grayce Liu, Senior Project Coordinator
Department of Neighborhood Empowerment