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BEFORE THE CITY OF LOS ANGELES
THE BOARD OF NEIGHBORHOOD COMMISSIONERS
BILL CHRISTOPHER, PRESIDENT

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In the matter of:)
CITY OF LOS ANGELES)
DEPARTMENT OF NEIGHBORHOOD)
EMPOWERMENT)
_____)

TRANSCRIPT OF PROCEEDINGS

Los Angeles, California

Tuesday, June 25, 2002

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Reported by:
Lynn E. Valenti,
CSR No. 8061
Job Number:
DNE6844

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THE BOARD OF NEIGHBORHOOD COMMISSIONERS
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07 DEPARTMENT OF NEIGHBORHOOD)
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TRANSCRIPT OF PROCEEDINGS, taken at
University Senior High School, 11800 Texas
Avenue, Los Angeles, California, commencing at
6: 50 p. m. , on Tuesday, June 25, 2002, heard
before THE BOARD OF NEIGHBORHOOD COMMISSIONERS,
CITY OF LOS ANGELES, transcribed LYNN E.
VALENTI, CSR No. 8061, a Certified Shorthand
Reporter for the State of California.

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01 APPEARANCES:

- 01
- 02 BILL CHRISTOPHER - PRESIDENT
- 02 PAT HERRERA-DURAN - VICE-PRESIDENT
- 03 MARY LOUISE LONGORIA - COMMISSIONER
- 03 RONALD STONE - COMMISSIONER
- 04 TAMMY MEMBRENO - COMMISSIONER
- 04 GWEN POINDEXTER - ASSISTANT CITY ATTORNEY
- 05 ROMEROL MALVEAUX - DIRECTOR OF FIELD DIVISION
- 05 SHANNON HOPPES - COMMISSION EXECUTIVE ASSISTANT

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01 Los Angeles, California, Tuesday, June 25, 2002
02 6: 50 p. m.

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04 COMMISSIONER CHRISTOPHER: Welcome, everybody,
05 to the Board of Neighborhood Commissioners'
06 traveling road show this evening, a meeting at
07 University Senior High School in West Los Angeles.
08 We have present this evening Commissioner
09 Tammy Membreno, Commissioner Ron Stone, Commissioner
10 Pat Herrera-Duran, and myself, Commissioner Bill
11 Christopher.

12 And we understand there's been some
13 potential confusion about when we're going to hear
14 certain items, so I am going to take Item 3 out of
15 order, which is the discussion of City Attorney
16 Opinion regarding the ability of neighborhood
17 councils to further define the Charter terms of
18 "lives," "works," or "owns property," and I would
19 like to hear from Ms. Poindexter, to begin, on the
20 city attorney's opinion.

21 MS. POINDEXTER: Okay. For the record, Gwen
22 Poindexter, city attorney.

23 You have before you an opinion dated June
24 14 that deals with the question of whether or not
25 neighborhood councils in their own bylaws can

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01 basically redefine terms that are set out in the
02 City Charter, particularly in the case of what is a
03 stakeholder.

04 That issue came up in the context of the
05 city attorney's review of some bylaws that were
06 being proposed for the Department, so we thought we
07 needed to evaluate that question to provide further
08 guidance not only for proposed neighborhood council
09 applications, as well as for this commission.

10 As you note, the City Charter pretty much
11 defines a stakeholder as one who lives, works, or
12 owns property, and the question then is, well, can

13 each individual neighborhood council refine or
14 define for themselves these terms differently than
15 is in the Charter itself?

16 And we basically looked at the plan,
17 looked at the ordinance, looked at the City Charter
18 and the city council files that looked at the
19 unified Charter provisions as well as the plan, and
20 we've concluded that basically, as we note on page 2
21 and 3, that's a legislative function. It's a
22 function either for the city council to reevaluate
23 and reinterpret or clarify those terms by
24 legislation either by amending the plan and/or
25 ordinance, or that the commission or the Department

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01 jointly can come up with some policy guidelines or
02 rules and regulations, as long as those policies and
03 regulations are consistent with the spirit and
04 intent of the Charter in terms of inclusivity as
05 well as the plan and ordinance.

06 And that's pretty much our summary in a
07 nutshell.

08 COMMISSIONER CHRISTOPHER: Okay. Are there any
09 questions for the city attorney?

10 So as I understand it, then the board has
11 within its authority the ability to define certain
12 minimum levels of inclusivity that must be met with
13 regard to those three categories of stakeholders.

14 MS. POINDEXTER: That's correct. And if the
15 board would choose to do, so we would suggest you
16 have a public comment hearing -- a hearing
17 (inaudible) to be in writing.

18 COMMISSIONER CHRISTOPHER: Right. But we
19 could, if we were to choose to, set essentially a
20 minimum standard by which all neighborhood councils
21 had to comply with stakeholder findings and then, if
22 the neighborhood council should choose to be more
23 inclusive than that standard, then that would be an
24 appropriate way to go.

25 MS. POINDEXTER: Yes, I think that's correct.

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01 COMMISSIONER CHRISTOPHER: Any other comments
02 from the commission?

03 Commissioner Membreno.

04 COMMISSIONER MEMBRENO: On the question of
05 people who work in the area, although it's defined
06 as someone who lives, works, and owns property, the
07 whole works, there has been a lot of discussion
08 about the -- the weight of someone who lives as
09 opposed to works in the community.

10 Do we want to define that in terms of
11 policy as well as a minimum standard, someone who
12 works? There have been, you know, ranges of
13 questions from someone who works 40 hours a week at
14 a place versus someone who is a day laborer or a
15 part-time person or -- would that be something that,
16 when Mr. Christopher speaks on the minimum
17 standards, that he would have to define as to -- do
18 we have to get that specific?

19 MS. POINDEXTER: It's pretty much up to the
20 commission as to the level of specificity. I think
21 those are parameters that you might want to take up
22 for discussion. Once we have that discussion, of
23 course, the city attorney will have to assist in
24 determining whether those policies really are

25 consistent with the City Charter, with the goals and
0008 01 intent.

02 But I think the idea is that if you want
03 to refine or further define those broad terms, you
04 want to have some level of specificity so that the
05 groups out in the public understand what those words
06 and terms mean and how they would be applied across
07 the board.

08 COMMISSIONER CHRISTOPHER: I think over time --
09 from the point of view of the commission and from
10 the Department in general, the object is to maintain
11 as much inclusivity as possible and everyone to
12 participate in the neighborhood council process.

13 However, I could see over time each of
14 those terms maybe being defined a little more
15 clearly so that there -- the ambiguities are
16 inherent in each of those terms and worked out, and
17 maybe not necessarily all the first time, but I'm
18 sure the issues will be revisited in the future as
19 other situations and circumstances are brought to
20 our attention.

21 MS. POINDEXTER: Exactly. An example is the
22 definition of a worker that came up as an issue.
23 Right now the definition is very broad, and without
24 further definement, anyone who works in the
25 neighborhood is a stakeholder.

0009 01 So the question is, is someone who works
02 an hour a week a stakeholder? I mean, those are the
03 kinds of issues you start to look at as we develop
04 some policies with that with respect to those, if
05 that's your desire as a commission.

06 COMMISSIONER CHRISTOPHER: Okay. We have two
07 people who would like to be heard on the question
08 tonight. Becky Bendikson and Jim Mc Quiston.

09 (Whereupon Commissioner Longoria entered
10 the proceedings)

11 BECKY BENDIKSON: Are you ready?

12 My name is Becky Bendikson, a resident of
13 Granada Hills and a stakeholder in the yet to be
14 certified Granada Hills North neighborhood council.
15 Our neighborhood council was the first of the Valley
16 to have a certification hearing. It was on June 15,
17 2002.

18 We've worked with DONE to revise our
19 bylaws to assure required participation for
20 certification without totally compromising the needs
21 of our neighborhood. I appear before your
22 commission this evening to ask you to accommodate us
23 in agreeing to accept our Article 16, which has been
24 rewritten numerous times per the suggestions of the
25 DONE staff.

0010 01 The most current version reads, a copy
02 which is before you, in paragraph 2, "Workers who
03 spend the majority of all their working time, paid
04 or unpaid, in the GHNNC council area are eligible to
05 participate as voting members to vote in the
06 district where they work."

07 The impression that I received from your
08 action, you consider anyone who identifies
09 themselves as a voting stakeholder without regards
10 to the amount of time spent working in the district

11 to be such: For example, a salesperson who sits in
 12 traffic or pulls over to the side of the street to
 13 converse on a cell phone for a few minutes one day
 14 about a matter of business; a realtor who shows
 15 houses for sale in the district without any
 16 accounting of the number of hours doing so; persons
 17 who play golf with customers while conducting
 18 business once a year, once a month, whatever;
 19 housesitters; pet sitters; grocery cart retrieval
 20 services; city inspectors who are doing construction
 21 projects; roll-out construction vehicle delivery
 22 drivers, would all appear to be voting stakeholders,
 23 though their association is a minimum amount of time
 24 in the neighborhood council district.

25 Where does it end? Persons incarcerated
 0011
 01 in the city jails appear to be stakeholders in the
 02 neighborhood council where they reside or conduct
 03 business, their crimes. Has there been an outreach
 04 to such persons to make certain they're granted
 05 stakeholder status?

06 How about granting stakeholder status for
 07 convicted felons, illegal aliens, including
 08 terrorists? Perhaps the gang members can get
 09 together to form a neighborhood council, get their
 10 \$50,000 from the city taxpayers to beautify their
 11 neighborhood with graffiti.

12 In DONE's website under common legal
 13 questions regarding certified neighborhood councils
 14 dated 9/6/01, question number 8, the last sentence
 15 reads, "However, mere passers-by or even those who
 16 regularly shop in a particular neighborhood are not
 17 considered a stakeholder under the Charter or the
 18 plan."

19 Do the persons cited in the above examples
 20 fall under passers-by or voting category,
 21 stakeholder category? Our bylaws were written to be
 22 a clarification of the definition of a stakeholder
 23 who works in the neighborhood council and to
 24 preclude as many voting problems on election day as
 25 possible.

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 01 DONE representatives have stated verbally
 02 or in writing on numerous occasions that
 03 neighborhood councils be given flexibility in the
 04 fashioning of their councils. Such flexibility has
 05 been given to other councils. The Old Northridge
 06 council has not met your 20,000 minimum number
 07 stakeholders required for certification. Indeed,
 08 they only have 13,819 stakeholders, a full 31
 09 percent below their required amount.

10 I understand you're in the process of
 11 changing the ordinance to allow Northridge community
 12 council and Arlita neighborhood council to have a
 13 town hall format, something you said three months
 14 ago could not be permitted.

15 When you're so moved, politically or
 16 otherwise, it's apparent you change the rules you
 17 impose on other neighborhood councils. Therefore,
 18 please be moved in that direction for our
 19 neighborhood council.

20 Thank you.
 21 COMMISSIONER CHRISTOPHER: Thank you.
 22 Jim Mc Quiston.

23 JIM MC QUISTON: Jim Mc Quiston, East Hollywood
24 community association.

25 The United States is a collection of
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01 people that have tried to organize themselves and
02 pass some laws, and then they've tried to abide by
03 the laws. When they try to do that, occasionally
04 they find out the laws aren't any good; they've
05 create a mess, and then what they do is they amend
06 the laws. But until the laws are amended, we really
07 have to follow the laws. It doesn't matter what we
08 think of them. We really have to follow them.

09 So I would say actually that the Charter
10 really leaves it up to what it says, and we really
11 have to follow the Charter. If the city council
12 tries to get outside the Charter and change it a
13 little bit or the board tries to get outside of both
14 of them and change it a little bit, then pretty soon
15 we're sliding down that slippery slope and we really
16 get some contempt for the law and we try to do other
17 laws the same way.

18 So we really have to abide by, really, the
19 plain language in the law, and I'm really in
20 agreement with the opinion of the city attorney.
21 However, I would say even more strictly that it has
22 to be termed very strictly because any kind of a law
23 is a strict requirement as to what you can do, not
24 what you can't do, and that means that if it doesn't
25 say you can do it in the law, why, you can't do it.

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01 So with that frame of mind, then I say to
02 the people that don't like a section or they don't
03 like the definition of a stakeholder, then we have
04 to really go back and say well, we have to change
05 the law. We can't say to the board, "Overlook it."

06 There are some wiggle factors in the
07 Charter and there are some wiggle factors in the
08 ordinances, but I don't see the wiggle factors as
09 far as this goes. It says anybody who works. It
10 doesn't say anybody who works an hour or works 15
11 hours or works 24 hours.

12 The other thing that I wanted to really
13 make everybody appreciative of is maybe that
14 gardener who comes in for 30 minutes has a terrific
15 idea, and you want him in your neighborhood council
16 because he's the idea man for the council. So just
17 because he doesn't work very long doesn't mean he's
18 a dummy. Don't throw them out.

19 COMMISSIONER CHRISTOPHER: Okay. Thank you.
20 What I would like to do is to carry the
21 item over to our policy meeting on July 25th and
22 address the issue further at that point. And I'd
23 like to have staff do some preliminary investigation
24 to what we would think would be appropriate
25 definitions for the stakeholder categories, if there

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01 is any additional language we think should be
02 added.

03 And with that, then we can move on to
04 agenda item number 2. Romerol?

05 Item number 2 is continuation of the
06 public hearing regarding applications for
07 neighborhood council certification submitted by the
08 West Wilshire community council and Mid City West

09 community council.

10 ROMEROL MALVEAUX: Good evening. Romerol
11 Malvaeux, Department of Neighborhood Empowerment.
12 The board heard the application for Mid
13 City West on April 23rd, expressing concerns because
14 there was another application from West Wilshire
15 community council for the same boundaries and, after
16 hearing public testimony, asked the two groups if
17 they would willingly go back and attempt to come
18 back with a unified application.

19 The Department met with each side
20 separately to identify concerns of the commission
21 and then, subsequent to that, there were two
22 facilitated dialogues held. In the first
23 facilitated dialogue what was put on the table were
24 just issues. Primary issues centered around
25 accountability, representation, and the inclusion of
0016 residential groups, associations, in the governing
01 structure.

02
03 The two groups talked about places that
04 they felt they could compromise and areas that they
05 thought they could not.

06 A second meeting was proposed for a later
07 time. Staff attempted to set that meeting up.
08 There was some false starts. It was initially set
09 up for the 29th of May. At the very last minute,
10 the facilitator for that meeting had a time
11 conflict. It was necessary to readjust the
12 scheduling of that and, as a result, the West
13 Wilshire group attended the meeting and Mid City
14 West did not through, really, no fault of their
15 own.

16 At that meeting the West Wilshire
17 community council presented a proposal that they
18 felt would solve the overlap issue, which was to
19 essentially split the area along Third Street and
20 around Sixth Street.

21 The West Wilshire gave reasons for this.
22 They felt that it was a way of preserving the
23 neighborhood associations that had long standing in
24 the community and that had been active in the
25 community and that such a split would recognize
0017 those.

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02 Mid City West had gone away from the first
03 facilitated dialogue with some ideas of compromise,
04 and as a result not being able to bring those to the
05 May 29th meeting, they really were not able to share
06 with West Wilshire how they saw a unified
07 application to come together.

08 A final facilitated dialogue was held June
09 17, and at the June 17th meeting both sides were
10 able to present their vision for the area.

11 Mid City West presented some compromises
12 to their bylaws with the goal of addressing some of
13 the concerns that the commission and they felt West
14 Wilshire had raised.

15 Key among those was to reduce the size of
16 the board from 50 to 45 and include within the board
17 structure seven district seats, that these district
18 seats would cover the entire area. In each one of
19 the districts, the existing neighborhood
20 associations would come together and nominate a

21 representative from the associations and send that
 22 candidate to a general election. And they would add
 23 seven seats specifically representing the
 24 residential neighborhood associations to the board.

25 In addition to that, keeping an eye on one
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01 of the concerns that was raised during the hearing,
 02 they also proposed that in the interest of the
 03 unified application they would in their bylaws
 04 provide for an election committee. And the election
 05 committee would consist of nine members, five from
 06 the group that was proposing to be the Mid City West
 07 and four from the group proposing to be West
 08 Wilshire community council, and that group would
 09 come together and come up with the election and
 10 nomination procedures. And in that fashion, the
 11 thought was the two groups could elect a board that
 12 would be representative of the entire area.

13 The changes in the bylaws, we looked at
 14 them. They do meet the requirements for -- for
 15 bylaws.

16 The Department had reviewed their
 17 boundaries prior. They didn't really change the
 18 boundaries, and we previously found that they had
 19 met the requirements of the plan and the ordinance
 20 and so we continued upon that with the exception of
 21 the overlap.

22 In looking at their outreach, the
 23 commission had expressed some concern after viewing
 24 the distribution of signatures. One of the things
 25 the Department plots is simply the 200 to 500 --

0019 01 however many we receive -- petition signatures.

02 What the applicant brought to our
 03 attention is that from the outreach standpoint they
 04 have a newsletter; the newsletter contains a
 05 coupon. It is distributed and persons who wish to
 06 be kept informed with the happenings of the
 07 neighborhood council will normally return the coupon
 08 with contact information.

09 So what they provided to the Department
 10 was a display over the map of all those that had
 11 submitted coupons since the last hearing and as well
 12 as the coupons that they had received since the
 13 existence. And those signatures plug the spaces
 14 that we saw in the map that had been created by the
 15 Department.

16 Again, going back to the original review
 17 of the applicant, we found that their outreach did
 18 meet the requirements of the plan and the ordinance
 19 and still continues to.

20 So in looking at boundaries and looking at
 21 the bylaws and looking at their outreach, we find
 22 that the applicant meets the requirements for
 23 certification with the exception of the boundary
 24 overlap.

25 And, Michelle, can we see -- we tried, as
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01 staff, to look at the other things in the bounded
 02 area, such as zip code and the police reporting
 03 districts, to see if there was any hint as to
 04 perhaps how we could split the area in addition to
 05 what was being proposed.

06 And what is proposed by the West Wilshire

07 plan would essentially have the West Wilshire
 08 boundaries be, on the south, Sixth Street to Fairfax
 09 Avenue and Third Street to La Brea and, on the east,
 10 La Brea and, on the west, the Beverly Hills city
 11 line and, on the north, the West Hollywood city
 12 line.

13 That would leave the new boundaries for --
 14 for Mid City West to be on the south Olympic
 15 beginning at La Cienega to San Vicente to Cochran to
 16 Olympic Boulevard to La Brea, and then on the east
 17 it would be La Brea Avenue and, on the west, Beverly
 18 Hills city limits and, on the north, Sixth Street to
 19 Fairfax Avenue to Third to La Brea.

20 In terms of this kind of a new boundary
 21 for Mid City West, in plotting the location of where
 22 their board lives, they have a board of -- they
 23 submitted the addresses of 60, and about 36 of those
 24 really lived in the area that would be excluded if
 25 we were to accept the split that was proposed by

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 01 West -- West Wilshire community college -- community
 02 council.

03 But again, weighing the two proposals, if
 04 we were to split the area as proposed by West
 05 Wilshire, both of the areas meet the 20,000
 06 minimum. The -- there is some change in
 07 demographics if you -- the Department had provided
 08 some of the demographics, a change from seeing the
 09 whole area as a total versus seeing the whole area
 10 split.

11 There's some change in demographics and I
 12 don't know whether Mid City West, if the board went
 13 in that direction, would need to change their bylaws
 14 to better reflect the change in demographics.

15 But the Department really could not make a
 16 recommendation to the board on whether or not to
 17 split the area. When the matter was discussed with
 18 Mid City West, there was great concerns that the
 19 area functions as a whole, that the Third Street
 20 complex, the Farmer's Market is in the heart of the
 21 community, and so we simply present the findings to
 22 the commission and expect that in the public hearing
 23 there might be some wisdom here.

24 COMMISSIONER CHRISTOPHER: Okay. And the other
 25 -- is that your report for both applications?

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 01 ROMEROL MALVEAUX: It can be.
 02 COMMISSIONER CHRISTOPHER: Okay. Is there
 03 anything you would add on the other side?

04 ROMEROL MALVEAUX: Anything to add from -- no.
 05 COMMISSIONER CHRISTOPHER: Okay. Then what I'd
 06 like to do is ask both the applicants to come
 07 forward and we'll do a 10-minute presentation from
 08 their perspective on what has changed since the last
 09 --

10 COMMISSIONER HERRERA-DURAN: Question for
 11 staff.

12 COMMISSIONER CHRISTOPHER: Romerol.

13 COMMISSIONER HERRERA-DURAN: I understand --
 14 I'm always accused of not using the microphone, so
 15 I hope I don't disconnect it.

16 I have a question. It's a technical
 17 question. Can we consider an application or do we
 18 have to consider a change of these boundaries

19 splitting, as two separate applications, completely
 20 separate applications, since the boundaries are
 21 totally changed?

22 MS. POINDEXTER: Gwen Poindexter, city
 23 attorney.

24 No, because under the plan and the
 25 ordinance, if you have an overlap, the commission

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 01 gets to make the final determination as to the
 02 boundaries. And that could be an option that the
 03 commission could, on its own, consider changing the
 04 boundaries either as the applicants present them or
 05 some other way that the commission thinks they could
 06 be divided based on some evidence and findings.

07 That's one of many options that you've considered
 08 and discussed at the previous meetings.

09 But to answer your question, they would
 10 not need to be treated for tonight's meeting as two
 11 separate applications.

12 COMMISSIONER HERRERA-DURAN: Okay. Thank you.

13 COMMISSIONER CHRISTOPHER: Commissioner
 14 Membreno.

15 COMMISSIONER MEMBRENO: Yes, Romerol, on the
 16 breakdown in terms of the population -- well, first
 17 of all, the first question that I have is the
 18 discussion on the split of the area did not happen
 19 with the two neighborhood council applicants present
 20 at the meeting, correct? Is that what I understood
 21 from your report?

22 ROMEROL MALVEAUX: This is correct. The
 23 initial presentation of a split occurred on the
 24 meeting of May 29th. Subsequent to that there was a
 25 follow-up meeting -- and this was after our interim

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 01 report to the board.

02 Subsequent to that there was a follow-up
 03 meeting. At that meeting there was discussion about
 04 the split. There was discussion about the changes
 05 to the bylaws that Mid City West was proposing to
 06 accommodate what it thought were the major issues.

07 COMMISSIONER MEMBRENO: But they did not go
 08 along with the idea of splitting the area?

09 ROMEROL MALVEAUX: Mid City West did not
 10 support a split.

11 COMMISSIONER MEMBRENO: Okay. The other
 12 question that I have is on the West Wilshire
 13 proposal to split the area, there's two districts,
 14 obviously: Area one's southern portion and the
 15 other one a little more north, one broken down in
 16 terms of total population of 21,000. Would that be
 17 the Mid City?

18 ROMEROL MALVEAUX: Correct. Mid City West, if
 19 we follow the proposal of West Wilshire, the
 20 population in Mid City West would be 21,878.
 21 Included in there would be the Park La Brea
 22 apartments. There is a park in the little southern
 23 part.

24 We did look at things such as high schools
 25 and elementary schools. Both areas would end up

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 01 with elementary schools. Fairfax High would be in
 02 the West Wilshire area as would the Farmer's Market
 03 and the Grove.

04 COMMISSIONER MEMBRENO: In the discussion

05 between the two groups on the June 17th meeting was
 06 there any resolution in terms of West Wilshire
 07 accepting some of the changes that Mid City was
 08 proposing in terms of their bylaws or anything?

09 ROMEROL MALVEAUX: The sense was that it was a
 10 good start but that they still had serious concerns
 11 about representation and accountability.

12 COMMISSIONER MEMBRENO: Thank you.

13 COMMISSIONER CHRISTOPHER: Okay. Commissioner
 14 Stone.

15 COMMISSIONER STONE: Romerol, you touched on my
 16 question. I just wanted to see if you could
 17 elaborate further on schools. You had mentioned
 18 Fairfax High. I know that Cathay Center Elementary
 19 School and Hancock Park Elementary School are in the
 20 district or in here somewhere. I think Hancock Park
 21 happens to be pretty close to the dividing line.

22 Did staff take a look at the --

23 ROMEROL MALVEAUX: Correct.

24 COMMISSIONER STONE: -- the range of those
 25 schools, where -- what students go to those schools?

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01 ROMEROL MALVEAUX: What we have behind you is
 02 kind of the best map we could come up with that
 03 shows the location of some of the key things in the
 04 area. And we were not able to plot service areas of
 05 the -- it takes a little bit more time than we have
 06 to plot the service areas of those elementary
 07 schools. But you're correct, they sort of fall on
 08 the boundaries or close to it.

09 COMMISSIONER STONE: Okay. And you had
 10 mentioned looking at zip codes, too. I see some
 11 number up there. Was zip code analysis telling in
 12 any way?

13 ROMEROL MALVEAUX: Zip code analysis would say
 14 that you would split the area along Fairfax. You'd
 15 go with an east/west split rather than a north/south
 16 split.

17 COMMISSIONER STONE: And did staff look at
 18 police service areas, the other things that you
 19 traditionally look at?

20 ROMEROL MALVEAUX: We did. And that -- the
 21 police service area, if I'm not mistaken, divides
 22 along Beverly -- is that correct, Michelle -- along
 23 Beverly. So that conceivably could be another way
 24 of drawing a boundary line.

25 COMMISSIONER STONE: Okay. Thank you.

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01 COMMISSIONER LONGORIA: On that same line, were
 02 those options discussed with the applicants?

03 ROMEROL MALVEAUX: Staff did not discuss any
 04 alternative splits with the applicants. On the
 05 meeting of the 17th, what West Wilshire put --
 06 discussed was they had crafted the boundaries very
 07 carefully to reflect the existing geographical
 08 boundaries of the neighborhood associations and
 09 residential associations and felt that that
 10 reflected a way of keeping them together and were
 11 very adamant about not making any adjustments to
 12 that boundary.

13 COMMISSIONER LONGORIA: Thank you.

14 COMMISSIONER CHRISTOPHER: Okay.

15 ROMEROL MALVEAUX: The other -- the other thing
 16 that is really important is Mid City West felt

17 extremely strongly that the community is a whole and
18 would be damaged by splitting it. So in many ways
19 our discussions came to an impasse.

20 COMMISSIONER CHRISTOPHER: Okay. From your
21 perspective, from the staff's perspective, in the --
22 in the 45-day period, what have been the general
23 strengths and weaknesses of the two competing groups
24 in terms of their -- of addressing the commission's
25 request or the commission's direction?

0028

01 ROMEROL MALVEAUX: I believe that West Wilshire
02 attempted to figure a way that they could maintain
03 their concept of a neighborhood council without
04 creating a lot of strife in the neighborhood by
05 putting the matter to a vote.

06 I believe that Mid City West really
07 attempted to address the concerns of the commission
08 in coming back with a unified application. The
09 issue on -- a lot of discussion about the role of
10 the seasoned historical associations and the fact
11 that they didn't appear to have a place at the
12 table, Mid City West came back with a very strong
13 proposal to put them at the table in a manner that
14 covered the entire district.

15 They also looked at it from the
16 perspective of when you had a neighborhood council
17 that straddled their boundaries or you had multiple
18 -- I'm sorry -- multiple associations in a community
19 area, all of them would both pick up the one they
20 wanted and send that one to the table.

21 I think that the commission expressed some
22 concerns about how do you bring these two groups
23 together if you're going to have a unified
24 application, and in their bylaws they actually made
25 accommodations to have a committee represented by

0029

01 both groups to come up with election procedures that
02 would be fair to both, and they also wrote into
03 their bylaws that the election be overseen by a
04 third party, once again, I think to leave the
05 appearance that the result was fair and open.

06 COMMISSIONER CHRISTOPHER: Okay. Any other
07 questions for staff?

08 Okay. Thank you, Romerol.

09 Then if we can hear from the Mid City West
10 neighborhood council. And let's try to keep it to a
11 10-minute presentation, then it will be followed by
12 the West Wilshire neighborhood council.

13 What I'd like everybody to do tonight is
14 to concentrate on what changed since the last time,
15 since we had a rather lengthy public hearing the
16 first time. We want to concentrate on what the
17 issues are that came out of the hearing and what
18 you're doing to address those issues.

19 STEVE MC DONALD: Thank you. Good evening,
20 commissioners, council staff, DONE staff, assistant
21 city attorney, and members of the public. My name
22 is Steve Mc Donald, with the Mid City West community
23 council.

24 At the April 23rd hearing we heard
25 several discussions and concerns expressed by the

0030

01 commission staff. They were: A need for more
02 participation of established organizations with

03 institutional memory, a need for more balanced
 04 renter representation, a need to look at the size of
 05 our board, a need for more outreach in the
 06 northwestern quadrants of our area, and a need to
 07 try again for a unified application.

08 We heard your concerns and discussions and
 09 we have responded. We have outreached to and have
 10 affiliations with dozens of established,
 11 long-standing groups in the area. If I can please
 12 refer you to Tab 1 in your blue book -- it's a
 13 yellow page with "1" marked on it -- we have over 75
 14 groups, affiliations, in our area that we have been
 15 working long and hard with.

16 In addition, the following page is a list
 17 of seven board members who share board membership
 18 with West Wilshire and with Mid City West.

19 We have held over 25 public meetings prior
 20 to our election. We have had nine public board
 21 meetings since our election, all of them with a
 22 forum. We have created and distributed thousands of
 23 fliers and newsletters and we have created and
 24 maintained an active website. And most importantly,
 25 we have altered and amended our bylaws to guarantee

0031 01 for seven residential association members on our
 02 board.

03 With regards to the renter representation,
 04 we have amended our bylaws to increase the numbers
 05 of renters in our board structure due to comments
 06 made by the commission and the fact that Park
 07 La Brea is a major part of our area. I refer you to
 08 Tab 2, please.

09 We also have the support of both the Park
 10 La Brea residents association and the management of
 11 Park La Brea as well. In addition, we have a board
 12 member who is the president of a renters' rights
 13 organization, the Miracle Mile Action Committee.

14 With regards to the size of our board, we
 15 have altered our bylaws to decrease our board size
 16 from 50 to 45. Again, Tab 2 has that information on
 17 it. We have had quorums at each one of our nine
 18 board meetings since our election and feel 45 is the
 19 appropriate size to allow the council to properly
 20 reflect the diversity of the area.

21 With regards to outreach in the
 22 northwestern area, the initial petition that Romerol
 23 mentioned created by DONE did not include many
 24 signatures gathered via return mail coupons. I
 25 refer you to Tab 3. We have an updated map with

0032 01 three colors that present both the original
 02 signatures that DONE had plus signatures that were
 03 missed and additional signatures that we've gathered
 04 in the area in question since then. We have the
 05 original signatures and support in the northwestern
 06 area and have gathered many more since.

07 With regards to a unified application, we
 08 have taken the mediation process very seriously and
 09 have made major concessions and amendments to our
 10 bylaws. I refer you to Tab 4. While the Mid City
 11 West community council has been attempting to bring
 12 the communities together, what the West Wilshire
 13 community council has proposed is to split the
 14 community.

15 We mentioned our bylaws and, again, Tab 2
 16 goes over all the areas that we have changed since
 17 we entered mediation. We are creating seven
 18 residential association zones which will ensure
 19 participation of the long-standing homeowners and
 20 residential associations with the institutional
 21 memory of the area. That is due directly because of
 22 comments and suggestions from you, the board.

23 We have increased our renter
 24 representation because the board had mentioned a
 25 very important point of the importance of Park

0033

01 La Brea in the area. Not only do we have
 02 management, we also have the residential association
 03 on board.

04 We have decreased the business
 05 representation in part because of comments from West
 06 Wilshire. We have reduced our board size from 50 to
 07 45 due to comments from the commission and from West
 08 Wilshire, and we've reduced our categories from 21
 09 to 19. In short, we have improved our bylaws by
 10 listening to you, the board, West Wilshire, and the
 11 community.

12 KEN DRAPER: Good evening, Commissioners. Good
 13 to see you again. I'm Ken Draper and I'm on the
 14 provisional board of the Mid City West community
 15 council.

16 You're being asked tonight to consider
 17 splitting the Mid City West community at its heart.
 18 This is one community. For the sake of the
 19 community -- not for the sake of the groups that are
 20 competing here, but for the sake of the community,
 21 it cannot and it must not be torn in half.

22 On April 23rd, after considerable
 23 intensive research and outreach, both applicants
 24 came to you with one set of boundaries defining this
 25 community, and nothing has changed since April 23rd

0034

01 that would indicates some wisdom in splitting our
 02 community in half, especially at the heart.

03 For those of you who are not intimately
 04 familiar with the Mid City West community, I want to
 05 take a couple of minutes and see if I can give you a
 06 profile of the community. And if you would turn
 07 around and look at the map, you'd help me a little,
 08 and I'll see if we can quickly run through here and
 09 show you how our community fits together.

10 The circle that you see in the center, the
 11 social, institutional, and commercial center of this
 12 community. That's Third and Fairfax. The split
 13 that's being proposed runs along Third Street, down
 14 Fairfax and down this street.

15 And this area right here, looking at the
 16 historic Fairfax district and down here, you're
 17 looking at the historic Miracle Mile area. Anyone
 18 who believes that what goes on in one area and one
 19 of those districts that doesn't affect the area,
 20 then, isn't converse with this community. If there
 21 are traffic problems at Third and Fairfax at
 22 (inaudible) the Grove, trust me, at Fairfax and
 23 Wilshire they're affected by it.

24 This is the post office that serves those
 25 90036 and 48 zip codes that we've been talking

0035

01 about. Not a post office; that's the post office.
 02 This is the library. Not a library; that's the
 03 library that serves this community. This is the
 04 fire station on the other side of that line. It's
 05 not a fire station; it's the fire station that
 06 services this entire community.

07 This is Pan Pacific Park and this is
 08 Hancock Park here, the two major recreational park
 09 and recreational areas in our community. This line
 10 that you see running across here is the northern
 11 border of the Wilshire Division police department.
 12 They run that border down to Beverly. On the other
 13 side, it's handled by Hollywood Division.

14 As for schools, this is Hancock Park right
 15 here and Hancock Park Elementary, and this is
 16 Fairfax High. And again, this is the heart of our
 17 community.

18 These are the schools that the students
 19 and parents and this area are dealing with. Trust
 20 me, they go across Third Street to get to Hancock.
 21 They come from this side to this side to get to
 22 Hancock. I know people who walk from where I live
 23 down in this neighborhood to Fairfax High School.
 24 And so this is a single community.

25 This is the -- this line right here that
 0036

01 you see running around Park La Brea and down
 02 Wilshire and then up to the Fairfax district is the
 03 local Dash line. Even they determined that this is
 04 the way this neighborhood works. Dash is delivering
 05 these folks to shop at the market, Grove, and the
 06 district down here.

07 We have two major hospital facilities.
 08 Major hospital facilities, this area with Midway
 09 right here, Midway Hospital, Cedars-Sinai Hospital.
 10 This is the L. A. Free Clinic and this is West Side
 11 Hospital, all serving this community. These two
 12 schools are parochial schools, Daniel Murphy and
 13 Cathedral High.

14 So this is a single community interacting
 15 and interdependent on one another, that share the
 16 same concerns, the same needs, and the same dreams.

17 Michelle, if I could have the next map.

18 This area is a major cultural and arts
 19 community. And what you see -- and this horseshoe,
 20 is that -- is the cultural and arts corridors that
 21 surround this center of this community. This is the
 22 museum row, the Blackman and Blackman West,
 23 (inaudible) Carpets and Peterson and the Whole Cross
 24 Museum and the Korean cultural center.

25 It's also full of galleries, galleries on
 0037

01 Wilshire and Miracle Mile galleries that run down
 02 this La Brea corridor and galleries that run along
 03 Beverly, like Foreign Gallery, Ace gallery, Jack
 04 Rutford.

05 Also, antique galleries run along this.
 06 It's hard to see from here, but we're talking about
 07 theaters, this is the Greenway Court Theater, the
 08 historical Simon movie theater, a 21-square foot
 09 theater is right here, the renovated El Ray is
 10 here. This is an arts and cultural center for this
 11 community. And it is all one community.

12 Next map.

13 This is the shopping and these are the
 14 shopping and commercial corridors for this
 15 community. And trust me, this is the Miracle Mile
 16 corridor. This is the La Brea shopping corridor.
 17 Again, this is Beverly. Melrose has two shopping
 18 corridors along here. This is the Fairfax district.
 19 This is the Grove and the Farmer's Market and the
 20 Third Street business association.

21 This is the Beverly Center and Beverly
 22 connection, and to believe that the people who live
 23 in this community do not cross those lines to shop
 24 and do business, again, is to misunderstand this --
 25 the nature of this community.

0038

01 Next map.

02 This is the second largest concentration
 03 of media and entertainment businesses in the city.
 04 The -- on this Miracle Mile strip you have "E"
 05 Entertainment and gobs of others, including AFTRA
 06 and SAG and actors (inaudible). You have Celebrity
 07 Films, you have L. A. Business Journal, you have
 08 Variety, you have CBS, Television City here, KCOP
 09 here, Park La Brea News located here.

10 You have production studios. In fact,
 11 there are nearly 100 production and graphic studios
 12 or businesses that relate to either media or
 13 entertainment that fill up this entire community,
 14 all interrelated, all with employees, many of whom
 15 live in this community and certainly cross over that
 16 boundary and have interests that move back and forth
 17 across that boundary.

18 The next.

19 So here's an overlay. This is what we've
 20 just covered. This is the community. And this is
 21 one community. People interacting -- we have -- the
 22 Fairfax business association has board members on it
 23 from Park La Brea, the Miracle Mile, civic coalition
 24 has board members on it, from the film companies.

0039

25 This is the line. This is the split being

01 proposed, as you can see. We interconnect and
 02 interact with this community way beyond that line.

03 Next map.

04 This also is the -- is the historical
 05 center for the Jewish community. It started back in
 06 the late twenties and early thirties and remains one
 07 of the most significant Jewish communities in this
 08 city. These are Jewish schools, significant schools
 09 at Beverly and La Brea, at Cochran and Olympic, and
 10 at Olympic and Fairfax. This Jewish community
 11 interrelates and interacts with this entire
 12 community, not just on one side of the area or the
 13 other.

14 Next map.

15 Now, it's been suggested that in fact on
 16 the cover letter on the proposal for splitting this
 17 community, one of the objectives or one of the goals
 18 being accomplished here was to maintain the
 19 integrity of residential -- established residential
 20 associations. What you see here are not all but
 21 most of the residential associations in this area.
 22 And I'm offering it to you to show you the kinds of
 23 overlap.

24 Trust me, these are established

25 organizations, not nearly not all of them the same
0040 period of time, some people at it longer than
01 others, but these are established organizations.
02 This is the Miracle Mile residential association.
03 This is Cathay Circle. This is Redondo. This is
04 Redondo homeowners association. This is the Miracle
05 Mile Action Committee. This is Park La Brea
06 residential association.
07 This is the Rancho La Brea homeowners
08 association, Beverly Wilshire homeowners
09 association, Burton Way, Mac, Melrose neighborhood
10 association. They not only -- these boundaries not
11 only overlap, but in some cases they overlap
12 neighborhood councils. The Melrose neighborhood
13 association actually goes beyond La Brea into
14 another neighborhood council, as does the Redondo
15 homeowners association.
16 So to try to decide the boundaries of this
17 community based on the boundaries of homeowners
18 associations doesn't seem like a practical
19 solution.
20 Next map.
21 Once again, this is the area overlay.
22 Next map.
23 And this is the area with the division
24 that's being proposed. I'm suggesting that it guts
0041

01 the heart of this community.

02 COMMISSIONER CHRISTOPHER: Ken, we're running a
03 little over the --

04 KEN DRAPER: I have one minute. This is one
05 community interconnected, interactive,
06 interdependent, with shared concerns, shared needs,
07 and shared dreams.

08 The Mid City West offers a council of
09 bylaws that reflect and protect this community and
10 its future. Mid City West is diverse, open to all
11 stakeholders, and encourages participation.

12 This is not about which applicant wins or
13 about one or two folks with remaining differences of
14 opinions nor is it about making this decision easy
15 for the commission by simply slicing up the
16 community and adding a piece to the applicants.
17 This is about the community and the stakeholders.

18 And this is one community with shared
19 concerns, needs, and dreams. For the sake of the
20 community, it cannot be divided.

21 Thank you.

22 COMMISSIONER CHRISTOPHER: Okay. Then can we
23 hear from the West Wilshire community council.

24 BARBARA MARTINOFF: Good evening. My name is
25 Barbara Martinoff and I'm voted as a member at large

0042
01 for the West Wilshire community council. Good
02 evening, Commissioners, and Mr. President, staff,
03 and the audience.

04 I'd very briefly just summarize what I
05 believe in and why we proposed the compromise and
06 then I'll have Mark Ganshirt actually come up and
07 talk about the boundary split, how we approached it
08 in a thoughtful way, then Joan Curtin will summarize
09 real briefly the bylaws and how we amended our
10 council representation, and then Ms. Plotkin will

11 summarize for it. And we'll keep it within the
12 prescribed time.

13 Okay. First of all, the West Wilshire
14 council embraces the idea of neighborhood councils
15 as laid out by the new Charter. And it is really a
16 means for ordinary citizens to participate in the
17 city government. Members have attended numerous
18 meetings of the Charter formation as well as all of
19 the council meetings to get that firsthand
20 experience and knowledge and also contribute to that
21 process.

22 The organizing committee started in 1999
23 to start on planning this, getting people involved
24 and getting the input. We also have given careful
25 consideration on how best to form a council and

0043

01 proposed the amended bylaws that allows every
02 stakeholder in the community to participate and yet
03 can still be a functional representative governing
04 body.

05 To this end, we are mindful of being
06 inclusive in representative areas that are
07 contiguous and respectful of the integrity of
08 existing communities and organizations. All of our
09 efforts have been well publicized. When we proposed
10 amended bylaws changes on June 10th at a meeting, we
11 had over 40 representatives and asked them to -- you
12 know, to understand that the (inaudible) changed.

13 The organization structure and bylaws were
14 modeled after an existing Brentwood neighborhood
15 council, so it wasn't something that was picked out
16 of the air. So we felt it was a successful model
17 and we mirrored a lot of our efforts and bylaws
18 after them.

19 They did additional outreach since the
20 April initial meeting to ensure that members of the
21 community who will be proposing a change, first of
22 all, will be educated what neighborhood councils
23 are, what West Wilshire stood for, and why we were
24 proposing a change.

0044

25 It is also important to establish -- you
01 know, we felt that establishing a board of directors
02 who is representative and accountable to a
03 constituency within the community. And that's
04 really the big crux of the difference between the
05 two organizations, representation and accountability
06 back through the nomination, selection, election
07 process and how they can be accounted back and
08 forth. This is an area we could not come together
09 with the other group.

10 Although the map is very thoughtful and,
11 you know, we all appreciate all the different
12 presentation in terms of how the community at large
13 is the same, but all of us know who live in the area
14 that we travel all over the city.

15 And that's true of all city residents in
16 terms of where they shop and have cultural affairs.
17 And to say that only this area supports, for
18 instance, the cultural row or the Farmer's Market is
19 really ludicrous, because people from all of the
20 city and county come to those sites. So it isn't
21 just their particular area.

22 We looked to -- when we formed our

23 council, you know, and when we amended the bylaws we
 24 looked to established businesses, residential
 25 organizations, civic, and other community

0045

01 organizations already working within the council
 02 boundaries to complete the board makeup.

03 Members at large seats on the board were
 04 made available to people within our boundaries that
 05 have not previously engaged in the community work.
 06 Myself and two other members were elected in that
 07 process who did not belong to any existing
 08 organization and were able to compete and
 09 successfully were elected at that process.

10 We have other core issues that we could
 11 not come to grips with, but because the key efforts
 12 -- because representation and accountability are
 13 such core issues, as governing structure, board
 14 size, election nomination process, still remain
 15 unresolved, in fact, that's when we proposed
 16 splitting the areas based on our respective
 17 representation, also our long-term work in each of
 18 the respective communities and we are the majority
 19 of board members.

20 I am going to hand it over to Mark
 21 Ganshirt at this point to kind of go over the
 22 boundary split and kind of discuss with you where
 23 we're at. And I'll give you over to Mark.

24 MARK GANSHIRT: My name is Mark Ganshirt and I
 25 am --

0046

01 COMMISSIONER CHRISTOPHER: We need you on the
 02 microphone.

03 MARK GANSHIRT: If I may, I'd like to go up to
 04 the presentation.

05 My name is Mark Ganshirt. I'm with the
 06 West Wilshire community council. We are a true
 07 grassroots, bottom-up organization. We don't have
 08 the fancy computer Power Point display. I wanted to
 09 go over --

10 MS. POINDEXTER: You're going to still need to
 11 use the mic.

12 MARK GANSHIRT: I wanted to go over the
 13 boundary, because I keep hearing the word
 14 "arbitrary" a lot in the reports and descriptions of
 15 what we tried to do. There's nothing arbitrary
 16 about what we have, where we've drawn our
 17 boundaries. These are long-existing neighborhood
 18 associations who have been doing the work of the
 19 neighborhood for many years.

20 The center part of the area is the Beverly
 21 Wilshire homes bounded from Sixth Street up Fairfax
 22 and over Third to La Brea and along Rosewood to the
 23 north and La Cienega to the south. This
 24 organization was established in 1956 and has been an
 25 organization open to anyone in the neighborhood that

0047

01 wishes to become involved in social and civic
 02 issues.

03 Along Fairfax to the west, Rosewood to
 04 the south, La Brea to the east, and the city of West
 05 Hollywood, is the Melrose neighborhood association.
 06 It was established in 1982 to deal with residents
 07 and businesses along the Melrose corridor.

08 To the west of Fairfax from West Hollywood

09 down to Rosewood is the Melrose Action Committee,
10 and that was formed in 1987. And over here, this
11 area west of La Cienega, is the Burton Way
12 association. And that was established in the early
13 eighties.

14 It has been our philosophy that
15 neighborhood councils are being formed. It's not
16 starting from square one. The city, especially our
17 area, is comprised of well-established and very
18 active community groups. It's important to us that
19 the groups are accountable and can represent the
20 people that live in the area and have stakeholders
21 in the area, and we feel that these groups have been
22 long established and we feel that should be the core
23 of our group.

24 We're proposing these zones hold the
25 elections of people to the board. That way we are

0048
01 assured that everyone that sits on the board reports
02 back to and represents the point of view of the
03 people within these zones. We do not want a board
04 that is predominantly made up of self-selected
05 members of at large type of board, which we feel the
06 other group is.

07 I think that basically covers what the
08 split is. Again, this is a long, long established
09 boundary of existing neighborhood groups. And I
10 believe -- I don't understand; the other group
11 presented other associations that I have no
12 knowledge of, and I've been active in the community
13 since the early eighties. So I dispute some of the
14 other associations in the area.

15 COMMISSIONER CHRISTOPHER: Okay.

16 MARK GANSHIRT: Any other questions about --

17 COMMISSIONER CHRISTOPHER: No.

18 JOAN CURTIN: My name is Joan Curtin, and I've
19 been acting as secretary and doing the secretarial
20 work for the West Wilshire neighborhood council.
21 And I would like to go over the basic differences
22 between the bylaws as we originally submitted them
23 and as we amended them in conjunction with our
24 submission of our new proposed boundaries.

25 Clearly, in DONE's report to the board
0049
01 they summarized the differences as they perceived
02 them. I would ask the board to consider the
03 differences as we've outlined them here.

04 The boundaries change in one respect only,
05 and that is the southern boundary. That was what
06 Mark just explained.

07 The number of our board members, we
08 addressed the concerns of, I guess, both the other
09 competing group and the board by making our board
10 larger. And it was a little bit reluctantly on our
11 part, but we have now increased our nonvoting
12 alternates to one to each voting member.

13 Our term limits, we reduced those. Board
14 officers, we added one board officer and that would
15 be someone who would act as second vice chair and
16 coordinate our standing committees and act as
17 (inaudible).

18 The election, selection of board members,
19 our position on election and selection basically
20 remain the same. We believe that our geographic

21 zones and our special interest groups are the best
 22 people to nominate representatives to serve on the
 23 board and we ask them to conduct their own elections
 24 for selections.

25 However, it's important to point out to

0050
 01 you and reiterate that any elections or selections
 02 that are done at the, if you will, lower levels, are
 03 ratified by the group at large; that is, at an open
 04 meeting that would be attended by all stakeholders.

05 And again, we have reiterated in our
 06 amended bylaws that stakeholders do not need to be a
 07 member of any existing organization in order to be
 08 elected to be a member or an alternate.

09 The others -- we have standing committees
 10 and we could go over a little bit more
 11 noninteresting things, but I think the composition
 12 of the board is something I'd like to point out. We
 13 still have 27 voting members. That remains the
 14 same.

15 But intrinsic in our plan of the revamped
 16 composition of the board as it is, we definitely
 17 took into consideration the board's concern that
 18 perhaps they perceived that we didn't have enough
 19 inclusiveness in terms of businesses. And I believe
 20 we certainly addressed that so that whereas there
 21 may be this teeter-totter between businesses and
 22 residents in terms of representation, I think we've
 23 evened the playing field, especially considering our
 24 neighborhood ratio population-wise of businesses
 25 versus residents.

0051
 01 And now Diana --

02 DIANA PLOTKIN: Mr. President and
 03 commissioners, my name is Diana Plotkin. I'm one of
 04 the original board members at the West Wilshire
 05 community council. I'd like to read a letter into
 06 the record.

07 "We realize that certification
 08 of neighborhood councils is a new process
 09 and that the Department has limited time
 10 and manpower. We believe the Charter
 11 supports that all applicants should be
 12 treated equally.

13 "We would like to go on record
 14 as noting that we believe our application
 15 was not given fair and equitable
 16 consideration."

17 And from the presentation tonight, I'm
 18 sure that you can see that that's true.

19 "Our participation in the
 20 application process has been frustrating,
 21 trying, and demoralizing. We were not
 22 measured by the same criteria as were
 23 other applicants which were actually
 24 certified.

25 "We believe we were expected to

0052
 01 fit into a pre-determined model for
 02 neighborhood councils that in fact is not
 03 appropriate for our community with whom we
 04 have had much more experience than does
 05 DONE.

06 "We do not argue that either the

07 commission or DONE have a right to
 08 disagree with our position, but we do not
 09 believe DONE has a right to on one hand
 10 advise us that we have fulfilled all the
 11 requirements for certification and then
 12 deny us in favor of another group because
 13 we have not met additional arbitrary and
 14 arguable illegitimate requirements of
 15 which we were not informed.

16 "A reasonable person could
 17 interpret this action as showing prejudice
 18 against us. It is very clear from
 19 remarks made to us by top DONE staff that
 20 great suspicion and hostility exists
 21 against applicants from areas where viable
 22 community organizations, such as
 23 residential associations, have been in
 24 existence for long periods of time.

25 "We were reminded more than once

0053

01 that we were considered exclusionary when
 02 in fact we have fully inclusive
 03 representation of the board. These
 04 beliefs by DONE executives had and have no
 05 basis in fact but seek to enhance a
 06 political agenda wholly inappropriate to
 07 supposedly unbiased civil servant staff.

08 "The application of the West
 09 Wilshire community council has met all
 10 criteria as revised imparted to us by
 11 DONE. It treats all stakeholders in our
 12 area equitably. In fact, DONE personnel
 13 at our latest facilitated meeting
 14 acknowledged that absent boundary dispute,
 15 both we and our competitor would be
 16 recommended for certification. Therefore,
 17 our proposed new boundaries eliminate the
 18 sole remaining obstacle of which we are
 19 aware.

20 "The division of the general
 21 Fairfax area along the lines suggested by
 22 us allows two wholly different
 23 philosophies to be applied to the
 24 representation of those areas in which
 25 they have the most support, namely a

0054

01 district system with very well-defined
 02 accountability in one, and an at large
 03 system with diffused accountability in
 04 another.

05 "We therefore request BONC to
 06 approve two separate community councils
 07 based on the boundaries proposed in our
 08 May 29th, 2002 amended bylaws."

09 It concerns me that the board doesn't
 10 realize that this is a win-win situation for
 11 everyone. The heart of this community or the heart
 12 of any neighborhood council is not a center of a
 13 neighborhood council; it is the whole and the sum of
 14 the neighborhood council.

15 That's what we believe. We feel very
 16 strongly with regard to that, that every part of the
 17 neighborhood council is as important as one area
 18 over another. That's why we have a neighborhood

19 council that includes so many people. The division
20 is 21,800, nearly 22,000 for the group that has the
21 greatest power in the area where they are known to
22 have the power and have represented that area.

23 We will have presenters go through some of
24 the projects that we have worked on over the last 20
25 years where not one member of this Mid City West

0055
01 neighborhood council has participated in those
02 projects.

03 We have been very active in our area. We
04 have done a lot of things in this area. And we are
05 very concerned. We would hope that you realize that
06 dividing the community, keeping the community of
07 interest together, is nothing but a win-win
08 situation for everyone. It is not a division of the
09 community. It sets up two neighborhood councils who
10 would work side by side.

11 We have another one that's called Mid City
12 that goes from La Brea all the way down to Western.
13 We work very closely with those people.

14 We are very concerned and we ask your
15 support in this division. Thank you.

16 COMMISSIONER CHRISTOPHER: Thank you.

17 Okay. That concludes the presentation by
18 the applicants. Now the commission gets a chance to
19 ask some questions of the two, and we might ask
20 questions of the Mid City West group first.

21 Any questions for the applicants for Mid
22 City West?

23 Commissioner Stone.

24 COMMISSIONER STONE: Thank you. I had a
25 question regarding the seven residential association

0056
01 zones that were added to your bylaws. Can you walk
02 me through how those -- how those representatives
03 will be elected and why that means was chosen by
04 your board?

05 KEN DRAPER: The meeting was chosen -- not the
06 meeting, but the concept was chosen after concerns
07 were expressed on the April 23rd by you folks that
08 we weren't -- we weren't guaranteeing a position at
09 the table for established institutions,
10 organizations with institutional memory.

11 MS. POINDEXTER: Excuse me. Gwen Poindexter,
12 for the record.

13 Before you continue, just identify
14 yourself again for the record.

15 KEN DRAPER: Ken Draper, Mid City West.

16 STEVE MC DONALD: Steve Mc Donald, Mid City
17 West.

18 KEN DRAPER: We know that among the board
19 representatives we have representatives from many of
20 these residential associations. We've also
21 outreached. As a matter of fact, we have talked to,
22 been involved at every single residential
23 association in this community, including the
24 mediation where the folks from the competing group
25 were present.

0057
01 But nonetheless, we heard you and we think
02 that we need to guarantee that organizations with
03 institutional memory will have a place, so we
04 created these zones. The way it works is this:

05 Anyone, any established residential
 06 association within a given zone is permitted to
 07 nominate during the nomination process a candidate
 08 to represent that zone. In the event there are more
 09 than -- there is more than one residential
 10 association in the zone, each of those established
 11 residential associations can provide a nominee.

12 The final candidate is determined by the
 13 zone, by an election in the zone itself. That
 14 candidate is then voted on in the public election.
 15 Each zone sends a candidate to the election, and the
 16 candidate must be a part of an established
 17 residential association.

18 Did I answer your question?

19 COMMISSIONER STONE: Yes. Thank you.

20 COMMISSIONER CHRISTOPHER: I'd follow up on the
 21 question for a second.

22 If there were competing homeowners
 23 associations for community associations in one of
 24 your zones and they each put forward a nominee in
 25 the election in the zone to determine a nominee,

0058
 01 does that nominee then go on to another elected
 02 process?

03 KEN DRAPER: Those candidates are elected in
 04 the zone and ratified at a public election.

05 COMMISSIONER CHRISTOPHER: So --

06 KEN DRAPER: Let's assume that in one zone
 07 there are three residential associations. Each of
 08 those three nominates a candidate. There's a
 09 nomination election in that zone prior to the
 10 general election and the zone elects the -- from one
 11 of those three candidates, elects a candidate.

12 But in every case that representative will
 13 have been a member of an established residential
 14 association.

15 COMMISSIONER CHRISTOPHER: I understand that,
 16 but I'm trying to understand what the process is
 17 from there forward, that if someone -- if the zone
 18 elects a representative, then what is the
 19 ratification process that you're speaking about as a
 20 final step?

21 KEN DRAPER: Because all of the stakeholders in
 22 our council get to vote, and so in the general
 23 election those candidates will go to the general
 24 election and be ratified.

25 COMMISSIONER CHRISTOPHER: Okay. So that then
 0059

01 they are a candidate for a particular position and
 02 they're being voted yes or no by the general
 03 stakeholder population --

04 KEN DRAPER: That's right.

05 COMMISSIONER CHRISTOPHER: -- in the area?

06 KEN DRAPER: Uh-huh.

07 COMMISSIONER CHRISTOPHER: Okay. And what
 08 happens if they vote no?

09 KEN DRAPER: Then there would be another
 10 candidate submitted, I presume.

11 COMMISSIONER CHRISTOPHER: Okay. All right.
 12 Any other questions?

13 I guess you get off cheap tonight.

14 Questions for Wilshire West -- West
 15 Wilshire? I'm sorry. Would you like to come to the
 16 -- who's going to represent?

17 Okay. Questions?
 18 COMMISSIONER HERRERA-DURAN: Yes. With the
 19 original application you came with, your boundaries
 20 were expanded from what they are now?

21 DIANA PLOTKIN: Yes.
 22 MS. POINDEXTER: And again, identify yourself
 23 for the record.

24 DIANA PLOTKIN: I'm sorry. My name is Diana
 25 Plotkin. Address, do you want my address?

0060

01 MS. POINDEXTER: No, thanks.
 02 COMMISSIONER HERRERA-DURAN: And at that time
 03 when you submitted the application, you felt that
 04 that part was also part of the total community;
 05 that's why you submitted the application with the
 06 expanded boundaries?
 07 DIANA PLOTKIN: We submitted our application to
 08 include all of those groups that we had worked with
 09 over 25 years, no matter where they were located.
 10 So we drew our boundaries to include the groups that
 11 we had been working with over the past years on
 12 different issues.

13 COMMISSIONER HERRERA-DURAN: Okay. And now you
 14 have brought in or closed in on the boundaries. I
 15 don't understand the reasoning. What has happened
 16 that you're letting go of the others that you felt
 17 are a part of that community?

18 DIANA PLOTKIN: Yes, we are doing that to keep
 19 our community of interest in our residential groups
 20 together. We have decided that in order to
 21 facilitate a neighborhood council that addresses the
 22 concerns of the Department of Neighborhood
 23 Empowerment that we would divide the community,
 24 keeping the power of -- anything south of Sixth
 25 Street would be represented by Mid City West, where

0061

01 they have the greatest representation that they have
 02 represented over the many, many years, you know,
 03 they have existed. For instance, we're talking
 04 about the Miracle Mile, the residential association,
 05 the chamber.

06 We've relinquished all of that because
 07 that's where they're the strongest and that's where
 08 they made a difference.

09 We kept together the residential
 10 communities and business communities that we have
 11 worked with over the past 20, 25 years where we have
 12 made a tremendous impact. And you'll hear from one
 13 of the other people the many projects that we have
 14 done in the area and the success that we've had.

15 So we've decided to divide that particular
 16 area in order for both of us to be certified so we
 17 could properly represent the areas that we have in
 18 the past.

19 COMMISSIONER HERRERA-DURAN: I guess I --

20 JOAN CURTIN: Excuse me. May I also respond?
 21 My name is Joan Curtin. I would just like
 22 to just add a little bit to what Diana said, that is
 23 that I think everybody keeps thinking of this like
 24 dividing up the community. It's kind of like the
 25 Civil War or something.

0062

01 I really think, and I know it's the hope
 02 and the belief of the West Wilshire community

03 council, that people see it as a positive thing. If
 04 we have community councils that are both working and
 05 both able to operate under the philosophies that are
 06 obviously so important to both of us, it doesn't
 07 mean that we can't cohabitate peacefully. It's not
 08 going to be like a problem.

09 We decided to draw the boundary where we
 10 did because it is absolutely critical to us in terms
 11 of our philosophy that existing neighborhood
 12 councils be kept intact. And it was kind of like --
 13 you know, we felt sort of like we were cutting off
 14 an arm in some ways because some of the people that
 15 we lost to Park La Brea, as we did the boundary
 16 cuts, have been a part of our group and our
 17 organizing effort for years now. So it was not an
 18 easy decision to come to.

19 But more important, an overriding of any
 20 interest to us was to keep the neighborhood groups
 21 intact. And again, that's why we see this as a
 22 win-win situation for everybody.

23 COMMISSIONER HERRERA-DURAN: I think that's
 24 kind of the crux of my problem in understanding
 25 this. If you're so passionate, if everyone is so

0063
 01 passionate about keeping everything together and you
 02 have worked with each other all this time, why now
 03 do you have to split?

04 Why can't you come -- why after all of
 05 this time you can't come together in a unified
 06 application as one neighborhood council? I mean,
 07 everybody is passionate about it but nobody wants to
 08 let go of that passion.

09 JOAN CURTIN: There are two different
 10 philosophies here that cannot be reached. They will
 11 never meet at meetings, they will never come to a
 12 meeting of minds.

13 COMMISSIONER HERRERA-DURAN: Then how are you
 14 going to work together?

15 DIANA PLOTKIN: I guess it's like the
 16 legislature, the Republicans and the Democrats.
 17 They work together on certain issues; others they
 18 don't work together on. I think that would be the
 19 way if we had two neighborhood councils; we would
 20 work together on certain issues, there would be
 21 issues that would not involve us at the other
 22 neighborhood council.

23 We work very well with the West -- I mean
 24 the Wilshire community council, the one that's
 25 coming up in Mid Wilshire. We've worked with them

0064
 01 for over 25 years and all of their groups, but we
 02 don't work on every issue with them.

03 So I mean, it's just like the government
 04 works together. Republicans and Democrats get along
 05 on some issues, and certain issues they don't. The
 06 same would apply here on this neighborhood council.

07 COMMISSIONER HERRERA-DURAN: In taking a look
 08 at the signatures that we have available, too -- and
 09 it seems to me that a great deal of the signatures
 10 from West Wilshire community is in the southern end
 11 here, where it's not -- quite a few up in the
 12 northern part, the northwestern -- northeastern
 13 part. I'm looking at this.

14 DIANA PLOTKIN: Are you looking at the new

15 signatures that were just plotted? Because we
 16 concentrated on that particular area to get
 17 additional signatures to support our boundary
 18 change. We had submitted over 200 or 250 signatures
 19 prior to the 276 that we just turned in. They've
 20 covered the complete area.

21 COMMISSIONER HERRERA-DURAN: Okay. I don't --
 22 I personally -- and maybe some other commissioner
 23 will point that out to me, but I can't see that
 24 visually, but I'm hoping for someone to correct me.

25 DIANA PLOTKIN: First of all, I don't know
 0065 what you're looking at.

02 COMMISSIONER HERRERA-DURAN: The two of you map
 03 (inaudible).

04 DIANA PLOTKIN: I think you'd have to ask staff
 05 about that because I really don't know.

06 COMMISSIONER HERRERA-DURAN: Thank you.

07 COMMISSIONER CHRISTOPHER: Commissioner
 08 Membreno.

09 COMMISSIONER MEMBRENO: One of the questions
 10 that Commissioner Herrera-Duran just asked was about
 11 working together as a unified application. Part of
 12 your answer was "we want to concentrate on the
 13 groups that we have worked with and so, therefore,
 14 the division happened where it happened."

15 If we were to -- to decide to certify the
 16 West Wilshire application as a whole, not as the new
 17 proposed one, not with the split, what would happen
 18 with that group? What would happen with the local
 19 part of the neighborhood council that you guys have
 20 divided?

21 And it's a division. Regardless of how
 22 you look at it, it's a division of two different
 23 neighborhood councils.

24 DIANA PLOTKIN: We would encourage you not to
 25 do that.

0066 COMMISSIONER MEMBRENO: Well, I'm asking the
 02 question in terms of if we were.

03 DIANA PLOTKIN: If you were to what, certify
 04 only West Wilshire community council?

05 COMMISSIONER MEMBRENO: Correct.

06 DIANA PLOTKIN: Then you would be
 07 disenfranchising 21,800 eight people that would have
 08 been represented by the other group and would have
 09 strong support for the other group. And I don't
 10 find that acceptable and I think that's wrong of the
 11 board to even consider that.

12 COMMISSIONER MEMBRENO: Why would that happen?

13 DIANA PLOTKIN: Because they would be
 14 disenfranchised. They would not be a participant in
 15 our neighborhood council.

16 COMMISSIONER MEMBRENO: You wouldn't encourage
 17 them to be a part --

18 DIANA PLOTKIN: We would encourage them.
 19 Whether or not they would want to, that would be a
 20 different story.

21 COMMISSIONER CHRISTOPHER: Commissioner Stone.

22 COMMISSIONER STONE: Several times in testimony
 23 and in the correspondence that we've received, you
 24 have mentioned the criticism of the other group as
 25 not being accountable for their elected boards.

0067

01 Not being accountable, could you please
02 elaborate for me and some of the other commissioners
03 on that, why they wouldn't be accountable in your
04 mind?

05 JOAN CURTIN: It basically boils down to, I
06 think, that our belief that there's a lot to be
07 gained by the history and experience in working in
08 the community. And the existing groups that our
09 representatives have referred to, as Mark pointed
10 out, have been working for 20, 30 years together.

11 That's history that I think we need to
12 recognize. That's experience in the community that
13 deserves a lot of credit. And we believe that those
14 groups know the community better than anyone else
15 and we believe that they should be the ones that
16 nominate people to speak for their group, to
17 represent them, to have accountability to -- and we
18 have seen the difference between our philosophy and
19 Mid City West is rather that they're more in favor
20 of an open forum to all stakeholders to (inaudible).

21 (Applause)

22 COMMISSIONER CHRISTOPHER: All right. I'm
23 going to ask everybody to please --

24 JOAN CURTIN: May I finish, please?

25 COMMISSIONER CHRISTOPHER: Please.

0068

01 JOAN CURTIN: But in answer to Commissioner
02 Stone's question, we're talking about that's where
03 nominee -- nominations would come from. The
04 ratification comes from the group at large.

05 And it's interesting to me -- and I'm
06 speaking for myself as an individual now -- that Mid
07 City West has finally decided that it's nice to go
08 with that process where you nominate and then
09 ratify.

10 We are happy to share our ideas with you
11 guys.

12 COMMISSIONER STONE: Well, just to follow up
13 on the accountability question, then given the
14 changes that Mid City West has made to their board
15 where they are using the seven associations, does
16 that change your view about the accountability?

17 JOAN CURTIN: Does it -- I guess I -- I'm not
18 quite sure if this is going to answer your question,
19 Commissioner, but let me just say that our decision
20 has been we're not going to support a unified
21 application.

22 COMMISSIONER STONE: That wasn't my question.
23 My question is the Mid City group, based on what
24 they picked up on the testimony at the 23rd hearing,
25 added seven board members that were based on

0069

01 residential areas that --

02 JOAN CURTIN: Right.

03 COMMISSIONER STONE: The question was, given
04 that change, would that make you feel that a Mid
05 City board would be more accountable to the resident
06 associations?

07 JOAN CURTIN: It certainly is a step in the
08 right direction, certainly. And I guess our
09 position is yeah, we like that better than we liked
10 the original proposal.

11 Is that --

12 COMMISSIONER STONE: Yeah, that's fine. Thank

13 you.

14 COMMISSIONER CHRISTOPHER: Commi ssi oner
15 Longoria.

16 COMMISSIONER LONGORIA: Yes. In looking at the
17 boundaries that you both have presented, it makes
18 sense to me to just -- to use the commonality in
19 shared boundaries, you might say, of all the
20 business districts that are there and all the
21 historical sites. I see at this point no rationale
22 for dividing that whole community as presented
23 here.

24 I see more strengths coming from unifying
25 your intentions of having ownership of not only the
0070

01 homeowners sources and all that have been
02 established there as well as the councils or the
03 communities that have been long-standing in the --
04 in both applicants.

05 So I really at this point really see it as
06 a unifying effort between people to come together to
07 work with each other as to what can be done to
08 establish those boundaries, not divide them at this
09 time.

10 I don't see that as -- as something that
11 would strengthen that whole area that I'm very
12 familiar with just because I shop in the area and I
13 go to many meetings in the whole area. So as you
14 were talking about it, it felt very comfortable for
15 me to say, hey, that's a whole area that can work
16 together, the people that live there and the people
17 that have businesses there, and the people that shop
18 there. So --

19 JOAN CURTIN: Commissioner, I think I share
20 what you're saying and I would say on behalf of both
21 groups -- and I mean this sincerely -- I think Mid
22 City West and West Wilshire in all good faith came
23 together on numerous occasions and both exhibited
24 tremendous efforts and invested a tremendous amount
25 of time and effort in trying to come together. I

0071
01 truly believe that. And I'm sorry to tell you that
02 it's not going to work out.

03 COMMISSIONER LONGORIA: Wow. Okay.

04 COMMISSIONER CHRISTOPHER: Commi ssi oner
05 Membreno.

06 COMMISSIONER MEMBRENO: I have a question for
07 Ms. Plotkin. You mentioned before as I was asking
08 about the West Wilshire as an area, to certify the
09 application -- or the boundaries, there were
10 boundaries that you originally submitted.

11 What changed since the time you submitted
12 the application where you felt you could help the
13 entire area, including the southern portion -- if I
14 can call it southern -- or the portion that you guys
15 are dividing? Why change? Why --

16 DIANA PLOTKIN: We decided to compromise.

17 COMMISSIONER MEMBRENO: Let me finish my
18 question.

19 DIANA PLOTKIN: Sorry.

20 COMMISSIONER MEMBRENO: Why change in terms of
21 the dynamics of working with the community in that
22 area that is such a strong directive for you guys to
23 want to divide the areas?

24 DIANA PLOTKIN: This was a compromise proposed

25 so that both community councils could be certified
0072

01 and represent the areas that we have the strengths
02 in. This was a compromise proposal. That's what
03 brought this on.

04 COMMISSIONER MEMBRENO: But I guess my concern
05 is that it is not a decision of 27 people on that
06 southern part that would make you represent the
07 entire area. In other words, I'm just concerned
08 that you did not take the entire area as to what
09 would be the benefit of dividing the area. Because
10 the representation of their board exists in that
11 area, that doesn't say anything about the 21,000
12 people that reside in that area.

13 JOAN CURTIN: I'm really not sure of the
14 question. Again, I stress that --

15 COMMISSIONER MEMBRENO: If you divide the area
16 and having 21,000 residents go to the different
17 neighborhood council for -- on the proposal, on the
18 Mid City West, it seems to me that that decision was
19 made based on the board members that currently live
20 in those areas, not on the 21,000 people who reside
21 in that area.

22 Did you guys go out there and say, you
23 know, "We're planning to split the area because this
24 is the best thing for you guys"? What kind of
25 outreach was done to make that decision in general

0073
01 for the entire resident population, not just the
02 board members of the Mid City West?

03 BARBARA MARTINOFF: Good evening. This is
04 Barbara Martinoff.

05 As part of our additional outreach, when
06 we went out to look at the area where we could
07 logically split it as a compromise, we talked to the
08 people who lived in that area who would have been
09 impacted by that split to ensure that (a), they
10 would understand what it would mean, they first of
11 all knew what their neighborhood councils meant and
12 stood for, and then second of all, that they would
13 continue to support the West Wilshire community
14 council effort. Okay?

15 The reason why we did come up with the
16 21-plus, we wanted to ensure that both councils with
17 their respective philosophies would be considered
18 and be, you know, approved.

19 So that's why we -- when we looked at it,
20 we tried to maintain and look at the population,
21 look at the organizations that represent the
22 respective areas, look at the board representation
23 and look at where the strengths of each groups are,
24 and that -- it was a combination of all of those
25 factors that came up with the proposed split.

0074
01 COMMISSIONER MEMBRENO: How many residents did
02 you outreach to in the second go-round?

03 BARBARA MARTINOFF: 275.

04 COMMISSIONER MEMBRENO: In the second go-round
05 to ask about the split and to ask about the support?

06 BARBARA MARTINOFF: Yes. Plus, we had also a
07 community meeting June 10th, I believe it was. We
08 had over 40 members present there and we again
09 presented the proposed split, we gave them the
10 proposed amended board structure, we had a

11 question-and-answer, we had -- DONE was there to
12 answer any questions that they wanted. We also
13 notified them of this meeting.

14 COMMISSIONER MEMBRENO: And my last question
15 that I have for Ms. Plotkin was if she could just
16 clarify for me the last sentence in your letter on
17 page 1.

18 DIANA PLOTKIN: The last sentence of the letter
19 on page 1? Where it begins "This relieves"?

20 COMMISSIONER MEMBRENO: Yeah.

21 DIANA PLOTKIN: First of all, that deals
22 with --

23 COMMISSIONER MEMBRENO: Let me before -- is
24 this your opinion or is this the entire board's
25 opinion?

0075

01 DIANA PLOTKIN: This was put together by the
02 entire board and those people that were -- I beg
03 your pardon?

04 UNIDENTIFIED SPEAKER: Organizing committee.

05 DIANA PLOTKIN: Excuse me. Okay. This was put
06 together by the organizing committee and the
07 negotiating team that had been working with the
08 mediator all along.

09 COMMISSIONER MEMBRENO: Thank you. Can you --
10 can you speak about the last sentence on that?

11 MARK GANSHIRT: Could you read the sentence so
12 we'll know what you're referring to?

13 COMMISSIONER MEMBRENO: The sentence is, "These
14 beliefs by DONE executives had and have no basis in
15 fact but speak to an adherence for your political
16 agenda, wholly inappropriate to supposedly unbiased
17 civil service staffs."

18 DIANA PLOTKIN: I will give you one example.
19 In a meeting we had recently with the executive
20 director of the Department, it was made very clear
21 to us that if a neighborhood council existed of
22 neighborhood groups, they would be given no
23 credibility. Now, I find that totally inappropriate
24 and I find that biased.

0076

25 COMMISSIONER MEMBRENO: You're speaking of the
01 general manager?

02 DIANA PLOTKIN: I'm speaking of the general
03 manager. I certainly am.

04 COMMISSIONER MEMBRENO: Thank you.

05 COMMISSIONER CHRISTOPHER: Commissioner?

06 COMMISSIONER HERRERA-DURAN: I want to commend
07 those of you who have worked so hard in your
08 community. All of us are -- you know, can go
09 through our general lives and sort of take a look at
10 what we've done within our various areas and in fact
11 all of the people that we've come to -- we've come
12 by in these applications.

13 But one of the things about the Charter in
14 developing neighborhood councils and this sort of
15 thing is testing our comfort zones in terms of those
16 who have already done so much. We have to reach
17 out. We have to change the way some things are
18 done. And sometimes that's not comfortable. And
19 I've had that experience in a neighborhood council
20 where there was an election that was totally not
21 expected.

22 But I want to congratulate all of you

23 people. I feel that you have done a lot of work for
 24 the community and feel very good about that. But
 25 from the philosophy that I come from, we have to

0077

01 reach out from that and we have to reach out to a
 02 lot of other people.

03 COMMISSIONER CHRISTOPHER: We need to hear from
 04 the public.

05 COMMISSIONER HERRERA-DURAN: I will as soon as
 06 I finish. Thank you.

07 And my feeling is we do need to reach out
 08 to other people -- and I congratulate you for the
 09 work that you have already done, but I would like to
 10 hear from you how you are going to reach out to
 11 other people and not just the ones that have been
 12 working in the community. Thank you.

13 COMMISSIONER CHRISTOPHER: Okay. What I'd like
 14 to do now is open the public testimony, and we'll
 15 begin with people who are in support of the Mid City
 16 West neighborhood council.

17 We'll start with Ronnie Goodkin, Rosalie
 18 Wayne, and Russell Reeder. Again, I'd like to not
 19 rehash the last testimony but to concentrate on the
 20 change issue.

21 RONNIE GOODKIN: Ronnie Goodkin, president of
 22 the Rancho La Brea community association.

23 I would like to bring an example of how
 24 Mid Wilshire is inclusionary and our competition,
 25 West Wilshire, is not.

0078

01 Our neighborhood association runs from
 02 La Brea to Fairfax, Third Street, Rosewood. We've
 03 been in existence for almost 14 years. I was
 04 shocked when I heard that there was going to be a
 05 division, so I called our board of directors,
 06 approximately 25 people from the community living in
 07 that area. Not one of them was contacted by Mid
 08 Wilshire.

09 We live right on that border, but they
 10 have excluded us from their decision-making. They
 11 have excluded not only myself, who several of them
 12 absolutely know that we exist. I mean, Harold Tong
 13 knows that we exist. Diana Plotkin knows that we
 14 exist. But they choose to not include us in any of
 15 their decision-making or consult with us or deal
 16 with us.

17 We are a part of that community whether
 18 they want to believe it or not. I've lived in that
 19 neighborhood for 29 years. So I'm a part of that
 20 community. And to draw a line down Third Street to
 21 separate this community council would be a
 22 disaster. It would annihilate people.

23 You have Mid Wilshire who searched me out,
 24 searched our neighborhood association out to include
 25 us.

0079

01 We are offering them positions on our
 02 board, seven neighborhood association groups. I
 03 don't know what they've offered us. I don't think
 04 they've offered us anything. And I think they're
 05 exclusionary, and I'm offended by it.

06 COMMISSIONER CHRISTOPHER: Okay. Rosalie
 07 Wayne, Russell Reeder, and James O'Sullivan.

08 ROSALIE WAYNE: My name is Rosalie Wayne. I

09 live on Orange Street. My family, my mother lives
10 on Sixth Street. We've lived in the community since
11 1951.

12 Around 12 years ago we formed a grassroots
13 residents association on Orange Street and Sixth
14 Street trying to deal with the problems of living in
15 a central city neighborhood, and we have worked with
16 the other groups and then not worked with the other
17 groups.

18 But about three weeks ago I heard that it
19 was proposed that we are going to be removed from
20 the neighborhood. And I believe that neighborhood
21 councils were formed so that people can be empowered
22 and live in their neighborhoods and feel some
23 satisfaction in living in the city of Los Angeles.

24 And it's about the people who live in the
25 neighborhood, not any organizations, existing
0080 organizations. It's about the people. And so what
01 I'm here to ask you is to please do not kick us --
02 divide our neighborhood down residential streets or
03 neighborhoods and please keep us all together as a
04 neighborhood.

05 Thank you.

06 COMMISSIONER CHRISTOPHER: Okay. Russell
07 Reeder, James O'Sullivan, and Steve Kramer.

08 RUSSELL REEDER: Good evening. My name is
09 Russell Reeder. I do not have 25 years' experience
10 in the community. My wife and I bought a house on
11 Fifth Street and La Jolla last year. And I think I
12 represent the up-and-coming community and really
13 what we're looking for, to do.

14 As a new person in the area, I have a
15 pretty open mind, but I do know that I want to make
16 a difference. I want to make a difference in the
17 community that I live in. I want to raise my family
18 here.

19 And I have had no luck going over and
20 being a part of the West Wilshire. The Mid City
21 community, Mid City West community council has
22 overly welcomed people into the community and, from
23 the community, into the council. And from what I
24 see, from what I've seen as a outsider -- I haven't
25

0081 grown up with any of these people -- I see people on
01 one side that have tried to look at the differences
02 and accept them and I've seen the other side that
03 has tried to say they're negotiating and
04 compromising but, really, they're just trying to
05 figure out how to get their main interest involved.

06 My house is in their main interest and it
07 makes me worry because I don't think that they
08 represent the community. I'm a part of the
09 community and I've never seen anything in the
10 community and I'm afraid that if that goes with the
11 -- with the West Wilshire, that I don't have a say.
12 But on the Mid City, you know, West community
13 council, it's an elected official and I know I'll
14 have a voice.

15 So I just want to represent that I'm new
16 in the area and I've seen that obviously it's a
17 community. I mean, my wife and I walked over to the
18 Beverly Center and we walked to Lackma. It's a
19 community. I mean, that's a pretty easy case.
20

21 But the Mid City West community council
22 has been very open. And I've sat in these board
23 meetings and I've seen them try and try again to
24 bring them together. So I just want to voice my
25 concern and also my interest to represent the Mid

0082
01 City West.

02 Thank you.

03 COMMISSIONER CHRISTOPHER: Okay. James
04 O'Sullivan, Steve Kramer, and Mindy Lake.

05 JAMES O'SULLIVAN: Good evening, Commissioners.
06 My name is James O'Sullivan. For the record, I'm
07 the president of the Miracle Mile residential
08 association.

09 When I was looking at the map that was up
10 on the board, I kept thinking of the recent rezoning
11 hearings, and they used to see me coming, they'd go,
12 "Oh, my God," because they knew what was going to
13 happen was, "I'm the president of the Miracle Mile
14 residential association. We want to stay in the
15 Fourth District." And it wasn't because of the
16 council person. It was because of our community of
17 interest.

18 And over and over, everyone defined the
19 community of interest. And Farmer's Market was in
20 that community of interest. We have a very succinct
21 state in the Farmer's Market. We actually defined
22 our community of interest going north. So I would
23 ask you to make sure that, you know, Farmer's
24 Market, that you don't split this area.

25 Now, one of the things that was kind of

0083
01 passed over and I have to bring it up was that all
02 the board members were not asked about this split.
03 The board members from the Miracle Mile residential
04 association that are on the West Wilshire community
05 council were not told about this. Everyone found
06 out the day after. We woke up and we found out
07 there was a split.

08 You'll hear from the -- well, I'm actually
09 the civic (inaudible). The chamber of commerce
10 didn't know about it. No one knew about it.

11 So my question is, who made that decision?
12 I mean, they did not go to the community and say,
13 what's in your best interest? What would happen if
14 they did?

15 The only other thing I wanted to say is I
16 think you need to look very carefully at the
17 demographics that DONE has prepared. If you look at
18 the demographics of that split, I think you'll see
19 that the African-American community and Asian
20 community are really impacted. They are really
21 going to be disenfranchised. I believe it's on page
22 2 of the 10-page West Wilshire. The Hispanic
23 community is split down the middle, and God knows we
24 don't need that in today's Los Angeles.

25 Thank you very much.

0084
01 COMMISSIONER CHRISTOPHER: Okay. Steve Kramer,
02 Mindy Lake, and Nicole Burnson.

03 STEVE KRAMER: (Inaudible) O'Sullivan, but I
04 would ask you to read into the record that all of
05 you pay attention to page 2 of 10 of the West
06 Wilshire community council application where there

07 is a breakdown in population, white, Asian, Latino,
08 African-American.

09 And rather than (inaudible) I second what
10 Mr. O'Sullivan said, this split would create a --
11 everybody's getting the names mixed up -- but the
12 West Wilshire group, that would go to -- from our
13 collective group of 71 percent white to 83 percent
14 white. That's just not realistic. I mean, I'll
15 look around this room until I see your sign.

16 This whole thing is silly. There are
17 people in this room that were married at my house.
18 There are people in this room three weeks ago that
19 ran 50 miles; they got a check. This is the
20 neighborhood.

21 Now, those two things may sound like Steve
22 Kramer nonsequiturs, but they're not. There's the
23 fact that there's a neighborhood. There's a fight
24 going on in this neighborhood and there's a lot of
25 ego going on in this neighborhood, I'm sure for

0085
01 myself and certainly from a lot of others that
02 you've heard from that are here tonight.

03 But this is one neighborhood, and whether
04 the result of this meeting is that all of these
05 people need to be sent out and new people come in,
06 that may be. But this is one neighborhood.

07 Thank you.

08 COMMISSIONER CHRISTOPHER: Okay. Mindy Lake,
09 Nichole Bernson, and Jeremy Bate.

10 MINDY LAKE: My name is Mindy Lake. I won't
11 bore you with my credentials, as I spoke here to you
12 last time.

13 I just want to tell you that with respect
14 to the split, our community is not about dividing
15 and conquering. It's about bringing all the
16 factions together and not creating adversarial
17 relationships. We are all ready on our council, at
18 the same table ready to work together toward mutual
19 and secular goals. Differences of opinion thrive on
20 our council. But one thing we passionately agree on
21 is that we are one community.

22 With respect to West Wilshire sharing
23 their ideas at the mediation table about how to
24 represent and advocate back to our council members,
25 wasn't sharing ideas the concept of mediation in the

0086
01 first place so that we could theoretically try to
02 blend our bylaws and come up with a unified
03 application?

04 With that, I ask you not to consider this
05 split. Thank you.

06 NICHOLE BERNSON: Good evening, commissioners,
07 DONE staff, Ms. Poindexter, and neighbors. My name
08 is Nichole Bernson and I am an elected renters
09 representative on the Mid City West community
10 council. Two months ago we came within one vote of
11 being certified by this commission. At that time
12 Commissioner Christopher implored us to take another
13 stab at mediation in order to heal a community
14 divided.

15 We voluntarily agreed to mediation and set
16 out in good faith with the goal of submitting a
17 unified application for certification. We met with
18 our membership and took the commissioners' comments

19 to heart.

20 We trimmed our board size and eliminated
21 some interest categories. We heeded your call to
22 increase renter representation. We added seven
23 residential positions corresponding to established
24 associations, taking into account the institutional
25 memory of the area and West Wilshire's request for

0087
01 accountability to various constituencies.

02 We amended our term structure to match
03 West Wilshire's. All of these efforts were made
04 with one goal: Bringing a community together. Our
05 board voted unanimously to accept these changes for
06 our application.

07 Unfortunately, West Wilshire withdrew from
08 mediation a second time. Not only did they refuse
09 to mediate to bring the community together, they
10 were actively working to split it at its very
11 center. They sought out 200-plus signatures in
12 their new area, without even thinking to ask the
13 separate remaining community if they wanted to be
14 split.

15 I ask West Wilshire, how many of those 270
16 new signatures are in the area that you seek to
17 secede from? Further, I am a board member of the
18 existing West Wilshire provisional council and was
19 notified by DONE and not West Wilshire that my
20 residential area had been cut out. There was never
21 a vote at the West Wilshire board, not even a
22 courtesy phone call.

23 After a month of screaming for
24 accountability, West Wilshire has proven that they
25 are anything but accountable to anyone but their own

0088
01 special interest. The fractured council that
02 they've proposed has been gerrymandered to
03 disenfranchise renters, African-Americans, Asians,
04 and the Orthodox Jewish community by cutting them
05 off from their commercial and cultural centers, the
06 very heart of their community.

07 Further, their board structure has not one
08 dedicated spot for renters in an area where they
09 make up well over 70 percent of the population, even
10 though condo owners, illogically, have their own
11 position.

12 Additionally, there is no guarantee by
13 minority representation on their proposed board, and
14 their closed system of elections virtually
15 guarantees a lack of access to the (inaudible) of
16 the greater community.

17 In closing, commissioners, please certify
18 the council that represents and is accountable to
19 the entire community, one that is inclusive,
20 diverse, and seeks now, as always, to bring everyone
21 to the table in the true spirit of the new City
22 Charter. I ask for your support for the Mid City
23 West community council and thank you for your
24 attention.

25 COMMISSIONER CHRISTOPHER: Okay. Jeremy Bate,
0089
01 Charles Cappleman, and Barry Karas.

02 JEREMY BATE: Hi. I'm speaking in support of
03 West Wilshire. My name is Jeremy Bate and I
04 represent the newly formed Fairfax area residents

05 association. We're a neighborhood watch group in
 06 the area bounded by Gardner Avenue on the east,
 07 Fairfax Avenue on the west, Beverly Boulevard on the
 08 south, and Melrose Avenue on the north. We are
 09 comprised largely of renters, and some of us have
 10 been living in the neighborhood for many years.

11 And we have seen the quality of life in
 12 our neighborhood deteriorate at the same time that
 13 we've seen rents skyrocket since the opening of the
 14 Grove, the Farmer's Market, and the beginning of
 15 several other construction projects in the general
 16 neighborhood. The traffic and parking situation has
 17 become intolerable and the crime rate has increased.

18 We've had greater numbers of mugging,
 19 armed robberies, violent crimes, and increase of car
 20 break-ins and thefts. While targets are often
 21 employees and customers of the businesses in the
 22 area, all too often -- all too frequently the
 23 residents themselves are targeted.

24 But partly because of stonewalling efforts
 25 on the part of the business community and a lack of

0090

01 interest or attention on the part of the city
 02 council, Department of Transportation, and other
 03 city agencies, we remain the only neighborhood in
 04 the region that is not included in the preferential
 05 parking district, so our streets remain open to all
 06 overflow from every employee, customer, valet, and
 07 tourist in every business, new and old, in the
 08 entire area.

09 This is a huge problem for us. And we
 10 take into account that many businesses have no
 11 parking of their own: The Grove, which charges its
 12 own employees exorbitant daily rates to park in its
 13 ample lots, Fairfax High School with its students
 14 and weekend flea markets and Little League teams,
 15 and the tourist mecca of Nolas Avenue which
 16 virtually has no parking structures. We also have
 17 severe traffic problems that continue unabated.

18 In addition, the brilliant L.A. City
 19 Charter states that a stakeholder in the community
 20 is anyone who, quote, lives, works, or owns property
 21 in the area. Besides allowing people to vote in
 22 more than one local election, what does this mean to
 23 us?

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24 It means that we are at the mercy of every
 25 business owner, homeowner, waiter, busboy, postal

01 carrier, retail clerk, bank employee, mall employee,
 02 security guard, day laborer, hotel resident, soccer
 03 mom, or anyone else fitting L.A.'s description of a
 04 stakeholder in an area larger than West Hollywood,
 05 which is its own city. Suffice it to say, our
 06 neighborhood, which has hundreds of neighborhoods,
 07 is underrepresented.

08 Furthermore, we have never been contacted
 09 by Mid City at any time by any outreach. And
 10 judging from this discussion previously, referring
 11 to the Park La Brea people as a hub of renters in
 12 the area, we aren't even on their scope as community
 13 renters. Hardly inclusive.

14 COMMISSIONER CHRISTOPHER: I'm going to have to
 15 ask you --

16 JEREMY BATE: Okay. I'll finish up.

17 We support the splitting up of the Mid
18 City region area of 50,000 stakeholders into two
19 smaller, manageable districts. We have serious
20 problems in our area that are not even considered.
21 Our city council representatives seem to be
22 transient and uninvolved in our community.

23 I'm here tonight to dispel the perception
24 and let you know that we intend to vote as a block
25 and we will no longer be a doormat to the whims of

0092

01 distant residents, carpetbagging nonresidents who
02 have been blocking our efforts to improve the
03 quality of life in our own neighborhood.

04 Thank you very much for your attention.
05 COMMISSIONER CHRISTOPHER: Charles Cappleman
06 and Allen Hershberg.

07 CHARLES CAPPLEMAN: Charles Cappleman,
08 executive vice-president of West Coast Operations
09 and Engineering, CBS Broadcast. I work at
10 Television City at the corner of Beverly and Fairfax
11 in the heart of this neighborhood that is under
12 discussion. About 1600 people work at Television
13 City. My department employs less than half of these
14 persons, but our departmental payroll for this year,
15 including fringe benefits, will be \$68.5 million.
16 Much of this money stays in the neighborhood because
17 a large number of our employees live in the
18 neighborhood. And even those who don't live there
19 go to lunch in the restaurants and shop there. I've
20 been banking at Gilmore Bank for over 48 years, the
21 same time that I've been at CBS.

22 Television City hosts about 100,000 guests
23 per year who attend our audience shows. They also
24 patronize the merchants in the neighborhood,
25 meeting, shopping, and purchasing souvenirs.

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01 Television City occupies a 25-acre parcel
02 and pays the City of Los Angeles over \$900,000 in
03 real estate taxes each year. We've been here 50
04 years. And we've attempted to be good neighbors.
05 We keep our grounds neat and well landscaped and
06 have been supporting both neighborhood and civic
07 activity.

08 CBS is a part of Viacom, and for the last
09 two years upwards of 50 of our company's employees
10 have spent a community day at Hancock Park --
11 Hancock Park Elementary School, gardening, painting
12 murals, and participating in their reading program.

13 CBS has hosted neighborhood and community
14 activities in our studios and provided parking
15 access to others. We have excellent relationships
16 with the neighborhoods and with the departments in
17 the city: Fire, police, Building and Safety --

18 COMMISSIONER CHRISTOPHER: We're going to
19 stipulate to all the good things that CBS has done,
20 but can you address the question that we're dealing
21 with tonight relating to the neighborhood council?

22 CHARLES CAPPLEMAN: I thought I'm bringing you
23 a new perspective.

24 CBS feels very much a part of this
25 community and I feel it would be a mistake to split

0094

01 the neighborhood. It currently is a unified home,
02 an excellent place to live and work, and should be

03 perceived as such.

04 COMMISSIONER CHRISTOPHER: Thank you.

05 Barry Karas, Allen Hershberg.

06 BARRY KARAS: Hello. My name is Barry Karas.
07 I live on Drexel Avenue. I've been living in the
08 neighborhood for two years now. When I first moved
09 to the neighborhood, which is my dream of how I
10 should be living, I was horrified by the speed of
11 the traffic coming down Drexel. So I decided to be
12 an activist and try to get speed bumps on the
13 street.

14 I called Ms. Plotkin. She gave me some
15 information but she did not really tell me how to go
16 about it. I did find out myself how to go about it,
17 how to set a petition. I got the petitions of 80
18 percent of the block signed. I gave the petition
19 in.

20 I've been calling the Department of
21 Traffic and Transportation to find out how it's
22 going. I was told by Pauline Chan that there was a
23 meeting two weeks ago. I asked if I could go and
24 then, when I realized -- she said yes, and I
25 realized I could not go. I asked my neighbor Dan

0095 01 Romano, who lives on my street, to go.

02 Dan Romano went this meeting at the
03 Department of Transportation. It was an open
04 meeting. And Ms. Plotkin refused to allow him to
05 participate in the meeting because he was not on the
06 original board, which had been formed 11 years ago.

07 Now, a lot of things change in 11 years.
08 When they did not allow her to ban him from the
09 meeting, she walked out of the meeting.

10 The reason I bring this up is because
11 this kind of attitude just doesn't work for a
12 neighborhood to work together.

13 UNIDENTIFIED SPEAKER: (Inaudible).

14 BARRY KARAS: Excuse me. I'm talking.

15 I have been -- I have never been
16 contacted. I will be a part of their West Wilshire
17 organization in their division of property. Their
18 division of property gives them the Grove and the
19 Beverly Center, a lot more than it's given the other
20 part. Even though I will become part of the
21 majority, I'm not comfortable with it.

22 I will conclude by saying I was not
23 brought in, I'm not a board member of Mid City West,
24 but I've attended as many meetings as I can. I am
25 so impressed by their professionalism. I do hope

0096 01 you see the right of this situation.

02 Thank you very much.

03 COMMISSIONER CHRISTOPHER: Okay. Allen
04 Hershberg, John Gresham, and Jerry Hecht.

05 ALLEN HERSHBERG: My name is Allen Hershberg,
06 long-time resident and homeowner in the neighborhood
07 at large, a board member for Mid City, very active
08 in the Jewish community, which of course is
09 (inaudible) population in this neighborhood.

10 My perception of a neighborhood council is
11 so that local representation can set forth their
12 views and hopefully be heard by the city
13 government.

14 To divide this neighborhood doesn't make

15 any sense to me. It would split up the Jewish
16 community, and that seems to me to be the opposite
17 of what the intent of a neighborhood council is
18 about.

19 Thank you.

20 COMMISSIONER CHRISTOPHER: Okay. John Wispay,
21 Jerry Hecht, and John Gresham.

22 Okay. I'm probably not pronouncing the
23 name correctly. The person representing the Grove.

24 JOHN MURPHY: It's John Murphy.

25 Good evening. John Murphy. I'm director
0097 of development for Caruso Holdings. We're the
01 developers who brought the Grove to the Miracle Mile
02 area.
03

04 COMMISSIONER HERRERA-DURAN: Can you speak
05 louder, please?

06 JOHN MURPHY: Certainly. Do I need to repeat
07 all that?

08 COMMISSIONER HERRERA-DURAN: No.

09 JOHN MURPHY: Just a little bit more
10 background. 10 years ago I founded the Miracle Mile
11 chamber of commerce with Steve Kramer, and I have
12 lived -- or until recently, lived in the
13 neighborhood for 10 years, so I'm very acquainted
14 with the neighborhood.

15 In coming here tonight, I want to just
16 sort of frame the argument that you can tell there
17 are two different groups that want something. And
18 to me, that would seem to imply that they both want
19 to be heard.

20 They seem to have both fulfilled the
21 criteria. I've attended meetings for the Mid City
22 community group and worked with the West Wilshire
23 group as well. If they both fulfilled the
24 requirements, then it would seem like their voices
25 would be equal and they should be heard. And I

0098 would think that would give a better community for
01 people to include themselves, not at the exclusion
02 of another group.
03

04 So we would like to see a little more work
05 done in how these two groups can work together but
06 if that can't happen, then we would like to see it
07 divided because that would give a better voice to
08 the two different groups and the people that live in
09 the neighborhood.

10 Thank you.

11 COMMISSIONER CHRISTOPHER: Okay. Thank you.

12 Jerry Hecht, John Gresham, and Laurel
13 Crary.

14 JERRY HECHT: Good evening, Mr. President
15 Commissioner, the district attorney, and the other
16 commissioners. My name is Jerry Hecht. I've lived
17 in this community for 42 years. I grew up here. I
18 went to school here. And I represent close to 17
19 synagogues in the Jewish community.

20 And I strongly feel that -- excuse me --
21 if two groups cannot get together with a common
22 purpose and common philosophy, that what's wrong
23 with two groups can -- excuse me -- the two groups
24 can lead two different communities and, therefore,
25 they can accomplish their goals.

0099

01 So I strongly feel that if we can work
02 together on certain issues, that why don't we work
03 for the common purpose of the two groups working for
04 an individual purpose?

05 Thank you very much.

06 COMMISSIONER CHRISTOPHER: Thank you.

07 John Gresham, Laurel Crary, and Paul Ash.

08 JOHN GRESHAM: Good evening. Yes. I'm John
09 Gresham. And first, before I get started, I do want
10 to object to something that's been bothering me for
11 a long time, and that is I'm always surprised at how
12 many people that are in conflict with another group
13 can't seem to remember the name of the groups
14 they're in conflict with.

15 I'm with the Mid Wilshire community
16 council, which is not even involved tonight, but our
17 name has been evoked several times. This hearing is
18 discussing the issues between Mid City West and the
19 West Wilshire community councils, and I would hope
20 that the speakers try to keep their names straight
21 because it would make it a lot easier for the BONC.

22 Next, I want to address this issue of
23 accountability. Neighborhood councils are
24 geographically based. And since the board is not
25 allowing overlap, even though some of us want it, I
0100

01 strongly believe that local government should also
02 be the most directly representative type of
03 government and neighborhood councils should be the
04 most directly representative of local governments.

05 I live in the 10th Council District. I'm
06 very tired of general indirect representation where
07 your elected leaders vote their conscience without
08 representing the constituency. We're not electing
09 board members for neighborhood councils to vote
10 their conscience. We're electing them to represent
11 the stakeholders in the neighborhood council.

12 And I agree that there should be a place
13 on neighborhood council boards for general
14 representatives, and that's because the definition
15 of stakeholders is to -- allows for both geographic
16 representation and general categories. And because
17 of that, I'm all for adding at large members.

18 But I think the fundamental makeup of the
19 neighborhood council is geographic. In that vein,
20 board members have to represent some constituency,
21 not just the at large voting conscience.

22 The only other thing I have to say is I'd
23 like to urge all groups here, including DONE and the
24 board, to remember that stakeholders or stakeholder
25 groups have to be allowed to decide their own fate.
0101

01 You reach decisions through consensus, and there
02 clearly was not consensus here tonight. Consensus
03 is the accepted structure in the city, at least
04 that's what we've heard from all the discussions
05 that I've been involved in. And the alternative
06 would be to discard the disenchanting, and then you
07 allow things like secession to happen.

08 Thank you.

09 COMMISSIONER CHRISTOPHER: Thank you. Laurel
10 Crary, Paul Ash, and Arthur Wayne.

11 LAUREL CRARY: Good evening. My name is Laurel
12 Crary. I'm the general manager of the Beverly

13 Center, and I'm standing before you here tonight in
14 really a very humble position.

15 Being on the -- a member of the board of
16 Mid City West has been a very inspiring experience
17 for me. Beverly Center has been referred to at
18 times as kind of that big box down there at La
19 Cienega and Beverly.

20 And I'll tell you, coming out into this
21 community and getting involved with the people on
22 this board, I have seen a dedication and enthusiasm
23 and energy that I never saw before. And it's opened
24 up for Beverly Center and for us to be in touch with
25 the community around us. It's like having a

0102
01 round-the-clock focus group. We know, we have a
02 feel for what's happening in the community.

03 All of a sudden we're aware of traffic
04 situations out there, of how people feel about our
05 different neighborhood groups, other matters, how
06 they feel, and where people are shopping and what
07 are they doing and how they are spending their time,
08 and all these things that sometimes we get so
09 involved doing in our own world that we don't always
10 have that resource. And all of a sudden that
11 resource opened up to us.

12 And the professionalism I've seen on this
13 board, I am very impressed. It has very much been a
14 humbling experience for me.

15 I also was very surprised to find out that
16 the West Wilshire group had included Beverly Center
17 in their area when they redrew the lines. Total
18 surprise to us and to the over 2,000 employees that
19 come out of the Beverly Center. And my fear is that
20 actually we've been included in there so that the
21 representation -- there is no representation for
22 such as Beverly Center as opposed to welcoming us
23 and embracing the people, the employees of that
24 establishment.

25 So I strongly support the Mid City West
0103
01 community council.

02 COMMISSIONER CHRISTOPHER: Okay. Paul Ash,
03 Arthur Wayne, and Jimmy Shaw.

04 PAUL ASH: I'm going to be very brief. I'm
05 Paul Ash, president of the Park La Brea residents
06 association, a community of approximately 11,000
07 people.

08 I would like to address one of the remarks
09 made by -- I don't remember her name, about the
10 proposal being presented to the residents of the
11 community.

12 We never heard it. All right? We have
13 two representatives on the West Wilshire board, and
14 I understand from them that this condition was never
15 properly voted on. I was not there at the time.
16 That was the June 10th meeting.

17 Now, listening to both sides of the
18 argument, it's a little like Russian (inaudible).
19 And I would strongly urge the board not to divide
20 this area. It's very important to all the
21 residents.

22 We live right across the way from Farmer's
23 Market, the Grove. We've been intimate in that
24 community for many years, and we don't like the idea

25 being thrown out of that area and not being part of
0104 01 that community. So I would urge the commission not
02 to consider any division.

03 Furthermore, it seems apparent that both
04 sides, well intentioned as they may be, cannot get
05 together. I would ask them to submit to binding
06 arbitration by the board and agree to any decision
07 handed down by the board so that the community can
08 be preserved in its entirety.

09 Thank you very much.

10 COMMISSIONER CHRISTOPHER: Okay. Arthur Wayne,
11 Jim Shaw, Hank Hilty.

12 ARTHUR WAYNE: Hello. My name is Arthur Wayne.
13 I live on Sixth Street. And I just -- I'm very new
14 at this so I'd like to just address a couple of
15 points.

16 Before I -- you know, I know nothing about
17 any of this and I know people are a lot more
18 involved than I am. I was not approached. There's
19 been no outreach. My neighbors are not talking
20 about this. I don't know one group from another.
21 And I just know that this is all very new to me and
22 I'm sure my neighbors will feel the same way when
23 and if I inform them of it.

24 Secondly, on Sixth Street where I've lived
25 for like most of my life, I come here tonight to

0105 01 find out that I went to Hancock Elementary School,
02 which is now in a different neighborhood, that all
03 those years I was walking home from one neighborhood
04 to another.

05 And I guess that isn't so strange because
06 much closer is the art museum and Hancock Park, the
07 tar pits where I grew up and spent many months at
08 least of my life, and that's only two blocks away
09 from my house, and that's not in my neighborhood
10 either.

11 And I guess that shouldn't be so
12 surprising either, because now when I go home and I
13 look at my neighbors who live directly across the
14 street, I find that they're not going to be in my
15 neighborhood either. So I guess I just oppose
16 splitting things up.

17 I would also like to say that Wilshire
18 Boulevard is like at least a hundred yards across
19 from side to side, and no one lives on it. That is
20 like as a -- speaking of a neighborhood, that is
21 like a natural barrier, a natural boundary. And San
22 Vicente and Olympic Boulevard are probably 200 yards
23 across, those intersections, and those seem like
24 more natural boundaries to divide the areas.

25 Thank you.

0106 01 COMMISSIONER CHRISTOPHER: Okay. Jimmy Shaw,
02 Hank Hilty, and Michele Rose.

03 JIMMY SHAW: Good evening. My name is Jimmy
04 Shaw. I am a resident and a business owner in the
05 community. And I'm here to speak in support of Mid
06 City West and against any kind of split. I support
07 Mid City West because of what it stands for, from
08 its design to what the group has accomplished and
09 assembled in the last few months.

10 I was born and raised in Mexico -- you may

11 not believe it -- but I am a Mexican citizen and
 12 only in the spring did I become an American citizen.
 13 And with that new naturalization to the United
 14 States came with me an excitement to participate in
 15 the electoral process and in my community in a way
 16 in which I could never participate in my home
 17 country of Mexico. And that's why it's people can't
 18 really erase what Mid City West has accomplished and
 19 what it brings.

20 On the split, I am in both of the areas
 21 and in areas that will be represented by both
 22 groups. Rather, there's one group that I do want to
 23 represent me and, with all respect to Ms. Plotkin,
 24 one group I do not want to represent me because it
 25 reminds me very much of the form of government and

0107

01 representation that I grew up with in Mexico and
 02 what I can now have in the United States.

03 In Mexico, it's closed, it's appointed,
 04 it's clubby, it's selective and reactionary. In the
 05 United States it's open, with open elections where
 06 your merits count. I see the same thing here.

07 In the design and in the outreach of the
 08 West Wilshire group, I've never received a thing.
 09 It is a group that I don't feel can represent me and
 10 my interests well. And frankly, I'm very worried
 11 they have a pattern where it seems like they will
 12 change the rules if the game isn't going in their
 13 favor. That's not a pattern that I would like for
 14 my representation.

15 On the other hand, Mid City West, its
 16 design is very open. Every one of the people on
 17 West Wilshire's board could be members of Mid City
 18 West board, but not vice versa.

19 The support and the turnout of Mid City
 20 West, I think, is exemplary, and the outreach that
 21 we've done is exemplary. I think that the comments
 22 of people also indicate what we can achieve with
 23 this group. This is a group that does represent the
 24 community and brings it together.

25 Which of these groups is more

0108

01 representative, I ask you? Which of these achieves
 02 the city mandate better? I believe Mid City West
 03 does that.

04 Thank you.

05 COMMISSIONER CHRISTOPHER: Okay. Hank Hilty,
 06 Michele Rose, and Steve Solomon -- or Stan Silman.

07 HANK HILTY: Good evening. My name is Hank
 08 Hilty. I'm the president of the A. F. Filmore
 09 Company, owner and operator of the Farmer's Market,
 10 which is now on the edge of one of the districts. I
 11 would like to speak to my disappointment to the
 12 plan, this proposal to split this district.

13 We are a stakeholder in the community and
 14 a long-standing stakeholder in the community. And
 15 our interests in this community are broader than
 16 those just to the north of Third Street. We've had
 17 representation and involvement in the many
 18 organizations throughout the community, and I think
 19 that this is a mistake to suggest dividing this
 20 community along these lines or any lines.

21 And I would like you to think that the --
 22 that these groups or any group, that surviving group

23 needs to survive long beyond the organizing members
 24 or even the initial board members of the group and
 25 that you need to look to the wholesomeness of their

0109
 01 bylaws and to the overall inclusiveness of the
 02 community for the long-time standing benefit of this
 03 community.

04 Thank you.

05 COMMISSIONER CHRISTOPHER: Okay. Michele Rose.

06 MICHELE ROSE: Wow. This has been a test of my
 07 patience. I've been jumping out of my skin back
 08 there.

09 There's some things I have to address. As
 10 you can see, I filled out that form because I said I
 11 didn't support one or the other because I wanted
 12 everybody to have their say before I made up my mind
 13 this evening.

14 And I must say that I have a lot of faith
 15 in this particular commission because you've all
 16 addressed concerns that I have as a person who lives
 17 here, who has rented here, graduated high school
 18 here, and who now is an owner resident here. So I'm
 19 really glad to see that accountability.

20 Thank you, Commissioner Stone, for
 21 bringing that up and, Commissioner Duran, for your
 22 direct and up -- looking, actually looking at the
 23 signatures and realizing where they came from, being
 24 able to visualize what is going on here, and all the
 25 rest of the commissioners. I really appreciate

0110
 01 your concern and consideration of this.

02 But I have to say accountability is an
 03 important thing. And again, I'm waiting for my
 04 invitation to go to the -- this group. I'm sorry,
 05 you're right, I forgot -- is it the Mid Wilshire
 06 group? The West Wilshire group.

07 Barbara, I'm still waiting for my
 08 invitation.

09 She knows me. She knows where I live and
 10 she's been to my home and she knows that they're
 11 dividing me off and I am included into this group
 12 and nobody called me. And they know where I am and
 13 that I'm active in my entire street.

14 Because I represent a lot of senior
 15 citizens who can't get out late at night and they
 16 want me to go back and tell them what's going on.
 17 And I am the speaker of the block. So I wasn't
 18 informed nor was I asked.

19 I don't know what's going on over there.
 20 I didn't know there was a split, but I will tell you
 21 this: It's almost -- especially when we had this
 22 very religious man here; he doesn't realize -- he's
 23 never seen the inside of the Bible where they killed
 24 the baby, where, you know, who's the real mother
 25 here?

0111
 01 So how much do you love this community?

02 Let's split it in half. That sounds great. Let's
 03 just cut it up into pieces and everybody gets to be
 04 happy because they each get a piece, but it's a dead
 05 piece. It has no life to it.

06 Because part of the wonderful thing that I
 07 like that I've been witnessing here is that us
 08 residents have to get along with our businesses, and

09 we're glad that we have peacemakers here in the Mid
10 City Wilshire -- did I get that one right? -- Mid
11 City West. They are the peacemakers who have
12 included everybody.

13 And I will say that I went to the
14 elections here and they were pretty legitimate. And
15 I must say that over here Barbara nominated herself.
16 So when she said that, you know, it's about how we
17 nominate, she nominated herself and I (inaudible).

18 UNIDENTIFIED SPEAKER: That's not true.

19 COMMISSIONER CHRISTOPHER: All right. The
20 audience members please stay out of it.

21 MICHELE ROSE: I'm just telling you that that's
22 how I witnessed what I saw, because I was a part of
23 it.

24 COMMISSIONER CHRISTOPHER: Okay.

25 MICHELE ROSE: And --

0112

01 COMMISSIONER CHRISTOPHER: I'm going to ask you
02 to conclude.

03 MICHELE ROSE: I will conclude. And I will
04 conclude with I would not want any kind of change.
05 I haven't been contacted with the other group.

06 And I would like Commissioner Christopher
07 to refrain from any nasty comments to people who get
08 up in front of this board because this is very
09 important to us and it's very hard to do. And when
10 you insulted the gentleman here by -- yes, you did.
11 And I'm sorry you did because I felt very badly for
12 him. You got off easy tonight. And that was
13 uncalled for.

14 COMMISSIONER CHRISTOPHER: Okay.

15 STAN SILMAN: My name is Stan Silman, and I am
16 totally against splitting my neighborhood. I am a
17 stakeholder, I live on Detroit Street and Third, and
18 I would resent and feel very unhappy if my
19 neighborhood was split along Third Street.

20 I'm at the very end; I live at Third and
21 La Brea, and there are many problems on my street
22 that have been totally overlooked by Ms. Plotkin and
23 her group. I have some hope that if this new
24 council, Mid Wilshire, is certified, that perhaps
25 the residents on my street will get some help.

0113

01 I've had businesses on Wilshire Boulevard
02 that I've owned and on Sunset, and I do feel that I
03 am a member of the community. I do not want it
04 split. I am totally against it. I urge you not to
05 do that. Please.

06 Thank you.

07 COMMISSIONER CHRISTOPHER: Deborah Taylor,
08 Deborah Epstein, Zigmund Vays.

09 Do we have Deborah Taylor? How about
10 Deborah Epstein? Okay.

11 ZIGMUND VAYS: Let me -- my name is -- I'm
12 sorry.

13 DEBORAH EPSTEIN: That's okay.

14 Good evening. My name is Debbie Epstein
15 and I'm speaking on behalf of the West Wilshire
16 community council. I don't know what else to say
17 except that this council has done enormous things.
18 I've been a member for 25 years. We've done a great
19 deal in the neighborhood. It's been an uphill
20 battle but we've had wonderful representation.

21 And I do feel that secession says smaller
 22 neighbors, smaller towns. The Valley wants to
 23 leave, Hollywood wants to leave. I don't see why we
 24 can't have smaller neighborhoods. They're talking
 25 about putting in -- I think the council was speaking

0114
 01 about boroughs, they were maybe introducing
 02 boroughs, which is smaller, too, so I don't see
 03 where this is such a terrible situation about making
 04 a smaller group with a better representation.

05 Also, earlier in the evening a gentleman
 06 got up from Rancho La Brea or something and said
 07 he's never been invited. I was under the opinion
 08 that Rancho La Brea ceased being an organization 14,
 09 15 years ago.

10 And we have our meetings once a month,
 11 Monday evenings, at the -- at the -- the library,
 12 which is on Gardner. Everybody is welcome. The
 13 door is open.

14 And I don't see where everybody is
 15 throwing up these terrible stories about this
 16 organization. I mean, you know, we can go to all
 17 extremes when we hear these stories, but the fact
 18 remains if not for this organization, the community
 19 would be in deep, deep trouble but for all the
 20 great, wonderful things they have done. And I
 21 really do believe if it has to be split, I don't see
 22 anything terrible about it.

23 Thank you.

24 COMMISSIONER CHRISTOPHER: Okay. Zigmund Vays,
 25 Irving Lebovics, and Dan Curtin.

0115
 01 ZIGMUND VAYS: Good evening. My name is
 02 Zigmund Vays. I like Diana Plotkin as a human
 03 being. I honestly do. And the reason is that I
 04 served with her on several committees, the
 05 (inaudible) and other committees.

06 And I was really puzzled by some of the
 07 comments which I believe I heard from her, that she
 08 believes that other people who are sitting on this
 09 side of the aisle have not participated in the
 10 community as much as she did.

11 I was not privileged to be born in the
 12 United States but I have done my share and people
 13 who are sitting on both sides of the aisles of this
 14 aisle, okay, I'm sure that they've done much more
 15 than that.

16 Since the meeting issue failed and it
 17 failed twice, I have -- I believe she has become a
 18 competitive person. And I believe that the
 19 commissioners have the responsibility and the duty
 20 of selecting the best proposal and not (inaudible)
 21 with the recommendation of staff.

22 It is your duty. You want it to work
 23 together. You want it to -- to figure out how to be
 24 united. And at this point there's a competitive
 25 process, and I urge you to make the right decision.

0116
 01 Thank you.
 02 COMMISSIONER CHRISTOPHER: Okay. Dan Curtin,
 03 Joel Post, and Kathleen Winslow.

04 DAN CURTIN: My name is Dan Curtin. I
 05 represent a small homeowners association called the
 06 Hayward homeowners association near Third and

07 Fairfax. I am a member of the board, of the board
08 of the Wilshire -- West Wilshire community council.

09 I wanted to dispel one thing that was said
10 earlier about us being kind of characterized as a
11 group of people that have been around for 20, 30
12 years, the majority of which have been involved in
13 these community groups and there's no new blood in
14 the situation.

15 My wife, myself, and many of the board
16 members on West Wilshire are relative newcomers,
17 just like many of the people on Mid City West, and
18 (inaudible) community (inaudible). I think there's
19 -- not only halfway down, (inaudible) more concerned
20 for the welfare of this community, and I don't think
21 age or (inaudible) involvement for any length of
22 time is mutually exclusive on either group.

23 I've attended most all of the various
24 meetings that we've had in West Wilshire and most of
25 the public hearings and the mediation between the
0117 West Wilshire council and Mid City.

01 I'd like now to -- Mid City has really
02 done a good job at trying to provide some compromise
03 on their side to adapt their bylaws. We've always
04 felt in the whole process that they were basically
05 under the assumption that we would basically try to
06 fit into their vision of the council and their
07 structure as opposed to a really true unified
08 application. And that's kind of the feeling that
09 we've had in our group all along.

11 We feel that the compromise they offered
12 us, seven residential group seats which were
13 representative of seven residential areas, that only
14 gives us -- only gives residential about 15 percent
15 homeowners representation on the Mid City West
16 council application. When you throw in the at large
17 members, it might rise to 30 percent. So we feel
18 that the residents are grossly underrepresented in
19 that council structure.

20 Also, the new zones that they put in in
21 order to accommodate the seven members are
22 arbitrarily drawn around kind of a block format and
23 aren't really consistent with any residential
24 association boundaries, so that was another reason
25 we felt it didn't fit into our vision of how we
0118 should structure this, philosophically.

01 I still feel that the West Wilshire vision
02 of the council, primarily accountable to elected
03 representatives from the geographic zones that are
04 represented by the established community groups,
05 represent a better accountability than the Mid City
06 West application. And this is why I wish you would
07 consider the split proposal to be a win-win
08 situation for the community at large and also
09 preserve the integrity of the community groups in
10 the political process.

11 Thank you.

12
13 COMMISSIONER CHRISTOPHER: Okay. Joel Post,
14 Arturo Martinez, and Harry Sasson.

15 JOEL POST: Good evening. My name is Joel
16 Post, and I'm a member of the Beverly Wilshire
17 homes. I support the separation of this large
18 geographic area into two separate neighborhood

19 councils.

20 First of all, geographic boundaries have
21 always been arbitrary and self-serving. Witness the
22 gerrymandering that goes on every time there are new
23 council districts that are formed. I don't buy the
24 argument they're concerned about what goes on, you
25 know, that might -- the person across the street

0119

01 might be in a different area.

02 Well, we're split by two police stations.
03 We have Hollywood, we have Wilshire Division. We
04 have two separate councilmatic districts and people
05 living on one side of the street are serviced by one
06 councilman and people living on the other side by
07 another councilman.

08 I think we happen to be a series of small
09 neighborhoods, and however many of them you wish to
10 put together to form a neighborhood council is how
11 many get fitted together. To believe that we are
12 one community or to say we are one community doesn't
13 make us one community. And you can trust me on
14 this. I've lived here nearly 50 years. I don't
15 look it, but it's true.

16 I support smaller councils to better meet
17 the needs of all of the stakeholders. If we had
18 smaller neighborhood councils, for example, we
19 wouldn't have a meeting like this miles and miles
20 from our neighborhood where residents and homeowners
21 cannot get there.

22 You know, business people are a little bit
23 different. You know, they can detour on their way
24 home. For me, I had to go home, take care of my
25 family's needs, and then come back here.

0120

01 To say that there was a massive outreach
02 on the part of the other side, it was my family, my
03 wife and myself, that gathered many of the new
04 signatures in the area on Blackburn, Colgate, and
05 some of those streets, Fifth Street. And it was
06 very easy to gather those signatures because these
07 people, my neighbors, had never heard about Mid City
08 West, despite some people saying that massive
09 numbers of coupons were distributed. I never got
10 anything that resembled a coupon. Neither did my
11 neighbors. And you can trust me on that.

12 You know, I just think it's -- it's folly
13 to continue to not recognize the fact that there are
14 -- that there are two really distinct groups here
15 and that by not splitting this into two neighborhood
16 councils, everybody comes out to be a loser. I
17 think there's a win-win situation on the table, and
18 I strongly urge that you consider that favorably.

19 COMMISSIONER CHRISTOPHER: Okay. Dr. Lebovics,
20 and then Arturo Martinez.

21 IRVING LEBOVICS: Hello. My name is Dr. Irving
22 Lebovics. I had the pleasure of addressing the
23 council at the last go-round.

24 I'm basically here to address one issue.
25 I understand there was a statement made that there

0121

01 are 17 Jewish organizations or synagogues that are
02 behind the West Wilshire council. When I heard that
03 at the last meeting I asked for that document. And
04 when I was shown the document, the document

05 basically states that we, the undersigned, half of
 06 whom are handwritten, not undersigned, but endorse a
 07 certain individual as representative to the West
 08 Wilshire council.

09 I personally contacted every one of those
 10 people on that list. None of them had any idea that
 11 this was about a neighborhood council and thought
 12 that they were endorsing somebody to a homeowners
 13 association.

14 We -- and I have represented the Jewish
 15 community, as I mentioned last time at the last
 16 hearing, in Sacramento, in city hall. We have four
 17 members of our community well represented on the Mid
 18 City's council.

19 This is a stakeholder, a major
 20 stakeholder, of over a thousand families, 27
 21 institutional buildings. Our community -- our huge
 22 community has had problems with homeowners
 23 associations in the past, and that's why we looked
 24 for a community council that was more broad-based
 25 that would make us a part of the action rather than

0122 just a sidelight and somebody to be overlooked.

01 We've had that experience. We don't want to have
 02 that experience again.

03 A good part of our community is located
 04 north of Third Street. We will not be represented
 05 by that board.

06 Again, I had submitted to your group one
 07 letter from one of the rabbis stating that there was
 08 -- on that signature list that stated that he didn't
 09 understand it and now would like to support this
 10 organization. Just about all of them agree, and I
 11 feel that it's important that, if our community is
 12 to be considered a stakeholder, that we be at the
 13 table.

14 We have schools, we have synagogues, we
 15 have community centers, a lot going on. We are very
 16 committed to this area. We're not going anywhere.
 17 And I think certifying a council that takes our
 18 considerations into account is a very important
 19 thing for the quality of the community.

20 COMMISSIONER CHRISTOPHER: Okay. Arturo
 21 Martinez, Harry Sasson, and Mary Louise Monahan.

22 ARTURO MARTINEZ: Good evening, ladies and
 23 gentlemen and lady members of the board. My name is
 24 Arturo Martinez. (Inaudible) neighborhood
 25

0123 association which forms the most northern part of
 01 what the West Wilshire neighborhood council would
 02 represent.

03 When the dust settles down and the rivalry
 04 ends, what you have before you is the opportunity to
 05 see and perhaps test how neighborhood councils will
 06 work by having two smaller communities working and
 07 trying to crawl before they can walk.

08 When the northern section of our area has
 09 been involved in any kind of event, we very, very
 10 ever had anything in common with the Cathay Circle
 11 or some other places way, way down south. Maybe
 12 occasions when there has been a citywide issue we
 13 have given moral support. But other than that, we
 14 go about our own business and try to take care of
 15 our stakeholders, which we do.
 16

17 We work with (inaudible) corridor, with
 18 the businesses. We have worked with (inaudible) in
 19 the Fairfax area. And we indeed try to better our
 20 community and represent all of these so-called
 21 (inaudible) and nebulous and murky definition for
 22 stakeholders.

23 Unfortunately, everybody has spoken and
 24 many persons (inaudible) can't be made. That is
 25 sad. All you have here before you is the

0124

01 opportunity to test trial neighborhood councils
 02 (inaudible) to work.

03 Many people say empowerment of the
 04 people. We don't know that neighborhood councils
 05 are only (inaudible) so far. Nobody is going to be
 06 empowered with anything. So there is no reason to
 07 fight for position, to fight for political things
 08 but, once again, to try to crawl before we walk.
 09 And we can only do that if we had a manageable small
 10 area where we can test all of the confinements and
 11 all of the limitations as well as all the broadness
 12 of the concept of the neighborhood council.

13 I therefore ask that this be given a test
 14 regardless of boards, regardless of people,
 15 regardless of personality, so that we can be a test
 16 where the neighborhood council can exist.

17 And one provision is being made that if an
 18 area wants to secede from a neighborhood
 19 association, that is a possibility. So as we test
 20 our waters and learn how to swim, people in divided
 21 boundaries or overlapping boundaries or nearby
 22 boundaries can change sides at any given point.

23 So what is the big deal? Let's please try
 24 to give us something that we can work with, and the
 25 smaller the size, the better the chance that

0125

01 happens, and perhaps it will succeed.

02 Thank you.

03 COMMISSIONER CHRISTOPHER: Okay. Thank you.
 04 Harry Sasson, Mary Louise Monahan, and Robert
 05 Chernio.

06 HARRY SASSON: My name is Harry Sasson. I'm on
 07 the board of the West Wilshire community council.

08 First of all, we are not splitting up the
 09 area. We're asking for double our -- double the
 10 representation. We're taking -- we're asking for
 11 the commission to authorize or certify one board
 12 with 45 members and another board of 27 members.
 13 That gives a representation of the whole area to 72
 14 board members. There is no split any more than
 15 there's a split between the Fifth Council District
 16 and the Fourth Council District.

17 We are -- the different groups that
 18 represent the West Wilshire community council have
 19 worked on the following projects: Park La Brea,
 20 Specific Plan, Pan Pacific Park, the redesigning of
 21 the Pan Pacific building, the Broadcast building,
 22 CBS expansion, the Gateway project, Melrose
 23 beautification, graffiti removal around Melrose
 24 area, the cutting down of commercialization around
 25 the museum, the Skyline building project, the

0126

01 Meridian Hotel, the Beverly Plaza Hotel, Lohmann's
 02 building on La Cienega, the Mercedes dealership on

03 La Cienega, Cedars-Sinai expansion, Manozoric Hotel,
 04 Barnaby's Restaurant, the Spanish Kitchen
 05 Restaurant, Beverly Connection, Crescent Heights
 06 signal, traffic planning during (inaudible), sewer
 07 project construction, the Farmer's Market, the
 08 Grove, traffic around the market and the Grove --
 09 ongoing at this present time -- new San Vicente
 10 median strip.

11 This is just a sampling of some of the
 12 successful projects that our West Wilshire community
 13 groups have worked on in the past.

14 And so we're not splitting up
 15 Los Angeles. We're not splitting up the area around
 16 the Grove and the Farmer's Market. We're adding
 17 representation which we need.

18 COMMISSIONER CHRISTOPHER: Okay. Mary Louise
 19 Monahan and Robert Chernob.

20 MARY LOUISE MONAHAN: Yes. I'm Mary Louise
 21 Monahan. I'm president of the Melrose action
 22 committee. And our boundaries would be the
 23 northwest area that the Mid City group is speaking
 24 of and, to be honest with you, we have not received
 25 any notification of any of their meetings or

0127
 01 policies or anything. And I'm speaking for a group
 02 of about 150, 200 people. We're up in the corner
 03 there and, frankly, they have forgotten about us.

04 But anyway, we've been involved very
 05 heavily with Melrose and -- Avenue there with Fred
 06 Siegal, the Mustache Cafe, the Improv. We've got a
 07 tremendous amount of problems with prostitution,
 08 alcohol abuse, noise, parking, you name it, and a
 09 lot of problems that haven't been solved.

10 And to me, I feel that it would be nice to
 11 have two groups because then I'd have two places to
 12 go instead of just one about all the problems that
 13 we have in our neighborhood in order for them to be
 14 solved.

15 Thank you.

16 COMMISSIONER CHRISTOPHER: Okay. And last
 17 ticket, Robert Chernob.

18 Okay. No one wants to comment. All
 19 right. Then that's going to close the public
 20 hearing.

21 What I'd like to do is ask the Mid City
 22 West neighborhood council to come back for a
 23 three-minute rebuttal, followed by a three-minute
 24 rebuttal from West Wilshire community council.

25 STEVE MC DONALD: Steve Mc Donald, Mid City
 0128
 01 West community council.

02 I wanted to pose a question to the board
 03 here. There's been a lot of statements made tonight
 04 about the openness and inclusiveness. And I guess
 05 you can't really know for sure, but I think you
 06 probably have a good idea about which group truly is
 07 representative of the community. And I think you
 08 have a pretty good idea about which group has been
 09 trying very hard to reach out to the stakeholders in
 10 the area.

11 And the question I ask is, if the West
 12 Wilshire and Beverly Wilshire homeowners groups has
 13 been so good and so inclusive, then why do we have
 14 half a room of people here that have been working

15 very hard for the last year and a half? Because we
16 have not felt welcome.

17 We are stakeholders. I've lived in the
18 area for 10 years. I myself have tried very hard to
19 get involved in that group and I've been thwarted,
20 along with the majority of the people that have been
21 sitting here with my group. If the group was so
22 inclusive and open, we wouldn't be here.

23 We are here because we took the Charter
24 and mandate to heart. The Charter and the mandate
25 of the neighborhood council was to represent the
0129 diversity of the stakeholders. That's what we've
02 done.

03 Thank you.

04 KEN DRAPER: Hi. Ken Draper, Mid City West.

05 There are dozens and dozens of established
06 institutions in this community with institutional
07 memory and history. And they are not all
08 residential associations. They also include all of
09 the stakeholders. There are businesses, there's the
10 Miracle Mile, chamber. There is other organizations
11 with institutional memory.

12 And so to divide these community up using
13 boundaries of residential communities and not all
14 others is not to understand the community. It is
15 one single community.

16 I'm not too worried about the community
17 coming together in the end. After all, you folks
18 have set up the system here and after certification,
19 the election that follows is an open election. Our
20 bylaws make sure that everybody here has an
21 opportunity to run and participate in these
22 councils, including the people who are the opposing
23 applicant here tonight.

24 This is not about win-win. It's not about
25 power. It is not about the personalities here.

0130 This is about this community. It's not about how --
02 homeowners association boundaries. It's about what
03 boundaries are proper for this community. This is a
04 single community. We cannot divide it.

05 Thank you.

06 COMMISSIONER CHRISTOPHER: Okay. And the West
07 Wilshire.

08 BARBARA MARTINOFF: Good evening. My name is
09 Barbara Martinoff. In summary, you have heard both
10 sides, very passionate, both trying to be very
11 representative. And I think a point was made
12 towards the end by one of the speakers that you in
13 effect are getting double bang for the dollar by
14 voting for two groups, in fact, 77-plus
15 representatives, plus alternates.

16 Both groups have people that have
17 outreached. Both groups have claimed that they've
18 outreached to certain people. In a size of 50,000,
19 I know I went around with one of the board members
20 to try to get the signatures and we did several
21 evenings, and let me tell you something, a lot of
22 people don't answer their doors, a lot of people
23 don't read their newspapers, a lot of people don't
24 read the Independent, Hollywood News, and throw it
25 back in the trash as soon as it comes in.

0131

01 And that was true when they did the 1990
02 census and the 2000 census. People just don't read
03 always. And so there's always a reason to claim
04 they don't get contacted.

05 I think people who are interested in the
06 process will continue to be interested in the
07 process, will read, will reach out, will attend
08 meetings that are publicized, that fliers are there.
09 Both sides have web pages.

10 I think you have both people who have
11 professionals, you have both groups have people who
12 have been involved in their communities, from their
13 perspective, for many years. Both groups brought in
14 new people, both met the charter requirement, both
15 met the requirement of the 20,000-plus, and both did
16 an extensive outreach.

17 So you have a very difficult decision in
18 front of you. No one group is dividing any one
19 group, because people will cross boundaries. You
20 know, these are just really fake boundaries. I
21 mean, let's be real about this. This is just about
22 people getting together and wanting to address the
23 issues. That's really the bottom line here.

24 So we -- you know, we request your
25 consideration for the split. People who have come

0132
01 to the Grove, to the Farmer's Market, to the Beverly
02 Center, they just don't come in from this community.
03 They come from outside of the city, you know, to the
04 county.

05 So it is a hub, but the people who are
06 needed and impacted by all of these large businesses
07 who create a vital economy to this area, bringing
08 jobs and a lot of taxes to the city, and they
09 represent a very vital role in this city.

10 But also, there is impact on the
11 residential areas, so let's be real, whether they be
12 renters that you've heard from or homeowners. Even
13 small businesses are impacted by people coming on
14 Melrose. It's -- it's just an issue that's based
15 all around the city.

16 This area is being very populated now,
17 getting more and more concentrated, is going to have
18 more and more of those issues. So what better yet
19 to have two groups to address and work together on
20 those groups that they have common interests.

21 That's what we stand for, and we wanted to
22 have a win-win solution to try to both come to be
23 able to represent people that -- you know, that both
24 people have had experiences and have had new people
25 like myself and many more members on the West

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01 Wilshire come forward to participate.

02 So that's what you have, a very tough
03 decision in front of you. But I know all of us on
04 both sides have worked very hard to come to that
05 point.

06 So thank you for your time.

07 DIANA PLOTKIN: I think Barbara's covered
08 everything. Thank you.

09 COMMISSIONER CHRISTOPHER: Okay. Thank you.

10 That concludes the public portion of the
11 testimony this evening. Now we move to the
12 commissioner discussion. Any commissioner like to

13 start? Commissioner Stone?

14 COMMISSIONER STONE: It's like the first day of
15 law school, getting called on.

16 COMMISSIONER CHRISTOPHER: Yes, I know.

17 COMMISSIONER STONE: Well, I appreciate
18 everyone that came out tonight, both on the
19 organizing committees of the two potential
20 neighborhood councils and the general public that
21 came to testify. I think it was very helpful to me
22 and, I'm sure, my fellow commissioners.

23 On April 23rd, I was one of this board
24 that voted to certify the Mid City West neighborhood
25 council and I felt that way, that the certification
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01 was worthy, because I believed that at the time that
02 group was the more inclusive, the more comprehensive
03 approach to the neighborhood.

04 Since that time I think that Mid City West
05 has improved their application. I guess I wanted to
06 approve them two months ago, but it's probably a
07 good thing that we've had a couple months because I
08 think that the improvements that we've covered
09 tonight and the group has covered, most importantly
10 the addition of the resident association, seems to
11 give some established groups some say in the -- or a
12 little bit more say in the governance of the
13 neighborhood council.

14 I think that that makes the Mid City West
15 group more accountable, using the words of the West
16 Wilshire group, and I think makes it a stronger
17 neighborhood council.

18 I wanted to comment on the West Wilshire
19 proposal to compromise based on the boundary
20 division. I certainly came here tonight with an
21 open mind to give that some consideration because,
22 as a win-win solution being discussed, I think we've
23 looked as a commission to boundary adjustments to
24 carve out when groups aren't able to work on
25 boundary disputes. So I think it was a fair
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01 approach for them to suggest and for us to
02 consider.

03 I have two problems with the solution as
04 proposed with the dividing line. I think we heard
05 tonight and, based on my knowledge of the community,
06 I believe that it is one community and that this
07 dividing line along the Sixth Street, Fairfax, and
08 Third Street would split various parts of the
09 community that should be joined.

10 And in particular, if you look at Third
11 Street. And I just can't see how you drive down
12 Third Street and can split Park La Brea from the
13 Grove and Park La Brea from Farmer's Market and the
14 folks on the south side of Third Street -- or the
15 businesses on the south that are very similar to
16 some of the businesses on the north. So in my mind
17 that's a microcosm.

18 That's one concern. The other concern is
19 about a win-win solution. And I think, as I said
20 before, I was inclined to look favorably on
21 something that would be a win-win solution.

22 In my mind this wouldn't be a win-win
23 solution because I think we heard from several --
24 testimony from folks that would be in the West

25 Wilshire part that they didn't feel like this would
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01 be a win for them, that there has not -- the ones
02 that were the up-and-coming members, the newer
03 members of the community, had not been able to
04 participate or didn't feel that they were getting
05 adequate participation in the existing groups.

06 So it may be a win-win for the organizers
07 of the group but, in my mind, it's more important we
08 look for a win-win solution for all residents, all
09 businesses and stakeholders in the neighborhood
10 council.

11 So I guess my final point would be that
12 it's probably impossible for us to see into the
13 future. We didn't cover too much tonight about
14 continuing outreach. It's something that we always
15 consider, how a group will continue to do its
16 outreach.

17 But we've had this opportunity to have
18 about two months of kind of a look-back to see where
19 the groups have gone, and I think that the Mid City
20 West group has shown a commitment to continue the
21 outreach more so than the other group. And I
22 believe that they would be the ones to continue the
23 outreach to go into the northwest corner to bring in
24 more people into the process.

25 So Mr. President, I would propose that we
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01 certify the Mid City West group for the entire
02 neighborhood, entire boundaries that were submitted
03 in the original application of the Mid City West
04 group, and would like to hear some other comments on
05 this as well.

06 COMMISSIONER CHRISTOPHER: Okay. Commissioner
07 Herrera-Duran.

08 COMMISSIONER HERRERA-DURAN: I agree with
09 Commissioner Stone. I thank him for his comments.
10 I think one of the things that concerned me is when
11 we originally asked this to be held over it was so
12 that the groups could find a compromise and could
13 come together into some kind of united application.

14 My concern is that in the application that
15 was submitted originally, this whole area was
16 considered a community, then all of a sudden it
17 comes back with one part is the community but the
18 other isn't a community. And that I don't
19 understand. I just don't understand how, somebody
20 said, a baby can be cut in half and still remain a
21 whole.

22 So I agree. I haven't heard anything
23 different that the whole area is not a community and
24 cannot be represented by one group.

25 I'm concerned that -- and I don't -- I
0138

01 agree with Commissioner Stone that there is
02 continued outreach that is needed. A lot of
03 outreach. We had one person here who said he hadn't
04 been reached, if I understood correctly, by any
05 group. So that indicates that on both -- on any
06 part there is continued outreach.

07 I wanted to comment also on the one person
08 who said that she goes back to these elderly people
09 who are homebound and tells them what is happening.
10 That is one of the greatest challenges that we have

11 if we are to fulfill the spirit of the Charter and
 12 the spirit of the neighborhood councils, is to reach
 13 out to everybody and empower everybody as much as
 14 possible.

15 And I would challenge whoever is certified
 16 here that you do set a plan and talk about outreach,
 17 as Commissioner Stone said, but you do set in place,
 18 something in place so that you do reach out to those
 19 who are not usually represented at the table.
 20 That's what this is all about.

21 I want to compliment those of you who have
 22 worked in this community as hard as you have. And I
 23 know that it feels as though you might be losing
 24 something but, believe me, in working with the
 25 entire neighborhood and trying to get as much

0139 representation from the whole community, we all
 01 gain.

02 And as I said previously, sometimes it
 03 does test our comfort zones being on this
 04 commission. It has tested my comfort zone. Period,
 05 as Victor Walker used to say.

06 But we come together as a community, and I
 07 hope that those who feel that they may have been
 08 left out or that a decision might be made
 09 differently, whatever it is, that you do come
 10 together as a group and you work together for the
 11 entire community. Because that is extremely
 12 important.

13 I would support Commissioner Stone's
 14 proposal that we certify the Mid City application.
 15 That's why we came here originally, was to look for
 16 an application for the entire area, and I feel that
 17 they have represented their application well.

18 COMMISSIONER CHRISTOPHER: Okay. Commissioner
 19 Longoria.

20 COMMISSIONER LONGORIA: Yes. I've listened
 21 very intently to both groups. I've read through the
 22 proposals and through the application, and am very
 23 concerned about representation and accountability.

24 However, in listening to the groups that
 25 did their presentations, I feel that representation
 0140 and accountability will take place as soon as both
 01 groups come together and talk about what that really
 02 means to each community.

03 I'm going to support Commissioner Stone's
 04 proposal or recommendation to give the -- let me get
 05 this correct -- Mid City West community council
 06 certification because of the structure and because
 07 of the outreach and because of the balance that has
 08 been presented.

09 And I would hope that in carrying the
 10 spirit of the Charter, which is to work together and
 11 to develop the strength within communities, even
 12 though it's felt that this is a huge undertaking, it
 13 certainly is something that I heard a lot of
 14 commonality in terms of passion about each
 15 community. And so I hope this would develop and it
 16 would fuse as you come together to discuss this.

17 COMMISSIONER CHRISTOPHER: Commissioner
 18 Membreno.

19 COMMISSIONER MEMBRENO: I, like Commissioner
 20 Longoria, went very carefully over the reports that

23 staff provided to us at this time along with the
24 previous reports and along with over 300 pages of
25 transcripts which, to me, was fascinating reading

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01 over the weekend, especially because it had a lot of
02 insight as to why the Department was making the
03 recommendation that it would, and in looking at --
04 or that it did in the previous time and looking at
05 what the -- the new recommendation would be.

06 And it was very interesting to hear that
07 many folks who were here before had the same
08 concerns about the community just in terms of
09 unifying.

10 One of the biggest problems that I had
11 tonight after reading the new report was that I have
12 heard tonight that the -- that smaller is better in
13 the argument for the split. But when -- as
14 Commissioner Herrera-Duran pointed out, when West
15 Wilshire came the first time, they brought in they
16 were willing to support the entire area. That, to
17 me, is splitting it up.

18 And having the neighborhood associations
19 as one of the determining factors of splitting the
20 area was, to me, a little bit of concern. I think
21 that all of these associations in terms of
22 representation, they don't really represent the
23 diversity of this community.

24 We come and go in the community. The
25 representatives are right in saying that there are

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01 many folks that walk in this community to either
02 shop or visit or do business. But it's a community
03 that it as a whole has to -- has to be considered a
04 community, a neighborhood, not on the split of Third
05 Street.

06 I have real respect for the work that has
07 been done by both of the groups and I think we are
08 looking at what's going to be best for the
09 residents, not the personalities and not the people
10 who are part of the current and the future board of
11 these groups. So I am -- I am going to support a
12 motion to go ahead and certify the Mid City West
13 application as a whole.

14 COMMISSIONER CHRISTOPHER: Okay. When we
15 started this process or when we began the review of
16 neighborhood council applications, nobody said it
17 would be easy. And they were probably right in that
18 assessment. Some of them are easier than others,
19 and this is clearly not one of the easiest ones out
20 there.

21 This neighborhood or these neighborhoods,
22 as depending on your point of view, are probably
23 some of the most vibrant ones in the city, clearly
24 are the subject of enormous development activity and
25 growth and change over time. I think it's probably

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01 a little bit of a bad rap to say the idea of
02 splitting this into two neighborhood councils is
03 somehow denigrating the neighborhood or -- or
04 changing it in some ways.

05 I've always been on record as advocating
06 smaller rather than larger neighborhood councils,
07 and when you look at 55,000 residents in this
08 neighborhood council plus probably at least 50,000

09 workers who are employed in the area of the
10 neighborhood council, you're getting into one of the
11 larger neighborhood council groups around -- around
12 the city.

13 And it's the job of the neighborhood
14 council to communicate with their stakeholders on a
15 regular basis, and all of the stakeholders. And the
16 larger the neighborhood council, the more complex it
17 becomes, the harder that job is to fulfill.

18 We've seen tonight evidence of outreach in
19 various parts of the community. We've also seen
20 evidence that outreach has not reached all parts of
21 the neighborhood. And in fact, I would hazard a
22 guess that by the combined people in this room and
23 the people that we've discussed neighborhood
24 councils with, we've barely scratched the surface of
25 the total stakeholder population in the community.

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01 Of the 100,000 people who are stakeholders
02 in this area, maybe a thousand of them, maybe 1500
03 of them probably heard about neighborhood council
04 organizing from one side or the other. That leaves
05 about 95 or 99,000 people in the community who
06 haven't yet heard about what it is we're up to.

07 So it's those many people who are really
08 the stakeholders in the community. And how we're
09 going to reach out and find those people and get
10 them involved in some extent or the other in
11 neighborhood council issues is really the defining
12 direction that this program is ultimately going to
13 take.

14 What we're doing at the end of the day is
15 defining bylaws and boundaries in this process of
16 certification. What the -- the election processes
17 will actually produce later on will probably
18 surprise everybody here. Commissioner Herrera-Duran
19 alluded to one neighborhood council election in the
20 San Pedro area which produced results that nobody
21 expected, and I think that's a pattern that probably
22 will be repeated in various areas of the city over
23 time.

24 As the process become more open and the
25 process becomes more involved, the other 99,000

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01 people will have their say, and what they have to
02 say about the neighborhood council may be something
03 entirely different than what any of the people in
04 this room may think about. So ultimately what we
05 have to do is look to find the right combination of
06 bylaws and boundaries that make the most sense for
07 the community.

08 The question of whether or not this is one
09 community or a series of different smaller
10 communities or neighborhoods is one that can be
11 probably endlessly debated.

12 I happen to live in the Melrose area on
13 the northern end of the neighborhood and I've heard
14 or seen some minor activity on behalf of West
15 Wilshire community council, and I haven't seen any
16 in my area of Mid City West. That's not to say
17 there hasn't been; it just hasn't found me. And
18 there have been other situations where a lot of
19 areas of the neighborhood have not seen any activity
20 by West Wilshire either.

21 It's just a fact of life in all of the
 22 neighborhood council organizing that we do across
 23 the city that there are far more people who do not
 24 hear about it than there are that do hear about it,
 25 and that process will only change over time as

0146 01 neighborhood councils become more and more a mirror
 02 and more and more a part of the city fabric. But
 03 it's going to take a lot of years before everybody
 04 and all the stakeholders actually find out about it
 05 and actually get a chance to participate.

06 In terms of the actual geography of this
 07 neighborhood council, it's sometimes hard to think
 08 that the Melrose areas are somehow in the same
 09 neighborhood with the Cathay neighborhood. But
 10 that's also a fact of life in the other parts of the
 11 city if we define neighborhoods as people of 20,000
 12 people or more.

13 Neighborhoods that you can actually feel
 14 and perceive are probably a scale of 5,000 people.
 15 But beyond that, when we get to 20,000, 30,000,
 16 50,000, then we're stretching to find some or all of
 17 our neighbors in the same neighborhood.

18 One of the reasons that I've advocated
 19 smaller neighborhood councils over time is because
 20 we're trying to fund neighborhood councils at the
 21 same level regardless of size so that if you're a
 22 smaller neighborhood council, you may benefit
 23 financially and be able to reach more of your
 24 stakeholders based on your funding by being a
 25 smaller and more concise neighborhood council. But

0147 01 that's not necessarily a magic formula that applies
 02 everywhere.

03 One of the concerns that I expressed a
 04 little more enthusiastically than I should have the
 05 first time around was a concern over the
 06 institutional memory. And Ken, you're right, there
 07 are more than just homeowner associations that hold
 08 the institutional memory of the community.

09 But there are also those associations or
 10 those community associations that have been
 11 proactively defending their community's quality of
 12 life over time that do in fact deserve to
 13 participate in the neighborhood councils as they go
 14 forward. And I'm pleased to see some of the changes
 15 in the Mid City West bylaws that accommodate some of
 16 those things.

17 One of the items that concerns me,
 18 however, is the ratification clause that requires
 19 the results of an election in the area to be sort of
 20 ratified by the membership at large. And I'm not
 21 sure what function that serves other than to provide
 22 sort of a veto over the desires of a particular
 23 district. And so that veto, that really concerns me
 24 because it can become an exclusionary tool.

25 I would rather see the results of the
 0148 01 district election be, in fact, seats on the board.
 02 And that would, in fact, guarantee that the desires
 03 expressed in a local election are then -- and those
 04 views expressed in that local election have a seat
 05 or have a voice at the larger table.

06 I would also, if I had my choice in how to

07 make the structure, to increase the number from
 08 seven to 10 and to decrease the at large number from
 09 seven to four so that in fact you can have a more
 10 concise and more locally focused view that's
 11 expressed at the level of the board of directors.

12 And my amendment to Commissioner Stone's
 13 motion would be to ask the applicant to amend the
 14 bylaws along those lines.

15 COMMISSIONER STONE: I made a motion?

16 MS. POINDEXTER: Gwen Poindexter, city
 17 attorney. We don't have a motion. We're still in
 18 discussion.

19 COMMISSIONER CHRISTOPHER: We're still in
 20 discussion. Okay.

21 Any other discussion?

22 COMMISSIONER MEMBRENO: Just in terms of the
 23 last comments that you have made in terms of the
 24 ratification clause and seeing that as ratifying the
 25 person or persons who will be from those areas as

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 01 exclusionary, if the entire body does not -- does
 02 not ratify that and it's a veto kind of thing, what
 03 -- how would -- and then you also mentioned the
 04 changes of the at large member.

05 What excludes this neighborhood council
 06 from having -- just increasing the numbers from
 07 those zones and even the at large numbers as they
 08 are --

09 COMMISSIONER CHRISTOPHER: That's an
 10 alternative. The concern about the ratification
 11 issue is that if we are promoting diversity and
 12 promoting disparate voices being heard at that board
 13 level, then there shouldn't be a clause that
 14 requires each of the separate areas, separate
 15 districts, to conform to the larger viewpoint of the
 16 group as a whole, that their individual viewpoint
 17 ought to be able to be expressed at the level of the
 18 board of directors.

19 COMMISSIONER MEMBRENO: Okay.

20 COMMISSIONER HERRERA-DURAN: I think that I
 21 would -- I agree with you, Commissioner Christopher,
 22 and I would support that kind of amendment or what
 23 we decide whether (inaudible), I would support
 24 something like that in the change in their bylaws.
 25 I think it's fair and I understand your philosophy

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 01 behind that.

02 MS. POINDEXTER: Just for inquiry -- Gwen
 03 Poindexter, city attorney -- your suggestion,
 04 President Christopher, would be to ask the
 05 applicant --

06 COMMISSIONER CHRISTOPHER: Yes.

07 MS. POINDEXTER: -- if he would be willing
 08 to --

09 COMMISSIONER CHRISTOPHER: We might put that
 10 question directly to the applicants.

11 STEVE MC DONALD: Could you reform the
 12 question?

13 COMMISSIONER CHRISTOPHER: The question is, the
 14 concern is, on my part, that you have in your bylaws
 15 structured that the results of any local election
 16 within a district or a district representative are
 17 then subject to ratification by the membership at
 18 large. So that if I'm --

19 STEVE MC DONALD: I got it. With all due
20 respect, Mr. President, number one, there's several
21 issues here. Number one, we'd have to go back to
22 our board with any change in the bylaws, and we're
23 not prepared to do that at this point. Two, I
24 believe the other group has a ratification process
25 and, three, we feel that we put this in place --

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01 well, we kind of feel we're damned if we do, damned
02 if we don't.

03 We put this in place to recognize the
04 concerns that you brought forward to us about having
05 the institutional memory, and the existing
06 homeowners groups and residential associations doing
07 such good work over the years, to have them
08 involved. We found a way to get them involved.
09 We're not prepared to change.

10 We feel that we've moved forward, we've
11 taken everything in consideration, we've done our
12 mediation in good faith all the way along, and we
13 are not prepared to change it.

14 COMMISSIONER HERRERA-DURAN: May I ask a
15 question? You just said you had to take it back to
16 the board, yet you say you're not prepared to
17 change. Which one is it?

18 KEN DRAPER: No. Wait a minute. The
19 ratification aspect, I understand. We --
20 philosophically, we've worked so hard to make sure,
21 as you can see, within our board structure that
22 everybody has a voice in this community, that all of
23 the stakeholders get to participate.

24 But I understand what you're saying, if --
25 we also want to make sure that nobody is able to

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01 control, no individual, no groups have control over
02 this board long into the future, long after we're
03 not participating.

04 And I understand what you're saying. The
05 idea that the -- that the general meeting, they
06 could turn around and say, "These seven
07 representatives don't work; we want somebody else,"
08 and it's a control feature, and I'm not sure we're
09 in sync here on that aspect of it.

10 The thing I'm not sure about is expanding
11 it to 10. After all, we have homeowners and we have
12 renters represented on here that we have at large.
13 There are lots of other areas here for people and
14 residential associations, established organizations
15 to run legitimately and participate, and we don't
16 want to get out of sync or out of proportion in the
17 number of residents.

18 But it's all stakeholders have equal votes
19 in this process. And we don't want to get out of
20 sync in the number of residents and renters versus
21 the other stakeholders in the communities.

22 So changing the size is a question, but in
23 this group I'm thinking that the ratification you're
24 talking about, I'm opposed to -- to anybody being
25 able to control -- I want those people to be free to

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01 pick their representatives and come forward, and I
02 hear you. And I'm speaking for myself when I say I
03 hear you.

04 COMMISSIONER CHRISTOPHER: Why don't you

05 (inaudible)?

06 STEVE MC DONALD: Could we go back for a moment
07 so we can talk together.

08 COMMISSIONER MEMBRENO: Can I ask a question
09 for the city attorney?

10 COMMISSIONER CHRISTOPHER: Yes.

11 COMMISSIONER MEMBRENO: Is there language that
12 we can use to have the concern Commissioner
13 Christopher addressed in the amendment to bylaws in
14 terms of the ratification? I know where the concern
15 is coming from, perhaps that someone who -- who
16 might not be liked by the entire group might not be
17 voted in from the entire group at large.

18 Is there language we can use and recommend
19 to the applicants so that the process, it's a little
20 more clear on the amendment, as opposed to changing
21 its entire goal and way of presenting it to us on
22 the changes tonight?

23 MS. POINDEXTER: Well, I'm sure there is
24 something we can come up with, but you have to sit
25 here and craft it. I mean, the question is, do you

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01 want an application process or do you want a process
02 where the seven elected representatives by the
03 association would be automatically on the board,
04 recognizing of course that this is not something the
05 commission can impose upon the applicants?

06 JAMES O' SULLIVAN: James O' Sullivan. I think
07 one of the problems is that, first of all, when we
08 crafted this we looked at what was going on over
09 here. And they have a ratification process so we --

10 COMMISSIONER CHRISTOPHER: Let me make it clear
11 that if their application was before us, I'd have
12 the same concerns.

13 JAMES O' SULLIVAN: Okay. So -- but the second
14 question is, how do we do this? We have always --
15 including when we came here tonight, we had a
16 meeting of our board and put all these changes
17 before our board and got approval or we would not
18 have come here with these changes.

19 You are kind of asking the three of us as
20 officers to make the decision. I'm not sure we have
21 a quorum.

22 COMMISSIONER CHRISTOPHER: We would be happy to
23 let you come back and come back to a later meeting
24 if that's your --

25 JAMES O' SULLIVAN: No.

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01 MS. POINDEXTER: Let me suggest an alternative.
02 Gwen Poindexter, city attorney. An alternative, an
03 exercise of faith on the commissioners' part,
04 however, but an alternative, would be to accept an
05 agreement to amend the bylaws consistent with the
06 commission's intent.

07 If the motion passes to certify you, you
08 would -- the group would then come back with an
09 amendment consistent with the commission's intent.

10 STEVE MC DONALD: There are a number of us who
11 are willing to forego the ratification process and
12 have the seven prescribed areas chosen in those
13 areas be people that are on the board. Our concern
14 only is in the number, because we've gone over this
15 very carefully to come to these different proposals.

16 So we're prepared to accept that, that

17 the ratification process not take place for the
18 seven geographic zones for residential
19 associations.

20 COMMISSIONER CHRISTOPHER: Okay.

21 COMMISSIONER STONE: Mr. President, I'd like to
22 now put a motion on the table that we adopt the
23 findings of the Department contained in the various
24 staff reports provided to us and move to approve the
25 application of the Mid City West neighborhood

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01 council as a certified neighborhood council.

02 My motion would follow along with what the
03 city attorney said. I don't believe that we have
04 the ability to or should be tinkering with the
05 bylaws at this stage. I think that I feel
06 comfortable as the maker of this motion -- based on
07 the bylaws that they have stated to us, I feel
08 comfortable in having faith that this group is
09 committed to openness and will voluntarily come back
10 to us with the -- taking into consideration your
11 comments about ratification. But I wouldn't want to
12 put that as a condition on the motion tonight.

13 COMMISSIONER CHRISTOPHER: Okay.

14 COMMISSIONER STONE: I would be willing to
15 consider an amendment, but the motion, I would like
16 to go with what is before us.

17 MS. POINDEXTER: And just one point of
18 clarification is that the bylaws you're referring to
19 are amended bylaws.

20 COMMISSIONER STONE: That's correct.

21 STEVE MC DONALD: Yes.

22 KEN DRAPER: Yes.

23 COMMISSIONER MEMBRENO: Second.

24 COMMISSIONER CHRISTOPHER: We have a motion and
25 a second.

0157
01 Any discussion of the motion?

02 I would like to offer an amendment to the
03 motion to accept the applicant's agreement to delete
04 the ratification clause from the seven area
05 representatives within the bylaws.

06 COMMISSIONER HERRERA-DURAN: I thought we
07 couldn't do that.

08 MS. POINDEXTER: Well, point of clarification.
09 President Christopher is asking for an acceptance
10 because they've agreed to do that, which was
11 suggested, which was the deletion of the
12 ratification procedure. As the maker of the motion,
13 Commissioner Stone can either accept that amendment
14 or not.

15 COMMISSIONER STONE: Thank you, Ms. Poindexter.
16 And based on my original comments, I say I do have
17 faith that this group will be open and will not
18 cause the problems that were raised.

19 However, given that there seems to be
20 acceptance, I would agree to that amendment and
21 would urge us to move forward with certification of
22 this neighborhood council.

23 COMMISSIONER CHRISTOPHER: Okay. Any other
24 discussion?

25 COMMISSIONER HERRERA-DURAN: So you're asking

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01 them to come back in good faith making the changes
02 that we have suggested?

03 COMMISSIONER CHRISTOPHER: Yes. As we do
04 (inaudible).

05 COMMISSIONER MEMBRENO: Actually taking off the
06 ratification piece as well.

07 COMMISSIONER LONGORIA: Is that what you're
08 suggesting, Commissioner Stone, or to accept? It
09 was my understanding that you were accepting the
10 bylaws as submitted.

11 COMMISSIONER CHRISTOPHER: Then I made an
12 amendment to that motion, or offered an amendment
13 that I accepted to accept their acceptance of the
14 removal of the ratification clause.

15 COMMISSIONER LONGORIA: Okay.

16 COMMISSIONER STONE: That's correct. That's my
17 understanding of where we are right now. And
18 Mr. Christopher, your amendment only deals with
19 removal of the ratification, not with changing the
20 number of board members?

21 COMMISSIONER CHRISTOPHER: At this point, yes.
22 That's correct.

23 Okay. Any further discussion?

24 COMMISSIONER MEMBRENO: I just want to make
25 sure this group is clear as to what we're asking

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01 from them.

02 COMMISSIONER STONE: Is the group clear?

03 JAMES O' SULLIVAN: Yes, I am. I think the
04 board is not, so maybe --

05 COMMISSIONER CHRISTOPHER: The issue that we've
06 asked originally is that under your current bylaws
07 there is a procedure by which the results -- the
08 results of an election within a district is required
09 to be ratified by a vote of the neighborhood council
10 as a whole. And we've asked that that ratification
11 vote be eliminated and that the results of the local
12 district election will stand as an election to the
13 board of directors for those district seats.

14 And the representatives of the group at
15 the microphone have agreed on behalf of the group to
16 take that change back to the board and we will see
17 that in amended bylaws, hopefully, that will come
18 forward later.

19 UNIDENTIFIED SPEAKER: Can I ask a question,
20 Commissioner?

21 MS. POINDEXTER: One point for clarification.
22 City attorney. That amendment need not come back to
23 the board, only to the Department.

24 COMMISSIONER CHRISTOPHER: Correct, to the
25 Department. I'm sorry. Okay?

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01 JAMES O' SULLIVAN: We understand. Yes.

02 COMMISSIONER CHRISTOPHER: Then we will call
03 the motion if there's no further discussion.

04 Commissioner Membreno.

05 COMMISSIONER MEMBRENO: I'm sorry. I just want
06 to be clear that we're asking for the applicant to
07 remove the ratification by the entire group as part
08 of an amended piece to their bylaws on this motion.
09 Is that --

10 COMMISSIONER CHRISTOPHER: That's correct.

11 COMMISSIONER MEMBRENO: Okay. So that -- so
12 your first statements about -- I'm sorry, now I
13 don't know who made those statements. But in terms
14 of good faith coming back and making those changes

15 after they took it to the group, that's not a part
16 of this amendment portion of the motion?

17 MS. POINDEXTER: That's correct. That's not
18 necessary because they've agreed to amend the
19 bylaws. So you're accepting the agreement to amend
20 it, a procedure which we've done with other
21 scenarios, that the applicants will then submit
22 those amended bylaws to the Department and, once
23 they're approved by the Department, they would be
24 deemed filed.

25 JAMES O' SULLIVAN: I have a point of
0161 clarification. I believe there was a statement made
02 that our bylaws changed by a vote of our board, and
03 I believe our bylaws state that our bylaws change by
04 a vote of our stakeholders. I just wanted to make
05 sure that's in the record.

06 COMMISSIONER MEMBRENO: So if that's the case,
07 then they would need to take it back to their
08 stakeholders and then get a vote on that
09 ratification change on the bylaws. So we could not
10 possibly be voting on that amendment if they have to
11 take it back if they are -- the majority of their
12 stakeholders say no to that. Then what happens?

13 MS. POINDEXTER: I don't know what happens.
14 You certainly will have -- you will have certified
15 them with that; in that sense you are operating on a
16 sort of good faith as we've done with other -- other
17 boards.

18 COMMISSIONER MEMBRENO: Absolutely.

19 MS. POINDEXTER: We have accepted an agreement
20 to comply and amend their bylaws and the commission
21 expects the amendments to be filed.

22 COMMISSIONER CHRISTOPHER: Recourse would be
23 that we could undertake decertification activities
24 if we -- if we determined that the board -- or the
25 neighborhood council was not acting in good faith.

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01 COMMISSIONER MEMBRENO: Then I guess we have to
02 deal with the other 38 that we have on our plate.

03 COMMISSIONER CHRISTOPHER: Yes.

04 Okay. Any further discussion? Then the
05 motion.

06 Commissioner Membreno.

07 COMMISSIONER MEMBRENO: Yes.

08 COMMISSIONER CHRISTOPHER: Commissioner Stone.

09 COMMISSIONER STONE: Yes.

10 COMMISSIONER CHRISTOPHER: Commissioner

11 Herrera-Duran.

12 COMMISSIONER HERRERA-DURAN: Yes.

13 COMMISSIONER CHRISTOPHER: Commissioner

14 Longoria.

15 COMMISSIONER LONGORIA: Yes.

16 COMMISSIONER CHRISTOPHER: And I, yes. And we
17 now have number 36, I believe.

18 COMMISSIONER STONE: Thank you.

19 MS. POINDEXTER: City attorney, one more time.

20 You need to take action on West Wilshire.

21 COMMISSIONER CHRISTOPHER: We need a motion on
22 the West Wilshire application.

23 COMMISSIONER STONE: Mr. President, I make a
24 motion that we adopt the findings from the
25 Department contained in the various reports and move

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01 to disapprove the West Wilshire community council
02 application.
03 COMMISSIONER MEMBRENO: Second.
04 COMMISSIONER CHRISTOPHER: Motion and second.
05 Any discussion?
06 Okay. Call the motion. Commissioner
07 Membreno.
08 COMMISSIONER MEMBRENO: Yes.
09 COMMISSIONER CHRISTOPHER: Commissioner Stone.
10 COMMISSIONER STONE: Yes.
11 COMMISSIONER CHRISTOPHER: Commissioner
12 Herrera-Duran.
13 COMMISSIONER HERRERA-DURAN: Yes.
14 COMMISSIONER CHRISTOPHER: Commissioner
15 Longoria.
16 COMMISSIONER LONGORIA: Yes.
17 COMMISSIONER CHRISTOPHER: And I, yes.
18 We'll take a two-minute break while we
19 allow the audience in the back some time, then we'll
20 come back to finish up on the record.
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