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

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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Page 1
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.

APPEARANCES:
BILL CHRISTOPHER - PRESIDENT
PAT HERRERA-DURAN - VICE-PRESIDENT
MARY LOUISE LONGORIA - COMMISSIONER
RONALD STONE - COMMISSIONER
TAMMY MEMBRENO - COMMISSIONER
ROMEROL MALVEAUX - DIRECTOR OF FIELD DIVISION
GWEN POINDEXTER - ASSISTANT CITY ATTORNEY
SHANNON HOPPES - COMMISSION EXECUTIVE ASSISTANT
Los Angeles, California, Tuesday, June 25, 2002
6:50 p.m.

COMMISSIONER CHRISTOPHER: Welcome, everybody, to the Board of Neighborhood Commissioners' traveling road show this evening, a meeting at University Senior High School in West Los Angeles.

We have present this evening Commissioner Tammy Membreno, Commissioner Ron Stone, Commissioner Pat Herrera-Duran, and myself, Commissioner Bill Christopher.

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

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

You have before you an opinion dated June 14 that deals with the question of whether or not neighborhood councils in their own bylaws can basically redefine terms that are set out in the City Charter, particularly in the case of what is a stakeholder.

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

As you note, the City Charter pretty much defines a stakeholder as one who lives, works, or owns property, and the question then is, well, can
each individual neighborhood council refine or define for themselves these terms differently than is in the Charter itself?

And we basically looked at the plan, looked at the ordinance, looked at the City Charter and the city council files that looked at the unified Charter provisions as well as the plan, and we've concluded that basically, as we note on page 2 and 3, that's a legislative function. It's a function either for the city council to reevaluate and reinterpret or clarify those terms by legislation either by amending the plan and/or ordinance, or that the commission or the Department jointly can come up with some policy guidelines or rules and regulations, as long as those policies and regulations are consistent with the spirit and intent of the Charter in terms of inclusivity as well as the plan and ordinance.

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

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

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

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

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

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

COMMISSIONER CHRISTOPHER: Any other comments from the commission?

Commissioner Membreno.

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

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

MS. POINDEXTER: It's pretty much up to the commission as to the level of specificity. I think those are parameters that you might want to take up for discussion. Once we have that discussion, of course, the city attorney will have to assist in determining whether those policies really are
consistent with the City Charter, with the goals and intent.

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

COMMISSIONER CHRISTOPHER: I think over time -- from the point of view of the commission and from the Department in general, the object is to maintain as much inclusivity as possible and everyone to participate in the neighborhood council process. However, I could see over time each of those terms maybe being defined a little more clearly so that there -- the ambiguities are inherent in each of those terms and worked out, and maybe not necessarily all the first time, but I'm sure the issues will be revisited in the future as other situations and circumstances are brought to our attention.

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

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

COMMISSIONER CHRISTOPHER: Okay. We have two people who would like to be heard on the question tonight. Becky Bendikson and Jim McQuiston.

BECKY BENDIKSON: Are you ready?

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

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

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

The impression that I received from your action, you consider anyone who identifies themselves as a voting stakeholder without regards to the amount of time spent working in the district.
to be such: For example, a salesperson who sits in traffic or pulls over to the side of the street to converse on a cell phone for a few minutes one day about a matter of business; a realtor who shows houses for sale in the district without any accounting of the number of hours doing so; persons who play golf with customers while conducting business once a year, once a month, whatever; housesitters; pet sitters; grocery cart retrieval services; city inspectors who are doing construction projects; roll-out construction vehicle delivery drivers, would all appear to be voting stakeholders, though their association is a minimum amount of time in the neighborhood council district.

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

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

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

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

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

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

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

Thank you.

COMMISSIONER CHRISTOPHER: Thank you.

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

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

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

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

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

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

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

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

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

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

The two groups talked about places that they felt they could compromise and areas that they thought they could not. A second meeting was proposed for a later time. Staff attempted to set that meeting up. There was some false starts. It was initially set up for the 29th of May. At the very last minute, the facilitator for that meeting had a time conflict. It was necessary to readjust the scheduling of that and, as a result, the West Wilshire group attended the meeting and Mid City West did not through, really, no fault of their own.

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

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

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

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

Mid City West presented some compromises to their bylaws with the goal of addressing some of the concerns that the commission and they felt West Wilshire had raised. Key among those was to reduce the size of the board from 50 to 45 and include within the board structure seven district seats, that these district seats would cover the entire area. In each one of the districts, the existing neighborhood associations would come together and nominate a
representative from the associations and send that candidate to a general election. And they would add seven seats specifically representing the residential neighborhood associations to the board.

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

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

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

In looking at their outreach, the commission had expressed some concern after viewing the distribution of signatures. One of the things the Department plots is simply the 200 to 500 -- however many we receive -- petition signatures.

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

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

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

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

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

And what is proposed by the West Wilshire
plan would essentially have the West Wilshire boundaries be, on the south, Sixth Street to Fairfax Avenue and Third Street to La Brea and, on the east, La Brea and, on the west, the Beverly Hills city line and, on the north, the West Hollywood city line.

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

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

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

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

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

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

ROMEROL MALVEAUX: It can be.

COMMISSIONER CHRISTOPHER: Okay. Is there anything you would add on the other side?

ROMEROL MALVEAUX: Anything to add from -- no.

COMMISSIONER CHRISTOPHER: Okay. Then what I'd like to do is ask both the applicants to come forward and we'll do a 10-minute presentation from their perspective on what has changed since the last staff.

COMMISSIONER HERRERA-DURAN: Question for Romerol.

COMMISSIONER CHRISTOPHER: Romerol.

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

I have a question. It's a technical question. Can we consider an application or do we have to consider a change of these boundaries?
splitting, as two separate applications, completely
separate applications, since the boundaries are
totally changed?
MS. POINDEXTER: Gwen Poindexter, city
attorney.
No, because under the plan and the
ordinance, if you have an overlap, the commission
gets to make the final determination as to the
boundaries. And that could be an option that the
commission could, on its own, consider changing the
boundaries either as the applicants present them or
some other way that the commission thinks they could
be divided based on some evidence and findings.
That's one of many options that you've considered
and discussed at the previous meetings.
But to answer your question, they would
not need to be treated for tonight's meeting as two
separate applications.
COMMISSIONER HERRERA-DURAN: Okay. Thank you.
COMMISSIONER CHRISTOPHER: Commissioner
Membreno.
COMMISSIONER Membreno: Yes, Romerol, on the
breakdown in terms of the population -- well, first
of all, the first question that I have is the
discussion on the split of the area did not happen
with the two neighborhood council applicants present
at the meeting, correct? Is that what I understood
from your report?
ROMEROL MALVEAUX: This is correct. The
initial presentation of a split occurred on the
meeting of May 29th. Subsequent to that there was a
follow-up meeting -- and this was after our interim
report to the board.
Subsequent to that there was a follow-up
meeting. At that meeting there was discussion about
the split. There was discussion about the changes
to the bylaws that Mid City West was proposing to
accommodate what it thought were the major issues.
COMMISSIONER Membreno: But they did not go
along with the idea of splitting the area?
ROMEROL MALVEAUX: Mid City West did not
support a split.
COMMISSIONER Membreno: Okay. The other
question that I have is on the West Wilshire
proposal to split the area, there's two districts,
obviously: Area one's southern portion and the
other one a little more north, one broken down in
terms of total population of 21,000. Would that be
the Mid City?
ROMEROL MALVEAUX: Correct. Mid City West, if
we follow the proposal of West Wilshire, the
population in Mid City West would be 21,878.
Included in there would be the Park La Brea
apartments. There is a park in the little southern
part.
We did look at things such as high schools
and elementary schools. Both areas would end up
with elementary schools. Fairfax High would be in
the West Wilshire area as would the Farmer's Market
and the Grove.
COMMISSIONER Membreno: In the discussion
between the two groups on the June 17th meeting was there any resolution in terms of West Wilshire accepting some of the changes that Mid City was proposing in terms of their bylaws or anything?

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

COMMISSIONER MEMBRENO: Thank you.

COMMISSIONER CHRISTOPHER: Okay. Commissioner Stone.

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

Did staff take a look at the --

ROMEROL MALVEAUX: Correct.

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

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

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

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

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

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

COMMISSIONER STONE: Okay. Thank you.

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

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

COMMISSIONER LONGORIA: Thank you.

COMMISSIONER CHRISTOPHER: Okay.

ROMEROL MALVEAUX: The other -- the other thing that is really important is Mid City West felt
exceedingly strongly that the community is a whole and would be damaged by splitting it. So in many ways our discussions came to an impasse.

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

ROMEROL MALVEAUX: I believe that West Wilshire attempted to figure a way that they could maintain their concept of a neighborhood council without creating a lot of strife in the neighborhood by putting the matter to a vote. I believe that Mid City West really attempted to address the concerns of the commission in coming back with a unified application. The issue on -- a lot of discussion about the role of the seasoned historical associations and the fact that they didn't appear to have a place at the table, Mid City West came back with a very strong proposal to put them at the table in a manner that covered the entire district.

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

I think that the commission expressed some concerns about how do you bring these two groups together if you're going to have a unified application, and in their bylaws they actually made accommodations to have a committee represented by both groups to come up with election procedures that would be fair to both, and they also wrote into their bylaws that the election be overseen by a third party, once again, I think to leave the appearance that the result was fair and open.

COMMISSIONER CHRISTOPHER: Okay. Any other questions for staff?

Okay. Thank you, Romerol. If we can hear from the Mid City West neighborhood council. And let's try to keep it to a 10-minute presentation, then it will be followed by the West Wilshire neighborhood council.

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

STEVE MC DONALD: Thank you. Good evening, commissioners, council staff, DONE staff, assistant city attorney, and members of the public. My name is Steve McDonald, with the Mid City West community council.

At the April 23rd hearing we heard several discussions and concerns expressed by the commission staff. They were: A need for more participation of established organizations with
institutional memory, a need for more balanced renter representation, a need to look at the size of our board, a need for more outreach in the northwestern quadrants of our area, and a need to try again for a unified application.

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

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

We have held over 25 public meetings prior to our election. We have had nine public board meetings since our election, all of them with a forum. We have created and distributed thousands of fliers and newsletters and we have created and maintained an active website. And most importantly, we have altered and amended our bylaws to guarantee for seven residential association members on our board.

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

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

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

With regards to outreach in the northwestern area, the initial petition that Romerol mentioned created by DONE did not include many signatures gathered via return mail coupons. I refer you to Tab 3. We have an updated map with three colors that present both the original signatures that DONE had plus signatures that were missed and additional signatures that we've gathered in the area in question since then. We have the original signatures and support in the northwestern area and have gathered many more since.

With regards to a unified application, we have taken the mediation process very seriously and have made major concessions and amendments to our bylaws. I refer you to Tab 4. While the Mid City West community council has been attempting to bring the communities together, what the West Wilshire community council has proposed is to split the community.
We mentioned our bylaws and, again, Tab 2 goes over all the areas that we have changed since we entered mediation. We are creating seven residential association zones which will ensure participation of the long-standing homeowners and residential associations with the institutional memory of the area. That is due directly because of comments and suggestions from you, the board.

We have increased our renter representation because the board had mentioned a very important point of the importance of Park La Brea in the area. Not only do we have management, we also have the residential association on board.

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

KEN DRAPER: Good evening, Commissioners. Good to see you again. I'm Ken Draper and I'm on the provisional board of the Mid City West community council. You're being asked tonight to consider splitting the Mid City West community at its heart. This is one community. For the sake of the community -- not for the sake of the groups that are competing here, but for the sake of the community, it cannot and it must not be torn in half.

On April 23rd, after considerable intensive research and outreach, both applicants came to you with one set of boundaries defining this community, and nothing has changed since April 23rd that would indicate some wisdom in splitting our community in half, especially at the heart.

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

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

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

This is the post office that serves those 90036 and 48 zip codes that we've been talking about.
about. Not a post office; that's the post office.  
This is the library. Not a library; that's the  
library that serves this community. This is the  
fire station on the other side of that line. It's  
not a fire station; it's the fire station that  
services this entire community.  
This is Pan Pacific Park and this is  
Hancock Park here, the two major recreational park  
and recreational areas in our community. This line  
that you see running across here is the northern  
border of the Wilshire Division police department.  
They run that border down to Beverly. On the other  
side, it's handled by Hollywood Division.  
As for schools, this is Hancock Park right  
here and Hancock Park Elementary, and this is  
Fairfax High. And again, this is the heart of our  
community.  
These are the schools that the students  
and parents and this area are dealing with. Trust  
me, they go across Third Street to get to Hancock.  
They come from this side to this side to get to  
Hancock. I know people who walk from where I live  
down in this neighborhood to Fairfax High School.  
And so this is a single community.  
This is the -- this line right here that  
you see running around Park La Brea and down  
Wilshire and then up to the Fairfax district is the  
local Dash line. Even they determined that this is  
the way this neighborhood works. Dash is delivering  
these folks to shop at the market, Grove, and the  
district down here.  
We have two major hospital facilities.  
Major hospital facilities, this area with Midway  
right here, Midway Hospital, Cedars-Sinai Hospital.  
This is the L.A. Free Clinic and this is West Side  
Hospital, all serving this community. These two  
schools are parochial schools, Daniel Murphy and  
Cathedral High.  
So this is a single community interacting  
and interdependent on one another, that share the  
same concerns, the same needs, and the same dreams.  
Michelle, if I could have the next map.  
This area is a major cultural and arts  
community. And what you see -- and this horseshoe,  
is that -- is the cultural and arts corridors that  
surround this center of this community. This is the  
museum row, the Blackman and Blackman West,  
(inaudible) Carpets and Peterson and the Whole Cross  
Museum and the Korean cultural center.  
It's also full of galleries, galleries on  
Wilshire and Miracle Mile galleries that run down  
this La Brea corridor and galleries that run along  
Beverly, like Foreign Gallery, Ace gallery, Jack  
Rutford.  
Also, antique galleries run along this.  
It's hard to see from here, but we're talking about  
they're, this is the Greenway Court Theater, the  
historical Simon movie theater, a 21-square foot  
thater is right here, the renovated El Ray is  
here. This is an arts and cultural center for this  
community. And it is all one community.  
Next map.
This is the shopping and these are the shopping and commercial corridors for this community. And trust me, this is the Miracle Mile corridor. This is the La Brea shopping corridor. Again, this is Beverly. Melrose has two shopping corridors along here. This is the Fairfax district. This is the Grove and the Farmer's Market and the Third Street business association. This is the Beverly Center and Beverly connection, and to believe that the people who live in this community do not cross those lines to shop and do business, again, is to misunderstand this -- the nature of this community.

Next map.

This is the second largest concentration of media and entertainment businesses in the city. The -- on this Miracle Mile strip you have "E" Entertainment and gobs of others, including AFTRA and SAG and actors (inaudible). You have Celebrity Films, you have L.A. Business Journal, you have Variety, you have CBS, Television City here, KCOP here, Park La Brea News located here. You have production studios. In fact, there are nearly 100 production and graphic studios or businesses that relate to either media or entertainment that fill up this entire community, all interrelated, all with employees, many of whom live in this community and certainly cross over that boundary and have interests that move back and forth across that boundary.

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

This is the line. This is the split being proposed, as you can see. We interconnect and interact with this community way beyond that line.

Next map.

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

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

Trust me, these are established
organizations, not nearly not all of them the same period of time, some people at it longer than others, but these are established organizations. This is the Miracle Mile residential association. This is Cathay Circle. This is Redondo. This is Redondo homeowners association. This is the Miracle Mile Action Committee. This is Park La Brea residential association. This is the Rancho La Brea homeowners association, Beverly Wilshire homeowners association, Burton Way, Mac, Melrose neighborhood association. They not only -- these boundaries not only overlap, but in some cases they overlap neighborhood councils. The Melrose neighborhood association actually goes beyond La Brea into another neighborhood council, as does the Redondo homeowners association. So to try to decide the boundaries of this community based on the boundaries of homeowners associations doesn't seem like a practical solution. Next map. Once again, this is the area overlay. Next map. And this is the area with the division that's being proposed. I'm suggesting that it guts the heart of this community. Ken, we're running a little over the -- I have one minute. This is one community interconnected, interactive, interdependent, with shared concerns, shared needs, and shared dreams. The Mid City West offers a council of bylaws that reflect and protect this community and its future. Mid City West is diverse, open to all stakeholders, and encourages participation. This is not about which applicant wins or about one or two folks with remaining differences of opinions nor is it about making this decision easy for the commission by simply slicing up the community and adding a piece to the applicants. This is about the community and the stakeholders. And this is one community with shared concerns, needs, and dreams. For the sake of the community, it cannot be divided. Thank you. Okay. Then can we hear from the West Wilshire community council. Good evening. My name is Barbara Martinoff and I'm voted as a member at large for the West Wilshire community council. Good evening, Commissioners, and Mr. President, staff, and the audience. I'd very briefly just summarize what I believe in and why we proposed the compromise and then I'll have Mark Ganshirt actually come up and talk about the boundary split, how we approached it in a thoughtful way, then Joan Curtin will summarize real briefly the bylaws and how we amended our council representation, and then Ms. Plotkin will
summarize for it. And we'll keep it within the
prescribed time.

Okay. First of all, the West Wilshire
council embraces the idea of neighborhood councils
as laid out by the new Charter. And it is really a
means for ordinary citizens to participate in the
city government. Members have attended numerous
meetings of the Charter formation as well as all of
the council meetings to get that firsthand
experience and knowledge and also contribute to that
process. The organizing committee started in 1999
to start on planning this, getting people involved
and getting the input. We also have given careful
consideration on how best to form a council and
proposed the amended bylaws that allows every
stakeholder in the community to participate and yet
can still be a functional representative governing
body.

To this end, we are mindful of being
inclusive in representative areas that are
contiguous and respectful of the integrity of
existing communities and organizations. All of our
efforts have been well publicized. When we proposed
amended bylaws changes on June 10th at a meeting, we
had over 40 representatives and asked them to -- you
know, to understand that the (inaudible) changed.
The organization structure and bylaws were
modeled after an existing Brentwood neighborhood
council, so it wasn't something that was picked out
of the air. So we felt it was a successful model
and we mirrored a lot of our efforts and bylaws
after them.

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

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

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

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

We looked to -- when we formed our
council, you know, and when we amended the bylaws we looked to established businesses, residential organizations, civic, and other community organizations already working within the council boundaries to complete the board makeup. Members at large seats on the board were made available to people within our boundaries that have not previously engaged in the community work. Myself and two other members were elected in that process who did not belong to any existing organization and were able to compete and successfully were elected at that process. We have other core issues that we could not come to grips with, but because the key efforts--because representation and accountability are such core issues, as governing structure, board size, election nomination process, still remain unresolved, in fact, that's when we proposed splitting the areas based on our respective representation, also our long-term work in each of the respective communities and we are the majority of board members.

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

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

COMMSSIONER CHRISTOPHER: We need you on the microphone.

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

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

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

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

The center part of the area is the Beverly Wilshire homes bounded from Sixth Street up Fairfax and over Third to La Brea and along Rosewood to the north and La Cienega to the south. This organization was established in 1956 and has been an organization open to anyone in the neighborhood that wishes to become involved in social and civic issues.

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

To the west of Fairfax from West Hollywood...
down to Rosewood is the Melrose Action Committee, and that was formed in 1987. And over here, this area west of La Cienega, is the Burton Way association. And that was established in the early eighties.

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

We're proposing these zones hold the elections of people to the board. That way we are assured that everyone that sits on the board reports back to and represents the point of view of the people within these zones. We do not want a board that is predominantly made up of self-selected members of at large type of board, which we feel the other group is. I think that basically covers what the split is. Again, this is a long, long established boundary of existing neighborhood groups. And I believe -- I don't understand; the other group presented other associations that I have no knowledge of, and I've been active in the community since the early eighties. So I dispute some of the other associations in the area.

COMMISSIONER CHRISTOPHER: Okay.
MARK GANSHIRT: Any other questions about --
COMMISSIONER CHRISTOPHER: No.
JOAN CURTIN: My name is Joan Curtin, and I've been acting as secretary and doing the secretarial work for the West Wilshire neighborhood council. And I would like to go over the basic differences between the bylaws as we originally submitted them and as we amended them in conjunction with our submission of our new proposed boundaries.

Clearly, in DONE's report to the board they summarized the differences as they perceived them I would ask the board to consider the differences as we've outlined them here. The boundaries change in one respect only, and that is the southern boundary. That was what Mark just explained.

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

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

The election, selection of board members, our position on election and selection basically remain the same. We believe that our geographic
zones and our special interest groups are the best people to nominate representatives to serve on the board and we ask them to conduct their own elections for selections. However, it's important to point out to you and reiterate that any elections or selections that are done at the, if you will, lower levels, are ratified by the group at large; that is, at an open meeting that would be attended by all stakeholders. And again, we have reiterated in our amended bylaws that stakeholders do not need to be a member of any existing organization in order to be elected to be a member or an alternate. The others -- we have standing committees and we could go over a little bit more noninteresting things, but I think the composition of the board is something I'd like to point out. We still have 27 voting members. That remains the same. But intrinsic in our plan of the revamped composition of the board as it is, we definitely took into consideration the board's concern that perhaps they perceived that we didn't have enough inclusiveness in terms of businesses. And I believe we certainly addressed that so that whereas there may be this teeter-totter between businesses and residents in terms of representation, I think we've evened the playing field, especially considering our neighborhood ratio population-wise of businesses versus residents.

And now Diana --

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

"We realize that certification of neighborhood councils is a new process and that the Department has limited time and manpower. We believe the Charter supports that all applicants should be treated equally. "We would like to go on record as noting that we believe our application was not given fair and equitable consideration."

And from the presentation tonight, I'm sure that you can see that that's true. "Our participation in the application process has been frustrating, trying, and demoralizing. We were not measured by the same criteria as were other applicants which were actually certified."

"We believe we were expected to fit into a pre-determined model for neighborhood councils that in fact is not appropriate for our community with whom we have had much more experience than does"

"We do not argue that either the
commission or DONE have a right to disagree with our position, but we do not believe DONE has a right to on one hand advise us that we have fulfilled all the requirements for certification and then deny us in favor of another group because we have not met additional arbitrary and arguable illegitimate requirements of which we were not informed.

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

"We were reminded more than once that we were considered exclusionary when in fact we have fully inclusive representation of the board. These beliefs by DONE executives had and have no basis in fact but seek to enhance a political agenda wholly inappropriate to supposedly unbiased civil servant staff.

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

"The division of the general Fairfax area along the lines suggested by us allows two wholly different philosophies to be applied to the representation of those areas in which they have the most support, namely a district system with very well-defined accountability in one, and an at large system with diffused accountability in another.

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

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

That's what we believe. We feel very strongly with regard to that, that every part of the neighborhood council is as important as one area over another. That's why we have a neighborhood
council that includes so many people. The division is 21,800, nearly 22,000 for the group that has the greatest power in the area where they are known to have the power and have represented that area.

We will have presenters go through some of the projects that we have worked on over the last 20 years where not one member of this Mid City West neighborhood council has participated in those projects.

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

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

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

Any questions for the applicants for Mid City West?

Commissioner Stone.

Commissioner Stone: Thank you. I had a question regarding the seven residential association zones that were added to your bylaws. Can you walk me through how those -- how those representatives will be elected and why that means was chosen by your board?

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

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

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

Ken Draper: Ken Draper, Mid City West.

Steve Mc Donald: Steve Mc Donald, Mid City West.

Ken Draper: We know that among the board representatives we have representatives from many of these residential associations. We've also outreached. As a matter of fact, we have talked to, been involved at every single residential association in this community, including the mediation where the folks from the competing group were present.

But nonetheless, we heard you and we think that we need to guarantee that organizations with institutional memory will have a place, so we created these zones. The way it works is this:
Anyone, any established residential association within a given zone is permitted to nominate during the nomination process a candidate to represent that zone. In the event there are more than one residential association in the zone, each of those established residential associations can provide a nominee.

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

Did I answer your question?

COMMISSIONER STONE: Yes. Thank you.

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

If there were competing homeowners associations for community associations in one of your zones and they each put forward a nominee in the election in the zone to determine a nominee, does that nominee then go on to another elected process?

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

COMMISSIONER CHRISTOPHER: So --

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

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

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

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

COMMISSIONER CHRISTOPHER: Okay. So that then they are a candidate for a particular position and they're being voted yes or no by the general stakeholder population --

KEN DRAPER: That's right.

COMMISSIONER CHRISTOPHER: -- in the area?

KEN DRAPER: Uh-huh.

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

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

COMMISSIONER CHRISTOPHER: Okay. All right.

Any other questions?

I guess you get off cheap tonight.

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

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

DIANA PLOTKIN: Yes.

MS. POINDEXTER: And again, identify yourself for the record.

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

COMMISSIONER HERRERA-DURAN: And at that time when you submitted the application, you felt that that part was also part of the total community; that's why you submitted the application with the expanded boundaries?

DIANA PLOTKIN: We submitted our application to include all of those groups that we had worked with over 25 years, no matter where they were located. So we drew our boundaries to include the groups that we had been working with over the past years on different issues.

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

DIANA PLOTKIN: Yes, we are doing that to keep our community of interest in our residential groups together. We have decided that in order to facilitate a neighborhood council that addresses the concerns of the Department of Neighborhood Empowerment that we would divide the community, keeping the power of -- anything south of Sixth Street would be represented by Mid City West, where they have the greatest representation that they have represented over the many, many years, you know, they have existed. For instance, we're talking about the Miracle Mile, the residential association, the chamber.

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

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

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

COMMISSIONER HERRERA-DURAN: I guess I --

JOAN CURTIN: Excuse me. May I also respond?

My name is Joan Curtin. I would just like to just add a little bit to what Diana said, that is that I think everybody keeps thinking of this like dividing up the community. It's kind of like the Civil War or something.

I really think, and I know it's the hope and the belief of the West Wilshire community...
council, that people see it as a positive thing. If we have community councils that are both working and both able to operate under the philosophies that are obviously so important to both of us, it doesn't mean that we can't cohabitate peacefully. It's not going to be like a problem.

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

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

COMMISSIONER HERRERA-DURAN: I think that's kind of the crux of my problem in understanding this. If you're so passionate, if everyone is so passionate about keeping everything together and you have worked with each other all this time, why now do you have to split?

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

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

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

We work very well with the West -- I mean the Wilshire community council, the one that's coming up in Mid Wilshire. We've worked with them for over 25 years and all of their groups, but we don't work on every issue with them. So I mean, it's just like the government works together. Republicans and Democrats get along on some issues, and certain issues they don't. The same would apply here on this neighborhood council.

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

DIANA PLOTKIN: Are you looking at the new
signatures that were just plotted? Because we
concentrated on that particular area to get
additional signatures to support our boundary
change. We had submitted over 200 or 250 signatures
prior to the 276 that we just turned in. They’ve
covered the complete area.

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

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

COMMISSIONER HERRERA-DURAN: The two of you map
(complete).

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

COMMISSIONER HERRERA-DURAN: Thank you.

COMMISSIONER CHRISTOPHER: Commissioner
Membreno.

COMMISSIONER Membreno: One of the questions
that Commissioner Herrera-Duran just asked was about
working together as a unified application. Part of
your answer was “we want to concentrate on the
groups that we have worked with and so, therefore,
the division happened where it happened.”

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

And it’s a division. Regardless of how
you look at it, it’s a division of two different
neighborhood councils.

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

COMMISSIONER Membreno: Well, I’m asking the
question in terms of if we were.

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

COMMISSIONER Membreno: Correct.

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

COMMISSIONER Membreno: Why would that happen?

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

COMMISSIONER Membreno: You wouldn’t encourage
them to be a part --

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

COMMISSIONER CHRISTOPHER: Commissioner Stone.

COMMISSIONER STONE: Several times in testimony
and in the correspondence that we’ve received, you
have mentioned the criticism of the other group as
not being accountable for their elected boards.
Not being accountable, could you please elaborate for me and some of the other commissioners on that, why they wouldn't be accountable in your mind?

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

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

(COMMENT) COMMISSIONER CHRISTOPHER: All right. I'm going to ask everybody to please --

JOAN CURTIN: May I finish, please?

COMMISSIONER CHRISTOPHER: Please.

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

And it's interesting to me -- and I'm speaking for myself as an individual now -- that Mid City West has finally decided that it's nice to go with that process where you nominate and then ratify. We are happy to share our ideas with you guys.

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

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

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

JOAN CURTIN: Right.

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

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

Is that --

COMMISSIONER STONE: Yeah, that's fine.
COMMISSIONER CHRISTOPHER: Commissioner Longoria.

COMMISSIONER LONGORIA: Yes. In looking at the boundaries that you both have presented, it makes sense to me to just -- to use the commonality in shared boundaries, you might say, of all the business districts that are there and all the historical sites. I see at this point no rationale for dividing that whole community as presented here. I see more strengths coming from unifying your intentions of having ownership of not only the homeowners sources and all that have been established there as well as the councils or the communities that have been long-standing in the -- in both applicants.

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

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

JOAN CURTIN: Commissioner, I think I share what you're saying and I would say on behalf of both groups -- and I mean this sincerely -- I think Mid City West and West Wilshire in all good faith came together on numerous occasions and both exhibited tremendous efforts and invested a tremendous amount of time and effort in trying to come together. I truly believe that. And I'm sorry to tell you that it's not going to work out.

COMMISSIONER LONGORIA: Wow. Okay.

COMMISSIONER CHRISTOPHER: Commissioner Membreno.

COMMISSIONER MEMBRENO: I have a question for Ms. Plotkin. You mentioned before as I was asking about the West Wilshire as an area, to certify the application -- or the boundaries, there were boundaries that you originally submitted. What changed since the time you submitted the application where you felt you could help the entire area, including the southern portion -- if I can call it southern -- or the portion that you guys are dividing? Why change? Why --

DIANA PLOTKIN: We decided to compromise.

COMMISSIONER MEMBRENO: Let me finish my question.

DIANA PLOTKIN: Sorry.

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

DIANA PLOTKIN: This was a compromise proposed

Page 30
so that both community councils could be certified in. This was a compromise proposal. That's what brought this on.

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

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

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

Did you guys go out there and say, you know, "We're planning to split the area because this is the best thing for you guys"? What kind of outreach was done to make that decision in general for the entire resident population, not just the board members of the Mid City West?

BARBARA MARTINOFF: Good evening. This is Barbara Martinoff.

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

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

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

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

BARBARA MARTINOFF: 275.

COMMISSIONER MEMBRENO: In the second go-round to ask about the support?

BARBARA MARTINOFF: Yes. Plus, we had also a community meeting June 10th, I believe it was. We had over 40 members present there and we again presented the proposed split, we gave them the proposed amended board structure, we had a
question-and-answer, we had -- DONE was there to answer any questions that they wanted. We also notified them of this meeting.

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

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

COMMISSIONER MEMBRENO: Yeah.

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

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

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

UNIDENTIFIED SPEAKER: Organizing committee.

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

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

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

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

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

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

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

COMMISSIONER MEMBRENO: Thank you.

COMMISSIONER CHRISTOPHER: Commissioner?

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

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

But I want to congratulate all of you...
people. I feel that you have done a lot of work for
the community and feel very good about that. But
from the philosophy that I come from we have to
reach out from that and we have to reach out to a
lot of other people.

COMMISioneer Christopher: We need to hear from
the public.

COMMISioneer Herrera-Duran: I will as soon as
I finish. Thank you.

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

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

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

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

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

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

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

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

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

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

COMMISioneer Christopher: Okay. Rosalie
Wayne, Russell Reeder, and James O'Sullivan.

ROSALIE WAYNE: My name is Rosalie Wayne. I
live on Orange Street. My family, my mother lives on Sixth Street. We've lived in the community since 1951. Around 12 years ago we formed a grassroots residents association on Orange Street and Sixth Street trying to deal with the problems of living in a central city neighborhood, and we have worked with the other groups and then not worked with the other groups. But about three weeks ago I heard that it was proposed that we are going to be removed from the neighborhood. And I believe that neighborhood councils were formed so that people can be empowered and live in their neighborhoods and feel some satisfaction in living in the city of Los Angeles. And it's about the people who live in the neighborhood, not any organizations, existing organizations. It's about the people. And so what I'm here to ask you is to please do not kick us -- divide our neighborhood down residential streets or neighborhoods and please keep us all together as a neighborhood. Thank you.

COMMISIONER CHRISTOPHER: Okay. Russell Reeder, James O'Sullivan, and Steve Kramer.

RUSSELL REEDER: Good evening. My name is Russell Reeder. I do not have 25 years' experience in the community. My wife and I bought a house on Fifth Street and La Jolla last year. And I think I represent the up-and-coming community and really what we're looking for, to do. As a new person in the area, I have a pretty open mind, but I do know that I want to make a difference. I want to make a difference in the community that I live in. I want to raise my family here. And I have had no luck going over and being a part of the West Wilshire. The Mid City community, Mid City West community council has overly welcomed people into the community and, from the community, into the council. And from what I see, from what I've seen as a outsider -- I haven't grown up with any of these people -- I see people on one side that have tried to look at the differences and accept them and I've seen the other side that has tried to say they're negotiating and compromising but, really, they're just trying to figure out how to get their main interest involved. My house is in their main interest and it makes me worry because I don't think that they represent the community. I'm a part of the community and I've never seen anything in the community and I'm afraid that if that goes with the -- with the West Wilshire, that I don't have a say. But on the Mid City, you know, West community council, it's an elected official and I know I'll have a voice.

So I just want to represent that I'm new in the area and I've seen that obviously it's a community. I mean, my wife and I walked over to the Beverly Center and we walked to Lackma. It's a community. I mean, that's a pretty easy case.
But the Mid City West community council has been very open. And I've sat in these board meetings and I've seen them try and try again to bring them together. So I just want to voice my concern and also my interest to represent the Mid City West.

Thank you.


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

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

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

Now, one of the things that was kind of passed over and I have to bring it up was that all the board members were not asked about this split. The board members from the Miracle Mile residential association that are on the West Wilshire community council were not told about this. Everyone found out the day after. We woke up and we found out there was a split.

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

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

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

Thank you very much.

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

STEVE KRAMER: (Inaudible) O'Sullivan, but I would ask you to read into the record that all of you pay attention to page 2 of 10 of the West Wilshire community council application where there
is a breakdown in population, white, Asian, Latino, African-American.

And rather than (inaudible) I second what Mr. O'Sullivan said, this split would create a -- everybody's getting the names mixed up -- but the West Wilshire group, that would go to -- from our collective group of 71 percent white to 83 percent white. That's just not realistic. I mean, I'll look around this room until I see your sign. This whole thing is silly. There are people in this room that were married at my house. There are people in this room three weeks ago that ran 50 miles; they got a check. This is the neighborhood.

Now those two things may sound like Steve Kramer nonsequiturs, but they're not. There's the fact that there's a neighborhood. There's a fight going on in this neighborhood and there's a lot of ego going on in this neighborhood, I'm sure for myself and certainly from a lot of others that you've heard from that are here tonight.

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

Thank you.

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

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

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

With respect to West Wilshire sharing their ideas at the mediation table about how to represent and advocate back to our council members, wasn't sharing ideas the concept of mediation in the first place so that we could theoretically try to blend our bylaws and come up with a unified application?

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

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

We voluntarily agreed to mediation and set out in good faith with the goal of submitting a unified application for certification. We met with our membership and took the commissioners' comments
to heart. We trimmed our board size and eliminated some interest categories. We heeded your call to increase renter representation. We added seven residential positions corresponding to established associations, taking into account the institutional memory of the area and West Wilshire's request for accountability to various constituencies. We amended our term structure to match West Wilshire's. All of these efforts were made with one goal: Bringing a community together. Our board voted unanimously to accept these changes for our application.

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

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

After a month of screaming for accountability, West Wilshire has proven that they are anything but accountable to anyone but their own special interest. The fractured council that they've proposed has been gerrymandered to disenfranchise renters, African-Americans, Asians, and the Orthodox Jewish community by cutting them off from their commercial and cultural centers, the very heart of their community.

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

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

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

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

JEREMY BATE: Hi. I'm speaking in support of West Wilshire. My name is Jeremy Bate and I represent the newly formed Fairfax area residents...
association. We're a neighborhood watch group in
the area bounded by Gardner Avenue on the east,
Fairfax Avenue on the west, Beverly Boulevard on the
south, and Melrose Avenue on the north. We are
comprised largely of renters, and some of us have
been living in the neighborhood for many years.

And we have seen the quality of life in
our neighborhood deteriorate at the same time that
we've seen rents skyrocket since the opening of the
Grove, the Farmer's Market, and the beginning of
several other construction projects in the general
neighborhood. The traffic and parking situation has
become intolerable and the crime rate has increased.
We've had greater numbers of mugging,
armed robberies, violent crimes, and increase of car
break-ins and thefts. While targets are often
employees and customers of the businesses in the
area, all too often -- all too frequently the
residents themselves are targeted.

But partly because of stonewalling efforts
on the part of the business community and a lack of
interest or attention on the part of the city
council, Department of Transportation, and other
city agencies, we remain the only neighborhood in
the region that is not included in the preferential
parking district, so our streets remain open to all
overflow from every employee, customer, valet, and
tourist in every business, new and old, in the
entire area.

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

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

It means that we are at the mercy of every
business owner, homeowner, waiter, busboy, postal
carrier, retail clerk, bank employee, mall employee,
security guard, day laborer, hotel resident, soccer
mom or anyone else fitting L.A.'s description of a
stakeholder in an area larger than West Hollywood,
which is its own city. Suffice it to say, our
neighborhood, which has hundreds of neighborhoods,
is underrepresented.

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

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

JEREMY BATE: Okay. I'll finish up.
We support the splitting up of the Mid City region area of 50,000 stakeholders into two smaller, manageable districts. We have serious problems in our area that are not even considered. Our city council representatives seem to be transient and uninvolved in our community.

I'm here tonight to dispel the perception and let you know that we intend to vote as a block and we will no longer be a doormat to the whims of distant residents, carpetbagging nonresidents who have been blocking our efforts to improve the quality of life in our own neighborhood.

Thank you very much for your attention.

COMMISSIONER CHRISTOPHER: Charles Cappleman and Allen Hershberg.

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

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

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

CBS is a part of Viacom and for the last two years upwards of 50 of our company's employees have spent a community day at Hancock Park -- Hancock Park Elementary School, gardening, painting murals, and participating in their reading program. CBS has hosted neighborhood and community activities in our studios and provided parking access to others. We have excellent relationships with the neighborhoods and with the departments in the city: Fire, police, Building and Safety --

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

CHARLES CAPPLEMAN: I thought I'm bringing you a new perspective. CBS feels very much a part of this community and I feel it would be a mistake to split the neighborhood. It currently is a unified home, an excellent place to live and work, and should be
perceived as such.

COMMSSIONER CHRISTOPHER: Thank you.

BARRY KARAS, Allen Hershberg.

BARRY KARAS: Hello. My name is Barry Karas.

I live on Drexel Avenue. I've been living in the neighborhood for two years now. When I first moved to the neighborhood, which is my dream of how I should be living, I was horrified by the speed of the traffic coming down Drexel. So I decided to be an activist and try to get speed bumps on the street.

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

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

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

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

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

BARRY KARAS: Excuse me. I'm talking.

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

I will conclude by saying I was not brought in. I'm not a board member of Md City West, but I've attended as many meetings as I can. I am so impressed by their professionalism. I do hope you see the right of this situation.

Thank you very much.

COMMSSIONER CHRISTOPHER: Okay. Allen Hershberg, John Gresham and Jerry Hecht.

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

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

To divide this neighborhood doesn't make
any sense to me. It would split up the Jewish
community, and that seems to me to be the opposite
of what the intent of a neighborhood council is
about.

Thank you.

COMMISSIONER CHRISTOPHER: Okay. John Wispay,
Jerry Hecht, and John Gresham
Okay. I'm probably not pronouncing the
name correctly. The person representing the Grove.

JOHN MURPHY: It's John Murphy.

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

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

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

COMMISSIONER HERRERA-DURAN: No.

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

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

They seem to have both fulfilled the
criteria. I've attended meetings for the Mid City
community group and worked with the West Wilshire
group as well. If they both fulfilled the
requirements, then it would seem like their voices
would be equal and they should be heard. And I
would think that would give a better community for
people to include themselves, not at the exclusion
of another group.

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

Thank you.

COMMISSIONER CHRISTOPHER: Okay. Thank you.

Jerry Hecht, John Gresham and Laurel
Crary.

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

And I strongly feel that -- excuse me --
if two groups cannot get together with a common
purpose and common philosophy, that what's wrong
with two groups can -- excuse me -- the two groups
can lead two different communities and, therefore,
they can accomplish their goals.
So I strongly feel that if we can work together on certain issues, that why don't we work for the common purpose of the two groups working for an individual purpose?

Thank you very much.

COMMISI ONER CHRISTOPHER: Thank you.

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

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

Next, I want to address this issue of accountability. Neighborhood councils are geographically based. And since the board is not allowing overlap, even though some of us want it, I strongly believe that local government should also be the most directly representative type of government and neighborhood councils should be the most directly representative of local governments.

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

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

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

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

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

Thank you.


LAUREL CRARY: Good evening. My name is Laurel Crary. I'm the general manager of the Beverly
Center, and I'm standing before you here tonight in a really very humble position.

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

And I'll tell you, coming out into this community and getting involved with the people on this board, I have seen a dedication and enthusiasm and energy that I never saw before. And it's opened up for Beverly Center and for us to be in touch with the community around us. It's like having a round-the-clock focus group. We know, we have a feel for what's happening in the community.

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

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

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

So I strongly support the Mid City West community council.


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

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

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

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

We live right across the way from Farmer's Market, the Grove. We've been intimate in that community for many years, and we don't like the idea
being thrown out of that area and not being part of that community. So I would urge the commission not to consider any division.

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

Thank you very much.


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

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

Secondly, on Sixth Street where I've lived for like most of my life, I come here tonight to find out that I went to Hancock Elementary School, which is now in a different neighborhood, that all those years I was walking home from one neighborhood to another.

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

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

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

Thank you.


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

I was born and raised in Mexico -- you may
not believe it -- but I am a Mexican citizen and
only in the spring did I become an American citizen.
And with that new naturalization to the United
States came with me an excitement to participate in
the electoral process and in my community in a way
in which I could never participate in my home
country of Mexico. And that's why it's people can't
really erase what Mid City West has accomplished and
what it brings.
On the split, I am in both of the areas
and in areas that will be represented by both
groups. Rather, there's one group that I do want to
represent me and, with all respect to Ms. Plotkin,
one group I do not want to represent me because it
reminds me very much of the form of government and
representation that I grew up within Mexico and
what I can now have in the United States.
In Mexico, it's closed, it's appointed,
its clubby, it's selective and reactionary. In the
United States it's open, with open elections where
your merits count. I see the same thing here.
In the design and in the outreach of the
West Wilshire group, I've never received a thing.
It is a group that I don't feel can represent me and
my interests well. And frankly, I'm very worried
they have a pattern where it seems like they will
change the rules if the game isn't going in their
favor. That's not a pattern that I would like for
my representation.
On the other hand, Mid City West, its
design is very open. Every one of the people on
West Wilshire's board could be members of Mid City
West board, but not vice versa.
The support and the turnout of Mid City
West, I think, is exemplary, and the outreach that
we've done is exemplary. I think that the comments
of people also indicate what we can achieve with
this group. This is a group that does represent the
community and brings it together.
Which of these groups is more
representative, I ask you? Which of these achieves
the city mandate better? I believe Mid City West
does that.
Thank you.
COMMISSIONER CHRISTOPHER: Okay, Hank Hilty,
Michele Rose, and Steve Solomon -- or Stan Silman.
HANK HILTY: Good evening. My name is Hank
Hilty. I'm the president of the A.F. Filmore
Company, owner and operator of the Farmer's Market,
which is now on the edge of one of the districts. I
would like to speak to my disappointment to the
plan, this proposal to split this district.
We are a stakeholder in the community and
a long-standing stakeholder in the community. And
our interests in this community are broader than
those just to the north of Third Street. We've had
representation and involvement in the many
organizations throughout the community, and I think
that this is a mistake to suggest dividing this
community along these lines or any lines.
And I would like you to think that the --
that these groups or any group, that surviving group
needs to survive long beyond the organizing members
or even the initial board members of the group and
that you need to look to the wholesomeness of their
bylaws and to the overall inclusiveness of the
community for the long-time standing benefit of this
community.

Thank you.

COMMISSIONER CHRISTOPHER: Okay, Michele Rose.

Michele Rose: Wow. This has been a test of my
patience. I've been jumping out of my skin back
there.

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

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

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

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

Barbara, I'm still waiting for my
invitation.

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

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

I don't know what's going on over there.

I didn't know there was a split, but I will tell you
this: It's almost -- especially when we had this
very religious man here; he doesn't realize -- he's
never seen the inside of the Bible where they killed
the baby, where, you know, who's the real mother
here?

So how much do you love this community?

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

Because part of the wonderful thing that I
like that I've been witnessing here is that us
residents have to get along with our businesses, and
we're glad that we have peacemakers here in the M d City Wilshire -- did I get that one right? -- M d City West. They are the peacemakers who have included everybody.

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

UNIDENTIFIED SPEAKER: That's not true.

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

Michele Rose: I'm just telling you that that's how I witnessed what I saw because I was a part of it.

COMMISSIONER CHRISTOPHER: Okay.

Michele Rose: And --

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

Michele Rose: I will conclude. And I will conclude with I would not want any kind of change. I haven't been contacted with the other group. And I would like Commissioner Christopher to refrain from any nasty comments to people who get up in front of this board because this is very important to us and it's very hard to do. And when you insulted the gentleman here by -- yes, you did. And I'm sorry you did because I felt very badly for him. You got off easy tonight. And that was uncalled for.

COMMISSIONER CHRISTOPHER: Okay.

Stan Silman: My name is Stan Silman, and I am totally against splitting my neighborhood. I am a stakeholder, I live on Detroit Street and Third, and I would resent and feel very unhappy if my neighborhood was split along Third Street. I'm at the very end; I live at Third and La Brea, and there are many problems on my street that have been totally overlooked by Ms. Plotkin and her group. I have some hope that if this new council, Mid Wilshire, is certified, that perhaps the residents on my street will get some help.

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

Thank you.

Deborah Epstein, Zigmund Vays.

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

Zigmund Vays: Let me -- my name is -- I'm sorry.

DEBORAH EPSTEIN: That's okay.

Good evening. My name is Debbie Epstein and I'm speaking on behalf of the West Wilshire community council. I don't know what else to say except that this council has done enormous things. I've been a member for 25 years. We've done a great deal in the neighborhood. It's been an uphill battle but we've had wonderful representation.
And I do feel that secession says smaller neighbors, smaller towns. The Valley wants to leave, Hollywood wants to leave. I don't see why we can't have smaller neighborhoods. They're talking about putting in -- I think the council was speaking about boroughs, they were maybe introducing boroughs, which is smaller, too, so I don't see where this is such a terrible situation about making a smaller group with a better representation.

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

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

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

Thank you.


ZIGMUND VAYS: Good evening. My name is Zigmund Vays. I like Diana Plotkin as a human being. I honestly do. And the reason is that I served with her on several committees, the (inaudible) and other committees. And I was really puzzled by some of the comments which I believe I heard from her, that she believes that other people who are sitting on this side of the aisle have not participated in the community as much as she did. I was not privileged to be born in the United States but I have done my share and people who are sitting on both sides of the aisles of this aisle, okay, I'm sure that they've done much more than that.

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

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

Thank you.

COMMISSIONER CHRISTOPHER: Okay. Dan Curtin, Joel Post, and Kathleen Winslow.

DAN CURTIN: My name is Dan Curtin. I represent a small homeowners association called the Hayward homeowners association near Third and
Fairfax. I am a member of the board, of the board of the West Wilshire community council. I wanted to dispel one thing that was said earlier about us being kind of characterized as a group that have been around for 20, 30 years, the majority of which have been involved in these community groups and there's no new blood in the situation.

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

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

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

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

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

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

Thank you.


JOEL POST: Good evening. My name is Joel Post, and I'm a member of the Beverly Wilshire homes. I support the separation of this large geographic area into two separate neighborhood
First of all, geographic boundaries have always been arbitrary and self-serving. Witness the gerrymandering that goes on every time there are new council districts that are formed. I don't buy the argument they're concerned about what goes on, you know, that might -- the person across the street might be in a different area.

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

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

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

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

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

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

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

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

I'm basically here to address one issue. I understand there was a statement made that there are 17 Jewish organizations or synagogues that are behind the West Wilshire council. When I heard that at the last meeting I asked for that document. And when I was shown the document, the document
basically states that we, the undersigned, half of whom are handwritten, not undersigned, but endorse a certain individual as representative to the West Wilshire council.

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

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

This is a stakeholder, a major stakeholder, of over a thousand families, 27 institutional buildings. Our community -- our huge community has had problems with homeowners associations in the past, and that's why we looked for a community council that was more broad-based that would make us a part of the action rather than just a sidelight and somebody to be overlooked.

We've had that experience. We don't want to have that experience again. A good part of our community is located north of Third Street. We will not be represented by that board.

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

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


ARTURO MARTINEZ: Good evening, ladies and gentlemen and lady members of the board. My name is Arturo Martinez. (inaudible) neighborhood association which forms the most northern part of what the West Wilshire neighborhood council would represent.

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

When the northern section of our area has been involved in any kind of event, we very, very ever had anything in common with the Cathay Circle or some other places way, way down south. Maybe occasions when there has been a citywide issue we have given moral support. But other than that, we go about our own business and try to take care of our stakeholders, which we do.
We work with (inaudible) corridor, with the businesses. We have worked with (inaudible) in the Fairfax area. And we indeed try to better our community and represent all of these so-called nebulous and murky definition for stakeholders.

Unfortunately, everybody has spoken and many persons (inaudible) can’t be made. That is sad. All you have here before you is the opportunity to test trial neighborhood councils (inaudible) to work.

Many people say empowerment of the people. We don’t know that neighborhood councils are only (inaudible) so far. Nobody is going to be empowered with anything. So there is no reason to fight for position, to fight for political things but, once again, to try to crawl before we walk.

And we can only do that if we had a manageable small area where we can test all of the confinements and all of the limitations as well as all the broadness of the concept of the neighborhood council.

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

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

So what is the big deal? Let’s please try to give us something that we can work with, and the smaller the size, the better the chance that happens, and perhaps it will succeed.

Thank you.

COMMISSIONER CHRISTOPHER: Okay. Thank you.

Harry Sasson, Mary Louise Monahan, and Robert Cherno.

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

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

We are -- the different groups that represent the West Wilshire community council have worked on the following projects: Park La Brea, Specific Plan, Pan Pacific Park, the redesigning of the Pan Pacific building, the Broadcast building, CBS expansion, the Gateway project, Melrose beautification, graffiti removal around Melrose area, the cutting down of commercialization around the museum, the Skyline building project, the Meridian Hotel, the Beverly Plaza Hotel, Lohmann’s building on La Cienega, the Mercedes dealership on...
La Cienega, Cedars-Sinai expansion, Mnnozorac Hotel, Barnaby's Restaurant, the Spanish Kitchen Restaurant, Beverly Connection, Crescent Heights signal, traffic planning during (inaudible), sewer project construction, the Farmer's Market, the Grove, traffic around the market and the Grove -- ongoing at this present time -- new San Vicente median strip.

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

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

COMMISSIONER CHRISTOPHER: Okay. Mary Louise Monahan and Robert Cherno.

MARY LOUISE MONAHAN: Yes. I'm Mary Louise Monahan. I'm president of the Melrose action committee. And our boundaries would be the northwest area that the Mid City group is speaking of and, to be honest with you, we have not received any notification of any of their meetings or policies or anything. And I'm speaking for a group of about 150, 200 people. We're up in the corner there and, frankly, they have forgotten about us.

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

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

Thank you.

COMMISSIONER CHRISTOPHER: Okay. And last ticket, Robert Cherno.

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

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

STEVE MC DONALD: Steve McDonald, Mid City West community council.

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

And the question I ask is, if the West Wilshire and Beverly Wilshire homeowners groups has been so good and so inclusive, then why do we have half a room of people here that have been working
very hard for the last year and a half? Because we
have not felt welcome.
We are stakeholders. I've lived in the
area for 10 years. I myself have tried very hard to
get involved in that group and I've been thwarted,
along with the majority of the people that have been
sitting here with my group. If the group was so
inclusive and open, we wouldn't be here.
We are here because we took the Charter
and mandate to heart. The Charter and the mandate
of the neighborhood council was to represent the
diversity of the stakeholders. That's what we've
done.

KEN DRAPER: Hi, Ken Draper, Mid City West.
There are dozens and dozens of established
institutions in this community with institutional
memory and history. And they are not all
residential associations. They also include all of
the stakeholders. There are businesses, there's the
Miracle Mile chamber. There is other organizations
with institutional memory.
And so to divide these community up using
boundaries of residential communities and not all
others is not to understand the community. It is
one single community.
I'm not too worried about the community
coming together in the end. After all, you folks
have set up the system here and after certification,
the election that follows is an open election. Our
bylaws make sure that everybody here has an
opportunity to run and participate in these
councils, including the people who are the opposing
applicant here tonight.
This is not about win-win. It's not about
power. It is not about the personalities here.
This is about this community. It's not about how --
homowners association boundaries. It's about what
boundaries are proper for this community. This is a
single community. We cannot divide it.
Thank you.

COMMISSIONER CHRISopher: Okay. And the West
Wilshire.
BARBARA MARTINOFF: Good evening. My name is
Barbara Martinoff. In summary, you have heard both
sides, very passionate, both trying to be very
representative. And I think a point was made
towards the end by one of the speakers that you in
effect are getting double bang for the dollar by
voting for two groups, in fact, 77-plus
representatives, plus alternates.
Both groups have people that have
outreached. Both groups have claimed that they've
outreached to certain people. In a size of 50,000,
I know I went around with one of the board members
to try to get the signatures and we did several
evenings, and let me tell you something, a lot of
people don't answer their doors, a lot of people
don't read their newspapers, a lot of people don't
read the Independent, Hollywood News, and throw it
back in the trash as soon as it comes in.
And that was true when they did the 1990 census and the 2000 census. People just don't read always. And so there's always a reason to claim they don't get contacted. I think people who are interested in the process will continue to be interested in the process, will read, will reach out, will attend meetings that are publicized, that fliers are there. Both sides have web pages. I think you have both people who have professionals, you have both groups have people who have been involved in their communities, from their perspective, for many years. Both groups brought in new people, both met the charter requirement, both met the requirement of the 20,000-plus, and both did an extensive outreach. So you have a very difficult decision in front of you. No one group is dividing any one group, because people will cross boundaries. You know these are just really fake boundaries. I mean, let's be real about this. This is just about people getting together and wanting to address the issues. That's really the bottom line here. So we -- you know, we request your consideration for the split. People who have come to the Grove, to the Farmer's Market, to the Beverly Center, they just don't come from this community. They come from outside of the city, you know, to the county. So it is a hub, but the people who are needed and impacted by all of these large businesses who create a vital economy to this area, bringing jobs and a lot of taxes to the city, and they represent a very vital role in this city. But also, there is impact on the residential areas, so let's be real, whether they be renters that you've heard from or homeowners. Even small businesses are impacted by people coming on Melrose. It's -- it's just an issue that's based all around the city. This area is being very populated now, getting more and more concentrated, is going to have more and more of those issues. So what better yet to have two groups to address and work together on those groups that they have common interests. That's what we stand for, and we wanted to have a win-win solution to try to both come to be able to represent people that -- you know, that both people have had experiences and have had new people like myself and many more members on the West Wilshire come forward to participate.

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

So thank you for your time.

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

COMMISSIONER CHRISTOPHER: Okay. Thank you.

That concludes the public portion of the testimony this evening. Now we move to the commissioner discussion. Any commissioner like to
start? Commissioner Stone?

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

COMMISSIONER CHRISTOPHER: Yes, I know.

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

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

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

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

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

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

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

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

In my mind this wouldn't be a win-win solution because I think we heard from several -- testimony from folks that would be in the West
Wilshire part that they didn't feel like this would be a win for them, that there has not -- the ones that were the up-and-coming members, the newer members of the community, had not been able to participate or didn't feel that they were getting adequate participation in the existing groups.

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

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

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

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

COMMISSIONER CHRISTOPHER: Okay. Commissioner Herrera-Duran.

COMMISSIONER HERRERA-DURAN: I agree with Commissioner Stone. I thank him for his comments. I think one of the things that concerned me is when we originally asked this to be held over it was so that the groups could find a compromise and could come together into some kind of united application. My concern is that in the application that was submitted originally, this whole area was considered a community, then all of a sudden it comes back with one part is the community but the other isn't a community. And that I don't understand. I just don't understand how somebody said, a baby can be cut in half and still remain a whole.

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

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

I wanted to comment also on the one person who said that she goes back to these elderly people who are homebound and tells them what is happening. That is one of the greatest challenges that we have
if we are to fulfill the spirit of the Charter and
the spirit of the neighborhood councils, is to reach
out to everybody and empower everybody as much as
possible.

And I would challenge whoever is certified
here that you do set a plan and talk about outreach,
as Commissioner Stone said, but you do set in place,
something in place so that you do reach out to those
who are not usually represented at the table.

That's what this is all about.

I want to compliment those of you who have
worked in this community as hard as you have. And I
know that it feels as though you might be losing
something but, believe me, in working with the
entire neighborhood and trying to get as much
representation from the whole community, we all
gain.

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

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

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

COMMISSIONER CHRISTOPHER: Okay. Commissioner
Longoria.

COMMISSIONER LONGORIA: Yes. I've listened
very intently to both groups. I've read through the
proposals and through the application, and am very
concerned about representation and accountability.
However, in listening to the groups that
did their presentations, I feel that representation
and accountability will take place as soon as both
groups come together and talk about what that really
means to each community.

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

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

COMMISSIONER CHRISTOPHER: Commissioner
Membreno.

COMMISSIONER MEMBRENO: I, like Commissioner
Longoria, went very carefully over the reports that
staff provided to us at this time along with the
previous reports and along with over 300 pages of
transcripts which, to me, was fascinating reading
over the weekend, especially because it had a lot of
insight as to why the Department was making the
recommendation that it would, and in looking at --
or that it did in the previous time and looking at
what the -- the new recommendation would be.
And it was very interesting to hear that
many folks who were here before had the same
concerns about the community just in terms of
unifying.

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

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

We come and go in the community. The
representatives are right in saying that there are
many folks that walk in this community to either
shop or visit or do business. But it's a community
that it as a whole has to -- has to be considered a
community, a neighborhood, not on the split of Third
Street.

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

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

This neighborhood or these neighborhoods,
as depending on your point of view, are probably
some of the most vibrant ones in the city, clearly
are the subject of enormous development activity and
growth and change over time. I think it's probably
a little bit of a bad rap to say the idea of
splitting this into two neighborhood councils is
somehow denigrating the neighborhood or -- or
changing it in some ways.

I've always been on record as advocating
smaller rather than larger neighborhood councils,
and when you look at 55,000 residents in this
neighborhood council plus probably at least 50,000
Page 59
workers who are employed in the area of the neighborhood council, you're getting into one of the larger neighborhood council groups around -- around the city.

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

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

Of the 100,000 people who are stakeholders in this area, maybe a thousand of them, maybe 1500 of them probably heard about neighborhood council organizing from one side or the other. That leaves about 95 or 99,000 people in the community who haven't yet heard about what it is we're up to. So it's those many people who are really the stakeholders in the community. And how we're going to reach out and find those people and get them involved in some extent or the other in neighborhood council issues is really the defining direction that this program is ultimately going to take.

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

As the process become more open and the process becomes more involved, the other 99,000 people will have their say, and what they have to say about the neighborhood council may be something entirely different than what any of the people in this room may think about. So ultimately what we have to do is look to find the right combination of bylaws and boundaries that make the most sense for the community.

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

I happen to live in the Melrose area on the northern end of the neighborhood and I've heard or seen some minor activity on behalf of West Wilshire community council, and I haven't seen any in my area of Mid City West. That's not to say there hasn't been; it just hasn't found me. And there have been other situations where a lot of areas of the neighborhood have not seen any activity by West Wilshire either.
It's just a fact of life in all of the neighborhood council organizing that we do across the city that there are far more people who do not hear about it than there are that do hear about it, and that process will only change over time as neighborhood councils become more and more a mirror and more and more a part of the city fabric. But it's going to take a lot of years before everybody and all the stakeholders actually find out about it and actually get a chance to participate. In terms of the actual geography of this neighborhood council, it's sometimes hard to think that the Melrose areas are somehow in the same neighborhood with the Cathay neighborhood. But that's also a fact of life in the other parts of the city if we define neighborhoods as people of 20,000 people or more.

Neighborhoods that you can actually feel and perceive are probably a scale of 5,000 people. But beyond that, when we get to 20,000, 30,000, 50,000, then we're stretching to find some or all of our neighbors in the same neighborhood. One of the reasons that I've advocated smaller neighborhood councils over time is because we're trying to fund neighborhood councils at the same level regardless of size so that if you're a smaller neighborhood council, you may benefit financially and be able to reach more of your stakeholders based on your funding by being a smaller and more concise neighborhood council. But that's not necessarily a magic formula that applies everywhere.

One of the concerns that I expressed a little more enthusiastically than I should have the first time around was a concern over the institutional memory. And Ken, you're right, there are more than just homeowner associations that hold the institutional memory of the community. But there are also those associations or those community associations that have been proactively defending their community's quality of life over time that do in fact deserve to participate in the neighborhood councils as they go forward. And I'm pleased to see some of the changes in the Mid City West bylaws that accommodate some of those things.

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

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

I would also, if I had my choice in how to
make the structure, to increase the number from seven to 10 and to decrease the at large number from seven to four so that in fact you can have a more concise and more locally focused view that's expressed at the level of the board of directors.

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

COMMISSIONER STONE: I made a motion?

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

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

Any other discussion?

COMMISSIONER MEMBRENO: Just in terms of the last comments that you have made in terms of the ratification clause and seeing that as ratifying the person or persons who will be from those areas as exclusionary, if the entire body does not -- does not ratify that and it's a veto kind of thing, what -- how would -- and then you also mentioned the changes of the at large member. What excludes this neighborhood council from having -- just increasing the numbers from those zones and even the at large numbers as they are --

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

COMMISSIONER MEMBRENO: Okay.

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

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

COMMISSIONER CHRISTOPHER: Yes.

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

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

STEVE Mc DONALD: Could you reform the question?

COMMISSIONER CHRISTOPHER: The question is, the concern is, on my part, that you have in your bylaws structured that the results of any local election within a district or a district representative are then subject to ratification by the membership at large. So that if I'm --
STEVE MC DONALD: I got it. With all due respect, Mr. President, number one, there's several issues here. Number one, we'd have to go back to our board with any change in the bylaws, and we're not prepared to do that at this point. Two, I believe the other group has a ratification process and, three, we feel that we put this in place -- well, we kind of feel we're damned if we do, damned if we don't. We put this in place to recognize the concerns that you brought forward to us about having the institutional memory, and the existing homeowners groups and residential associations doing such good work over the years, to have them involved. We found a way to get them involved. We're not prepared to change. We feel that we've moved forward, we've taken everything in consideration, we've done our mediation in good faith all the way along, and we are not prepared to change it.

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

KEN DRAPER: No. Wait a minute. The ratification aspect, I understand. We philosophically, we've worked so hard to make sure, as you can see, within our board structure that everybody has a voice in this community, that all of the stakeholders get to participate. But I understand what you're saying, if -- we also want to make sure that nobody is able to control, no individual, no groups have control over this board long into the future, long after we're not participating. And I understand what you're saying. The idea that the general meeting, they could turn around and say, "These seven representatives don't work; we want somebody else," and it's a control feature, and I'm not sure we're in sync here on that aspect of it.

The thing I'm not sure about is expanding it to 10. After all, we have homeowners and we have renters represented on here that we have at large. There are lots of other areas here for people and residential associations, established organizations to run legitimately and participate, and we don't want to get out of sync or out of proportion in the number of residents. But it's all stakeholders have equal votes in this process. And we don't want to get out of sync in the number of residents and renters versus the other stakeholders in the communities. So changing the size is a question, but in this group I'm thinking that the ratification you're talking about, I'm opposed to -- to anybody being able to control -- I want those people to be free to pick their representatives and come forward, and I hear you. And I'm speaking for myself when I say I hear you.

COMMISSIONER CHRISTOPHER: Why don't you
COMMISSIONER MEMBRENO: Can I ask a question for the city attorney?

COMMISSIONER CHRISTOPHER: Yes.

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

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

MS. POINDEXTER: Well, I'm sure there is something we can come up with, but you have to sit here and craft it. I mean, the question is, do you want an application process or do you want a process where the seven elected representatives by the association would be automatically on the board, recognizing of course that this is not something the commission can impose upon the applicants?

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

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

JAMES O'SULLIVAN: Okay. So -- but the second question is, how do we do this? We have always -- including when we came here tonight, we had a meeting of our board and put all these changes before our board and got approval or we would not have come here with these changes. You are kind of asking the three of us as officers to make the decision. I'm not sure we have a quorum

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

JAMES O'SULLIVAN: No.

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

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

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

So we're prepared to accept that, that
the ratification process not take place for the
seven geographic zones for residential
associations.

COMMISSIONER CHRISTOPHER: Okay.

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

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

COMMISSIONER STONE: Okay.

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

COMMISSIONER STONE: That's correct.

STEVE MC DONALD: Yes.

KEN DRAPER: Yes.

COMMISSIONER MEMBRENO: Second.

COMMISSIONER CHRISTOPHER: We have a motion and
a second.

Any discussion of the motion?

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

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

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

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

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

COMMISSIONER CHRISTOPHER: Okay. Any other
discussion?

COMMISSIONER HERRERA-DURAN: So you're asking
them to come back in good faith making the changes
that we have suggested?
COMMISSIONER CHRISTOPHER: Yes. As we do (inaudible).

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

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

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

COMMISSIONER LONGORIA: Okay.

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

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

Okay. Any further discussion?

COMMISSIONER MEMBRENO: I just want to make sure this group is clear as to what we're asking from them.

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

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

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

UNIDENTIFIED SPEAKER: Can I ask a question, Commissioner?

MS. POINDEXTER: One point for clarification.

City attorney. That amendment need not come back to the board, only to the Department.

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

JAMES O'SULLIVAN: We understand. Yes.

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

Commissioner Membreño.

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

COMMISSIONER CHRISTOPHER: That's correct.

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

Page 66
after they took it to the group, that's not a part of this amendment portion of the motion?

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

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

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

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

COMMISSIONER MEMBRENO: Absolutely.

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

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

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

COMMISSIONER CHRISTOPHER: Yes.

Okay. Any further discussion? Then the motion.

Commissioner Membreno.

COMMISSIONER MEMBRENO: Yes.

COMMISSIONER CHRISTOPHER: Commissioner Stone.

COMMISSIONER STONE: Yes.

COMMISSIONER CHRISTOPHER: Commissioner Herrera-Duran.

COMMISSIONER HERRERA-DURAN: Yes.

COMMISSIONER CHRISTOPHER: Commissioner Longoria.

COMMISSIONER LONGORIA: Yes.

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

COMMISSIONER STONE: Thank you.

MS. POINDEXTER: City attorney, one more time. You need to take action on West Wilshire.

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

COMMISSIONER STONE: Mr. President, I make a motion that we adopt the findings from the Department contained in the various reports and move
to disapprove the West Wilshire community council
application.

COMMISSIONER MEMBRENO: Second.

COMMISSIONER CHRISTOPHER: Motion and second.

Any discussion?

Okay. Call the motion. Commissioner

Membreno.

COMMISSIONER MEMBRENO: Yes.

COMMISSIONER CHRISTOPHER: Commissioner Stone.

COMMISSIONER STONE: Yes.

COMMISSIONER CHRISTOPHER: Commissioner

Herrera-Duran.

COMMISSIONER HERRERA-DURAN: Yes.

COMMISSIONER CHRISTOPHER: Commissioner

Longoria.

COMMISSIONER LONGORIA: Yes.

COMMISSIONER CHRISTOPHER: And I, yes.

We'll take a two-minute break while we
allow the audience in the back some time, then we'll
come back to finish up on the record.

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