

Contact Information

Neighborhood Council: Eagle Rock Neighborhood Council

Name: Michael Larsen

Phone Number: [323-376-5-037](tel:323-376-5-037)

Email: m.larsen@mac.com

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Type of NC Board Action: For Proposal

Impact Information

Date: 11/17/2012

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 12-1682

Agenda Date:

Item Number:

Brief Summary: On November 13, the Eagle Rock Neighborhood Council voted to support Councilmember Huizar's motion to instruct the Department of Neighborhood Empowerment, together with neighborhood councils and other City departments, to conduct a comprehensive review of the issue of "factual basis stakeholder" and make recommendations for possible City Charter changes based on that review.

Additional Information:

EAGLE ROCK NEIGHBORHOOD COUNCIL
Held at
Eagle Rock City Hall 2035 Colorado Blvd, Los Angeles, CA 90041
GENERAL BOARD MEETING
November 12, 2012

UNAPPROVED

1. CALL TO ORDER/ROLL CALL

Michael Larsen Pres. called the meeting to order at 7:13 p.m. with welcome and roll call.

Present: Michael Larsen, Pres; Michael Nogueira, Vice Pres; Robert Guevara, Secy; Osbaldo Luna, Interim Treasurer; Stephan Early, Immediate Past President; Peter Hilton, Maria Nazario, Jared Hardy, Brian Cawley, Carolee Watson, David Klinger, Caroline Roncalli, Oren Bitan and Irena Seta **Absent:** Duy Tran, Daniel Law, Alejandro Jimenez, David Kofahl. **City Representatives:** Nate Hayward, field Deputy and Paul Habib, Chief of Staff, CD 14. Gracie Liu, DONE General Mgr.

New Board sworn in and seated.

2. PUBLIC COMMENT

Tim Ryder, Cannibus UCC. I am excited to meet the new board, thanks to outgoing board for their service to the community. **Gracie Liu, DONE Gen Mgr:** Thanks to the outgoing board for your service. We need your voices in the community and appreciate everything that you do. Additionally, the Mayors Budget Day is this Saturday and all are invited.

3. TREASURER'S REPORT

Osbaldo: The report was handed out last meeting. Tonight I am turning over everything to the new treasurer, Ashley Atkinson.

4. APPROVAL OF OCTOBER MINUTES

Corrections: Attendance: Oren and Irena were present. Agenda Item #5, the Music Festival attendance was 100,000.

MOTION: by Mike N that the minutes be accepted as written with corrections.

SECOND: Stephan

VOTE: 11 in favor. 0 against. 2 Abstain - David Klinger, Osbaldo Luna

5. OUTGOING BOARD'S COMMENTS

Mike L: Thanks to the outgoing board it was a great honor to serve as president. I am looking forward to staying on in an advisory capacity as immediate past president. **Mike N:** I want to thank all who voted who came out and did support our community; it was the largest turnout in NE area. We had a great slate of officers and a good variety of people; I am looking forward to serving as president. **Irena:** Thanks for being supportive; I'm looking forward to serving ERNC board for a second term. **Brian:** Welcome and good luck to new board. **Carolee:** I look forward to seeing Eagle Rock as a community come together. I think we are moving in the right direction. **Stephan:** When I started I was education director and we had some exciting times. Then I was president and one of the things I learned was the importance of humor and civility. I wish the new board good luck. **Robert:** I started by being appointed to the board, and then elected and I learned a lot, and there is a lot more to be learned. One thing it will not be boring by any extent. **Peter:** You have to learn to build a consensus; it's not what you feel but what is right for the community. Look at the facts and do what's best for the community; not you or the board. I chaired the Land Use Committee, and we turned that board around, and you will need to consensus build and do what's right for the community. **Osbaldo:** I joined the board 4 years ago and in that time there have been a lot of highs and lows, but the end of the day it's a good experience. It is frustrating sometimes, but worth it. Good luck. **David:** I joined the board 2 years ago and enjoyed the experience. **Carolyn:** I just joined the board and it was a good experience. Good

luck. **Maria:** I encourage you to make yourself available to the President; he is called to a lot of events and can't go to them all so make yourself available to him. I worked on the Bylaws, and will share that information with whoever takes over that role. **Oren:** Good learning experience, new energy coming in and I look forward to that. **Mike L:** This board is what you make of it; I encourage you to bring your ideas, and run them by the more seasoned directors. I know we got stuck just reacting to what people bring us. I have heard from some of you during the election, about self-generating these things, so we have something to push out to the community. Thanks to outgoing board for all your time and dedication.

Paul Habib, Chief Deputy of Councilmember Huizar's office gave commendations to all outgoing board members.

SWEARING IN AND SEATING OF NEW BOARD

6. Roll Call and Swearing in by Paul Habib, Chief Deputy, CD 14

1. Andrea Anderson (absent)
2. Ashley Atkinson
3. Caroline Roncalli
4. David Greene
5. Eddie Ramirez
6. Ethan Weiss
7. Gregory Luke
8. Irena Seta
9. Jennifer Nutting
10. Jose Posada
11. Liam Roth
12. Matt Harrington
13. Michael Blanchard
14. Michael Nogueira
15. Michelle Frier
16. Montgomery Baker
17. Ms. Kerry Tribe
18. Oren Biten

NEW BOARD SEATED- MICHAEL NOGUEIRA, PRESIDENT, PRESIDING

7. OPEN SEATS NOMINATIONS

Mike N: (Explained some important items in packet new members sent). Nominations are now open for the following offices and community liaisons:

(a) VICE PRESIDENT

David Greene nominated by Michael L, and accepts.

VOTE: Unanimous – David Greene, VP

(b) SECRETARY OF EXECUTIVE BOARD

Michael Blanchard nominated by David, and accepts

VOTE: Unanimous – Michael Blanchard, Secy

(c) COMMUNICATIONS DIRECTOR

Baker Montgomery self nominates

Jennifer Nutting nominated by David Green and she accepts.

Jennifer: Can we share position? One appointed director on the Exec Board, and other will share duties.

[consensus]

VOTE: Unanimous – Baker is Co-Director, Exec. Board

VOTE: Unanimous – Jennifer is co-director

(d) LAND USE CO-CHAIRS

Oren was nominated by David and accepts

VOTE: Unanimous – Oren Bitan, Land Use Co-chair

Land Use Co-chair 2

Michelle Frier was nominated by Jennifer and accepts

VOTE: Unanimous – Michelle Frier, Land Use Co-chair #2

(e) PARLIAMENTARIAN

Liam Roth self nominates

VOTE: Unanimous – Liam Roth, Parliamentarian

(f) LEGAL LIAISON

Liam Roth was nominated by Michael L, and accepts

VOTE: Unanimous – Liam Roth, Parliamentarian

(g) SECOND SIGNATORY

Michael Larsen was nominated by Michelle and accepts

VOTE: Unanimous – Michael Larsen, Second Signatory

Osbaldo: To the new board, if there is discussion about any other organization that you are affiliated with (Chamber, TARA, etc) and you are an ERNC member, then you have to recuse yourself and leave the room and shut the door. **Michael L:** The City Attorney has not gotten back to us on our issue of last month –which was members of this board who are on other boards, can they vote?

(h) TAKE BACK THE BLVD LIAISON

Matt Harrington was nominated

VOTE Unanimous – Matt Harrington, Liaison

(i) 2 BUDGET LIAISONS FOR MAYOR’S BUDGET BOARD

Baker nominated and Eddie self nominates

VOTE: Unanimous – Baker Montgomery and Eddie Ramirez are liaisons

(j) OUTREACH COMMITTEE

Michael L: The last board wanted to put together an ad hoc committee to structure the funding process, with new procedures for people applying for our funds. As treasurer, Ashley is in charge of this.

8. ELECTION REPORT

Michael L: We got more turn out than previous years; about 800 people voted. It had controversy that made the news. For one thing people came from outside the neighborhood, by picking up some gum or bottle of water, showed their receipt then were eligible to vote. They did not vote on the slate, but from a flyer that circulated– so I understand from a dispensary in Rampart. The dispensary offered \$40 and some pot if you voted for their slate. I was volunteering at the election and I saw 30 or 40 people with those flyers and some were confused about what was going on and knew that this was what they were supposed to do; they were open about their confusion. The City and District Attorney are looking into it to see if they violated any laws, and the other problem was why they were able to do this – which was the “factual basis status” that relates to the Bylaws. **Maria:** Everyone was very orderly, even persons with flyers. We tried to help them as best we could. For the most part, most people were polite. There was one incident where police were called; I am not sure what the incident was. I was impressed by the checking and triple checking of voting for authentication to avoid any challenges. **Baker.** Do we know if any voters were turned away, and if so how many? **Maria:** I sent people away for validation, if they didn’t have proof based on our Bylaws. **Gracie Liu, DONE:** We don’t turn away anyone. They can do provisional voting and return with some proof a day or two later. **Mike L:** I heard poll workers advise people, the threshold is a receipt. **Peter:** It was an interesting day. I stayed there all day, even Nelson Grande stayed to the end. We stayed and watched the entire process up to the counting. **DONE** did a tremendous job. **JohnGoldfarb, stakeholder:** There’s a link on Patch.com to the Bylaws, and I didn’t see anything that a receipt was sufficient to vote. **Maria:** That got changed the

night before the election by DONE. **George Luke:** It was my understanding that NCs can do things as it sees fit. I don't think DONE should define how things should be done. **Tim Ryder, stakeholder:** This factual basis came about because legitimate people who work and purchase here could not vote. When the City Attorney says no, they can't vote, I want people to know the history of how this came about. I don't want people to come from far away and vote, I am an Eagle Rock resident too. I didn't have anything to do with the flyer even though my name is on it. Why don't we have a fresh start with the medical marijuana thing? I am not here to fight.

Nelson Grande, stakeholder: I unsuccessfully ran for president. I am speaking on a personal level. Going forward if rules are changed as far as voter definitions, I suggest it be done before the elections. This group was disenfranchised before the election. These people shopped in our area often. I agree this is Eagle Rock and should be voted on by Eagle Rock residents. If anything I say in the future create those rules to define who a real stakeholder is before the election cycle begins, or it creates all kind of chaos for everybody. For Mr. Luke, regarding the receipt I want to be sure everyone knows, the actual Eagle Rock site said receipt from any business allows you to vote. **Maria:** That came from DONE, and was put on our site. **Michael L:** The word disenfranchised is a strong word. Let me give you some history. Tim Ryder wrote an article, where he asserted that people who shop in Eagle Rock are stakeholders. The City Attorney was asked to weigh in, and he said someone who wants to base their stakeholder legitimacy on a pot store, is not eligible, because the MMD business is illegal. That does not disenfranchise the 300 who buy some gum or water, then they become enfranchised; none were turned away. No one disenfranchised them. **Nate Hayward, CD 14:** A motion put forth by Councilmember Huizar was to limit factual basis to no more than 2 spots. This was for all councils. It happened to be this election issue that showcased the issue of factual basis. Unfortunately it was too little too late for this election. DONE is working hard on this. Right now it is important to go forward. I say people should submit opinions on how factual basis stakeholders should be defined and submit it to the ERNC board. **Peter:** We have to thank Nelson, for mobilizing this community. He took an issue and brought it to the forefront.

9. ERNC BYLAWS

Michael L: We want to go into the Bylaws and take care of this issue. DONE asserted that 2 years ago people were warned about this issue, that it might be a problem. I don't remember it, or any communications from DONE about it. There is a push to limit the factual basis seats to 1 or 2 seats on the board and change the language so this does not happen again, so we are clear on who is a stakeholder.

I think we need an ad hoc committee to look at the Bylaws and recommend changes and DONE is doing a round of changes in January.

Ad Hoc Committee volunteers:

Kerry, Gregory, Jose, Liam, David and Michael L. Maria will share files and be available to help as will Alejandro.

Michael L: DONE meeting with Gracie on the Bylaws is scheduled for Nov. 26 downtown.

Gracie Liu, DONE: DONE did not overlay anything on you. In terms of the Bylaws, we updated them to what was the current law. Unfortunately it was just before the election and it was to provide clarity about the matter. The stakeholder definition was passed by City Council in 2009, DONE has nothing to do with that. The City Clerk did an overlay onto the Bylaws, and most never got changed. **Tim Ryder:** Did you rule on the MMD issue? **Gracie:** The City Attorney basically gives us the ruling that if they brought anything from MMD shops it would not count. This is in light of the ban, then no ban, legal or illegal on MMDs issue.

10. COUNCILMEMER HUIZAR'S MOTION ON FACTUAL BASIS

Nate Hayward, CD 14: The reason the motion was introduced is because of what Gracie shared. The idea is to start a discussion as to what it means to be a factual basis stakeholder. You don't want to disenfranchise people, but you don't want to have people overrun an election who have no stake in the community. It is important to submit your opinions to DONE; as ERNC has to execute this in the next election. The Motion was introduced on Oct. 23rd, I don't know when it will be heard. **Gracie:** I told you that some NCs want factual basis stakeholders, others don't care.

MOTION by Liam recommending that the ERNC board support Councilmember Jose Huizar's motion File 12-1682 on Factual Basis Stakeholders and add a Community Impact Statement for the file.

SECOND Gregory

Eddie: Not everyone has seen the motion; I don't know how we can vote on it. **Michael L:** This is a very important issue, and we don't meet for another month and it may be too late. The motion was attached to the November agenda.

VOTE: 14 in favor. 2 Opposed: Jennifer and Baker. 0 abstain.

11. BOARD RETREAT

Michael: I suggest we take a few hours, go to the Coffee Table, get snacks, and take questions about being on the board. We can't talk about specific items, but about how things work. [Consensus was a week day evening.] Then let's allocate money for refreshments.

MOTION by Michael L recommending that the ERNC board approve up to \$250 for board retreat food.

SECOND: Kerry

VOTE: Unanimous

Meeting adjourned 9:12 p.m.

Joyce Clarke, Apple One Personnel Temp