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If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at [NCsupport@lacity.org](mailto:NCsupport@lacity.org).

This is an automated response, please do not reply to this email.

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The Board approved this CIS by a vote of: Yea(8) Nay(0) Abstain(1) Ineligible(0) Recusal(0)

Date of NC Board Action: 08/22/2022

Type of NC Board Action: Against

#### Impact Information

Date: 08/24/2022

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 22-1111-S1

Agenda Date: 08/22/2022

Item Number: VI B

Summary: CIS Summary: We urge a reversal of the 7/18/2022 BONC actions vacating 4 board seats on the Central Alameda Neighborhood Council. Furthermore, steps must be taken to restore the working relationships between DONE and NCs before this situation is repeated, potentially resulting in liability for the city. Please see attached file for our full statement and supporting documents.



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**Statement of the Reseda Neighborhood Council Regarding 7/18/2022 Board of  
Neighborhood Commissioners Actions Vacating Four Board Seats on the Central  
Alameda Neighborhood Council and Prevention of Future Similar Embarrassments**

**Statement to be sent to: Board of Neighborhood Commissioners, Council File [22-1111-S1](#),  
individual emails to Board of Neighborhood Commissioners**

**CIS Summary:**We urge a reversal of the 7/18/2022 BONC actions vacating 4 board seats on the Central Alameda Neighborhood Council. Furthermore, steps must be taken to restore the working relationships between DONE and NCs before this situation is repeated, potentially resulting in liability for the city.

**Introduction**

Relations between the Department of Neighborhood Empowerment (DONE) and various NCs have been deteriorating for some time. DONE's recent decision to petition for the removal of five board members from the Central Alameda Neighborhood Council does nothing to reverse this deterioration. That the Board of Neighborhood Commissioners (BONC) granted four out of five of those petitions is just the latest embarrassing result of the unnecessary hostility. This cannot continue. More disastrous consequences will occur until the root causes of the current situation are brought to light and remedied.

We need to seriously examine how we got to the point where five young volunteers were interrogated in a quasi-judicial proceeding without assistance in the preparation of their case. We need an answer to how BONC, a group including veteran activists, a dispute resolution specialist, and a lawyer, managed to miss the plot so entirely that they removed four individuals from elected public office without even an examination of the circumstances surrounding the alleged infractions and without any commissioner taking on the role of advocate for the accused at any point in the quasi-judicial proceeding. Finally, we need to know just who the City Attorney's Office was representing by their presence at the proceeding, and whether they gave any advice to either side, or BONC.

But, inasmuch as the failures and deficiencies of the four young, elected officials/volunteers have been documented and discussed at length in documents submitted in support of the petition to remove them from office, we should and will focus on what steps the Department of Neighborhood Empowerment could have taken along the way to avoid the sad, ugly scene recorded 07/18/2022. We will also provide a technical basis on which some of the removal decisions could be revisited by BONC. What we urge, however, is deeper than a mere reversal of opinion. Steps must be taken to restore the working relationships between DONE and NCs before this situation is repeated, potentially resulting in liability for the city.

### **The Explosion and the Lack of Rapid Response Protocols**

This whole debacle began when the LAPD improperly disposed of fireworks on 06/30/2021 resulting in extensive property damage, injury, and possibly contributing to the deaths of two area residents. Proper procedures were not followed. This is a fact not in dispute.

As community leaders and elected officials charged with communicating to the city what is going right and what is going wrong, the five members of CANC in question wished to do everything in their power to express community views on the devastation of the explosion and the causes of the improper disposal to relevant city officials. They also wished to provide whatever support they could to stakeholders affected by the tragedy. To this end, they took actions which DONE alleged were not in accordance with various rules and regulations.

Already we see a mistake. Proactive communication between DONE and CANC may have prevented this entire situation. Instead of waiting for a young, newly minted, group of volunteers to make mistakes, a rapid response plan should have existed and been immediately implemented once DONE staff became aware of the disaster. CANC should have been contacted with an offer of departmental assistance and guided towards appropriate outlets of communication and methods of information dissemination.

The Reseda Neighborhood Council, therefore, recommends the development of a rapid response strategy which includes proactive communication to be initiated by an NEA or other appropriate paid staff in the event of a neighborhood catastrophe. The communication methods chosen should not be email only, particularly considering recent departmental difficulties in maintenance of NC email addresses. Instead, board members should be contacted via multiple methods, including a designated preferred method, as is standard practice in other volunteer type organizations.

### **DONE's overly hostile response to inappropriate CANC actions**

In the absence of a rapid response strategy, CANC took various inappropriate actions. Once those actions were taken, attempts were made by DONE to communicate via email that the chosen actions were not in compliance with rules and regulations.

Careful examination of those emails reveals not just a hostile tone, but an absence of concrete alternate suggestions. Rather, the vast bulk of the emails are dedicated to chastisement and logging DONE's official disapproval of actions already taken. The negative language far outpaces the positive/neutral language. This is an ineffective form of communication.

The communications should have served two purposes. 1) Logging DONE's disapproval and disavowal of the relevant NC actions. 2) Encouraging neighborhood communication with stakeholders and the city in accordance with DONE's mission as per the charter and the plan for a system of Neighborhood Councils. Dedicating communication solely to the first goal, and not the second, not only inhibits NC function, but it also decreases the likelihood of future compliance. Take note. Brow-beating sometimes works as a management strategy in business, rarely works in education, and never works with volunteers.

The Reseda NC recommends a new standard format for such communications. These communications should have four sections. The first section should praise the NC/board members/committee members in question for their attempted action. The second part should be the suggestion for altering the action and/or concrete alternatives for substitute action. The third part should be the disavowal. The fourth part should be a final positive affirmation. The word counts for parts one and two should equal or exceed the word count for part three. The tone of part three should be as positive and non-judgmental as feasible in the circumstances. This template encourages compliance and communication, rather than mere liability shielding. It's important to keep in mind that hostility reduces productivity and compliance in volunteers even faster than it does in e.g. employees.

### **NEA refusal to attend meetings, Abandoning CANC**

On 08/20/2021 Thomas Soong sent an email to CANC indicating that there would be no NEA present at CANC's upcoming meeting because of an improper notice of possible motion to censure one of CANC's board members. Thomas Soong sent another such email on 08/28/2021 indicating that no NEA could attend an upcoming meeting, due to noncompliance with regulations. Recall, this is less than two months after the explosion, caused by the LAPD improperly detonating fireworks.

Refusing to attend meetings is precisely what the final straw was in the petition to remove the five board members from CANC. We can now see that the behavior of refusing to even pretend to attempt working together was initiated by DONE.

While NEA attendance at every single NC meeting may not be necessary, overt declarations of refusal to attend are not productive. Further, refusal to attend meetings during a crisis removes an essential tool which could be used to steer an NC towards compliance and productive community service.

### **Hostile, ineffective communications continue during Exhaustive Efforts**

After the failures of communication and cooperation noted above, CANC was placed in exhaustive efforts (EE). Once in EE, the goal of DONE ought to have been educating CANC board members, facilitating the smooth operation of the CANC, and completing the work plan for CANC to exit EE.

While these may have been the goals, from an outside perspective this is not clear. Hostile, unhelpful language continues to dominate throughout the EE period. Constructive, positive language is scarce. When helpful language does appear, it rings insincere. DONE communications not only fail to suggest outlets for communicating ongoing neighborhood outrage regarding the initiating event, but also resist attempts by board members to agendize such efforts. Moreover, it is unclear whether email addresses used by DONE were correct or to what extent other methods of communication were attempted.

This didn't need to happen. When faced with an inappropriate agenda item, instead of outright refusal to place the item on the agenda, DONE could have instead assisted in rewriting the item so that it was appropriate. In the absence of an appropriate suggestion from CANC on how to capture community outrage regarding the explosion, every effort should have been made by DONE to include a proper agenda item anyway. Even though conditions were non-ideal, DONE should have continued *in good faith* their work of helping CANC get back to representing their community in accordance with rules and regulations.

### **Quasi-judicial BONC Proceeding Highlights Inequity in Accountability, Resource Accessibility**

This mutual hostility between CANC and DONE arose out of a systematic communication breakdown and mutual lack of willingness to cooperate. However, only the CANC board members suffered any consequences. Worse, while DONE had access to paid staff including at least one lawyer to prepare and present their case, the accused CANC board members, all volunteers, were not afforded any assistance prior to the quasi-legal proceeding. It is unclear whether there were adequate attempts to give notice of the quasi-judicial proceeding to the affected CANC board members. Moreover, the hearing was held during a meeting scheduled to begin at 1PM, right in the middle of the workday. This scheduling disproportionately advantaged DONE's presentation due to their access to paid staff. By way of contrast, CANC board members are volunteers with other responsibilities, including paid work responsibilities, during the day.

As a result of lack of adequate notice of the quasi-judicial proceeding, the lack of equivalent (or any) representation, and the inequity in the scheduling of the proceeding, several defenses to DONE's accusations were missed by BONC.

- 1) DONE's own refusal to send reps to meetings was not discussed during the proceeding. The unwillingness of DONE to send a rep to various meetings pre-EE could be considered a contributing factor in CANC board members' subsequent lack of willingness to attend meetings during EE run by DONE.
- 2) The lack of productive, helpful verbiage in DONE communications could also be considered such a contributing factor.
- 3) The point could have been raised that per CANC bylaw, an absence is not unexcused unless the Sergeant-at-Arms has not been informed ahead of a meeting that an absence

would occur. This bylaw, which ought to be revised, nonetheless provides a loophole for Sergeant-at-Arms Zion, as he would certainly be aware ahead of time of his own lack of intention to attend any particular meeting. His absences should have been scrutinized in light of this bylaw, and they were not. Furthermore, no evidence was presented that Zion did or did not receive communications in advance of the three meetings in question regarding the absences of the other four board members.

- 4) A well-informed advocate would have noted Zion Cail's ill health stemming from being shot four times in November of 2021 as a possible explanation for his meeting absences.
- 5) The willingness of the accused board members to hold meetings without the presence of DONE representatives should have been taken into account and considered as possible evidence of willingness to comply with regulations, if DONE would likewise be willing to work with CANC within the rules and regulations, and in conformity with the mission of DONE.
- 6) There is an irregularity in the timeline regarding the MER approval dispute, which might have been noticed and scrutinized. The 07/30/2021 letter from the city clerk's office to CANC indicates that two MERs were not adequately submitted. However, the screenshot attached to that communication, indicates that BACs were received, without noting why they were deficient or even that they are deficient. It is not until subsequent communications regarding an improper outlay of money occurring *after* CANC funds were already frozen and in control of the city clerk, that the clerk notes that several CANC board members improperly voted on financial matters without training. The date of expiry of trainings are not noted. Nor was any documentation submitted on an individual by individual basis regarding which individuals supposedly lacked the required training. In the absence of such documentation, it was impossible to judge at the quasi-judicial proceeding whether the accused individuals were or were not willing to comply with financial training requirements. To make matters worse, the empowerla.org website is routinely out-of-date with respect to displaying completion of training. The only individual-specific testimony regarding financial training was given by former President Gama, who claimed to have taken the training.
- 7) A prepared advocate for CANC board members might have asked questions designed to elicit responses tending to demonstrate their willingness to comply with rules and regulations.
- 8) Careful examination of the timeline of events beginning with the explosion reveals that the accused CANC Board members attempted to represent and advocate for their community and instead of being assisted in doing so, DONE engaged in obstructionist, unhelpful, and at times even hostile behavior, selectively applying regulations, impeding the functioning of CANC rather than assisting it. While both parties should have attempted to cooperate and work together, DONE's actions may have contributed to any lack of willingness of the five CANC members in question to comply with rules and regulations.
- 9) The matter of the alleged lack of financial training completion by several CANC board members appears not to have been noticed by the City Clerk until after the \$5000 expenditure debacle. However, if the paid officials of both DONE and the City Clerk's office could fail to note the invalidity of several financial votes, for months, alleged lack of

training completion might not be a good indicator of lack of willingness to comply with rules and regulations.

- 10) A well-prepared advocate might have noted that the notices for the petitions to remove five CANC board officers were not sent out on ENS as required.
- 11) A well-prepared advocate might also have suggested the public display or reading into evidence of the emails submitted by former President Gama during the quasi-judicial proceeding, thus guaranteeing that BONC received sufficient time to review said evidence and increasing the transparency of the proceeding.

## **Moving Forward**

Even if CANC were the only neighborhood council experiencing DONE's lack of willingness to facilitate the smooth functioning of the NC system, routinely finding themselves in receipt of emails more fit to be demand letters than cooperative communication, the nature of the unexamined evidence and the lack of any representation in the quasi-judicial proceeding would be highly concerning. At the very least, a reconsideration of the matter by BONC under different procedural circumstances is justified. The new proceeding should meet the following requirements, previously deficient:

- 1) Adequate notice distributed by DONE over ENS to the affected community.
- 2) CANC board members to be permitted to designate an advocate to speak on their behalf.
- 3) The time of the proceeding should facilitate board member and stakeholder participation by being held outside the work hours of the removed CANC board members.
- 4) All items entered in evidence should be properly available ahead of time for the examination of BONC and the public.

But even were this done, the deeper problem of the systemic failure of DONE to communicate productively with NCs would remain.

The Reseda Neighborhood Council recommends, therefore, the following changes to DONE procedures:

- 1) Communications regarding possible failure to comply with rules and regulations should use positive language and always include a concrete suggestion regarding how to achieve the same goal while still complying with rules and regulations. No more than 50% of language used should be negative and chastising.
- 2) Training specific to volunteer management or equivalent experience should be required by all DONE staff interacting directly with NCs.
- 3) There should be an avenue established for NCs to formally register complaints regarding DONE agent behavior to a neutral third party or BONC, thus establishing the possibility of the perception of joint accountability.

We know these recommendations are severe. However, severe measures are necessary to restore the entire NC system to working order. We hope that we have convinced you of the existence of severe dysfunction, regardless of how you choose to proceed, and we thank you for your time and consideration.

This vote took place in a Brown Act compliant meeting on August 22, 2022. The vote was 8 yes, 0 no, 1 abstain, 0 recused, 6 absent.



Event	Date	Link1	Link2
<p>LAPD Bomb technicians grossly miscalculate the quantity of confiscated fireworks to be disposed of causing a large explosion 900 block of 27th street injuring 15 people, displacing residents from homes and potentially contributing to the deaths of two persons. "Bomb technicians estimated the weight of the explosives to be about 16.5 pounds, but when the ATF National Response Team conducted an investigation following the blast, their total net explosive weight was just over 42 pounds, according to Moore." "The bomb squad's disposal truck, called the Total Containment Vessel (TCV), was designed to hold a maximum capacity of 25 pounds, Moore said"</p>	<p>6/30/2021</p>	<p><a href="#">South LA explosion: Fireworks explosion in Los Angeles caused by 'human error,' LAPD chief says - CNN</a></p>	
<p>Office of the City Clerk Fiscal Responsibility Admonition Notice to CANC regarding their March 2021 MER and April 2021 MER submissions being late. Required BACs were not submitted for those items as required. This item was attached in exhibit 3. Via that communication, CANC was given a 15 day notice to correct the issue.</p>	<p>7/15/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>Office of the City Clerk issues Second Fiscal Responsibility Admonition Notice to CANC for failure to correct the MER status for their April and March 2021 MERs. This is part of Exhibit 3 to the petition to remove five CANC board members. Bizarrely, the screenshot attached to the exhibit shows that BACs were uploaded on 07/15/2021 on the date of the issuance of the first Fiscal Responsibility Admonition Notice. CANC Funds Frozen and Clerk takes over etc.</p>	<p>7/30/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	

<p>CANC President recorded on Instagram video attempting to distribute flyer calling for criminal investigation of LAPD cited in exhibit two, Thomas Soong 08/12/2021 email.</p>	<p>7/31/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>Vanessa Serrano sends an email to CANC chastising CANC for the possible production and distribution by CANC of a flyer which "appears to request that the public contact the committee or the president for free legal assistance, resources or advice for legal claims possibly relating to the 27th street incident." This communication was sent without verifying that it was indeed CANC who produced and distributed these flyers. It was attached as exhibit 2 to the petitions to remove 5 CANC board members despite not being relevant to the issues contained therein.</p>	<p>8/4/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>Alfreda Gama sends email to Johnny Andrade estimating that the recording of the July 4th emergency meeting will be produced by August 24, 2021. This email also cites DONE harassment as a cause of delay. This email is attached as part of exhibit 4 to the petition to remove five CANC members and the complaint about DONE harassment was actually cited BY DONE in the BONC hearing on this matter.</p>	<p>8/9/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>Thomas Soong sends an email to CANC chastising CANC for distributing a flyer calling for a criminal investigation against City officials for the June 30, 2020 incident. The Thomas Soong email objects to the statement in the flyer that it was distributed with unanimous board approval, to the newspaper-like appearance, to its use of the LA times newspaper logo and to its use of the city seal. This was also attached with exhibit 2 to the petitions to remove five CANC board members despite not being germane to the cited reasons for removal.</p>	<p>8/12/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	

<p>Vanessa Serrano of DONE sends email to CANC chastising them for emailing an improper notice of possible censure motion to CANC board member Johnny Andrade. This was attached as exhibit 1 to the petition for removal of the five CANC Board Members despite not being pertinent to the cited reason for removal.</p>	<p>8/13/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>Fiscal Responsibility Admonition Notice sent from LA City Clerk to CANC, City Clerk notes that items previously approved by CANC and subsequently the clerk had been voted on by CANC board members lacking the required training. Clerk claims this would have changed the outcome of the vote but does not note total board members present or how many voted nay. Thus this could be a miscalculation due to City Clerk failure to count non-eligible members as "not voting, ineligible" instead of de facto "nay". I need to look this up on the minutes for that meeting, if they exist. The meeting would be the July 4th, 2021 CANC board meeting. This is also part of exhibit 3.</p>	<p>8/16/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>Thomas Soong sends email to CANC advising them to cancel their upcoming 08/21/2021 board meeting due to lack of 24 hour notice and the presence of items on the agenda which the city previously advised could not be heard e.g. censure motion against the senior representative, accusing an LAPD officer of illegal behavior and numerous other items. Mr. Thomas Soong also advises that DONE will not send a representative to the meeting, because of these issues.</p>	<p>8/20/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	

<p>Thomas Soong sends an email to CANC board members informing them that no DONE representative will be attending the August 28th "special" meeting due to late notice and failure to be consulted in advance regarding the meeting. The email further objects to multiple issues cited in previous emails. This is another email present in exhibit 2 to the petitions to remove five CANC board members and was sent at 5:14 PM on the date of same date as the meeting referenced therein.</p>	<p>8/28/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>Thomas Soong sends email to CANC regarding failure to respond to PRA request. To wit, Johnny Andrade's request for the recording from the July 4th emergency meeting. This is attached as part of Exhibit 4 to the petition to remove five board members from CANC. This particular communication also cites Alfreda Gama's August 9th communication estimating a completion date of August 24th, 2021 whereing Mr. Gama claims that recent DONE harassment has delayed production of the recording in question.</p>	<p>9/16/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	

<p>NC Funding Clerk sends CANC a notice indicating that Mr. Gama's financial officer status is rescinded pending a reply after it was discovered he failed to recuse himself from a vote he agendized and called with less than 24 hours notice to the public to give \$5000 in funds to an organization he is associated with. And that Mr. Gama requested and received \$420 dollars in reimbursement from Long Beach Cop Watching as well as another individual receiving #3746.47 in reimpursements from Long Beach Cop Watching. The grant funds were improperly voted in the first place, but further complicated by the fact that the NPG funds were used to purchase airline tickets hotel rooms ground transportation and/or ballroom rental. Also included in this email is that contents of CANC's storage space had been auctioned off due to non-payment of monthly storage rental fees.</p>	<p>9/17/2021</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>Exhibit 5...Vanessa Serrano sends email communication to CANC notifying them that CANC is being placed in exhaustive efforts. The email contains a work plan recommended for 05/31/2022 completion. This is exhibit 6. There is no document with a line by line status update from the city attached as an exhibit.</p>	<p>2/15/2022</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>CANC Board Meeting does not proceed for lack of quorum.</p>	<p>3/19/2022</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>CANC Board Meeting does not proceed for lack of quorum.</p>	<p>4/16/2022</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>CANC Board Meeting does not proceed for lack of quorum.</p>	<p>5/21/2022</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	
<p>Department of Neighborhood Empowerment submits a petition to the Board of Neighborhood Commissioners to remove five members of the Central Alameda Neighborhood Council for failing to demonstrate a willingness to comply with rules and regulations.</p>	<p>7/1/2022</p>	<p><a href="#">Petitions and Exhibits - Google Drive</a></p>	<p><a href="#">CENTRAL ALAMEDA NEIGHBORHOOD COUNCIL – EmpowerLA</a></p>

BONC holds quasi-judicial proceeding during regularly scheduled meeting regarding this issue and removes President Alfredo Gama, Vice Chair Itzel Gama, Secretary Franklin Andres, Sergeant-at-Arms Zion Cail. BONC votes AGAINST removal of Education Representative Jennifer Carrillo. This meeting was held at 1:00PM on a Monday. Item 7 on the agenda. Beginning around 1:40:54 of the recording.	7/18/2022	<a href="#">Petitions and Exhibits - Google Drive</a>	<a href="#">GMT20220718-200246_Recording_1920x1040.mp4 - Google Drive</a>
CANC is left with four remaining officers, one shy of what their bylaws establish as a quorum (no floating quorums per their bylaws)	7/18/2022		
CANC June Board Meeting Canceled	???		
Notice of DONE petition to BONC to declare five CANC seats vacant posted at physical locations. It is alleged that this was not sent out over ENS to CANC stakeholders as required.	???	<a href="#">Petitions and Exhibits - Google Drive</a>	