

North Hills West Neighborhood Council
BOARD MEETING MINUTES
New Horizons
15725 Parthenia Street, North Hills
August 19, 2009

I. WELCOME, PLEDGE OF ALLEGIANCE, ROLL CALL, AND REVIEW OF AGENDA

Lewis Brown called the meeting to order at 7:10pm. Board members present: Adam Halaby, David Hyman, Mitch White, Loyd Ray, Nichan Kulukian, Ron Forbes, Lewis Brown, Erick Aguirre, Sher Murata and David McClain

Sher Murata led the Pledge of Allegiance.

II. PUBLIC COMMENT

Lewis Brown invited comment from the public on items not included on the agenda and advised that comments should speak to the issue rather than personalities.

Megan Cottier, Field Deputy for Councilman Greig Smith, Los Angeles City Council District 12, provided her contact information and advised that Councilman Smith has been appointed Chair of the Public Safety Committee. Ms. Cottier provided copies of Councilman Smith's editorial comments published in a recent Sunday edition of the Daily News, and advised that no fire stations will be closed although non-emergency overtime will be reduced. Ms. Cottier also reported on the final Movies at the Park event on September 12, 2009 and on the one-year Chatsworth train accident memorial that will take place also on September 12th.

Bill Fish, stakeholder, referred to his experiences as a WWI veteran and summed up his objections to the recent NHWNC resolution regarding NHWNC meetings at the Sepulveda VA Hospital complex.

Sherry Sotres complained of low-flying Southwest Airlines jet planes and asked that NHWNC take a position on this practice. Ms. Sotres asked why there was no NHWNC board member present at the June 25, 2009 Infrastructure meeting. Ms. Sotres stated that Tupper from Hayvenhurst to Woodley should be repaved. There was discussion about what was promised and what is to be done.

Estelle Goldman, Angeline Krolnik Campos, and Francisco Campos yielded their time to Peggy Burgess. Lewis Brown stated that Ms. Burgess could have a total of 10 minutes.

Mr. Abrams and Garry Fordyce yielded their time to Nichan Kulukian.

Maria Carrillo complained of homeless citizens that are panhandling and sleeping on the streets, and asked for help from stakeholders to resolve her concerns. Ms. Carrillo referred to her recent meeting with Monroe High School police and stated that they are willing to attend the proposed NHWNC Town Hall. Ms. Carrillo stated that the Town Hall should take place in September 2009.

Nichan Kulukian provided his perspective on the NHWNC search for alternative meeting space, after being advised that the VA would charge for use of meeting space and his subsequent objections to supporting the use of space at the VA for stakeholder activities. Mr. Kulukian complained about remarks made by David Hyman at a NHWNC Board meeting, quoted Mr. Hyman's remarks and called for Mr. Hyman to apologize publicly or resign from the Board. Mr. Kulukian complained that the "secretary, in her wide experience and wisdom did not find it fit to enter this whole episode in the Minutes. I wonder why? Aren't the Minutes of a public meeting reflective of what transpires in that meeting. And shouldn't stakeholders have access to the Minutes to keep up with the concerns in their neighborhood. Isn't that part of the mission of a neighborhood council. And isn't our secretary paid to transcribe what goes on in a meeting, fully, accurately and timely, I ask you?" Mr. Kulukian then stated that the grievance committee report item should be moved to an earlier time on the agenda. Lewis Brown responded that the guidelines provided by the City Attorney will be followed and that the issue would be discussed after Melvin Cañas's arrival. Stakeholder questions were answered about the grievance panel process and the subsequent review by the City Attorney's office.

Peggy Burgess read a statement regarding a recently filed grievance and the report that was generated by the grievance committee appointed to review the grievance. Lewis Brown stated that Ms. Burgess's statement was inappropriate because it related to an agenda item. Linda Lee responded that her actions with respect to the grievance and its review were well within the purview of her job. Adam Halaby stated that the neighborhood's interests were not being served by pursuing personal interests.

III. OFFICER AND COMMITTEE REPORTS AND MOTIONS

A. Budget and Finance

1. Treasurer's Report

Ron Forbes summarized charges and expenses to date, and budget to date and total budget.

Ron Forbes moved to accept the Treasurer's Report; seconded by Mitch White.

David McClain asked why there was no charge for July 2009 rent.

There being no objection, the Treasurer's Report was accepted by common consent.

Adam Halaby asked about allocation of funds for Infrastructure. Lewis Brown responded that expenditures for infrastructure should be presented to the Board for approval.

2. Motion to reassign \$900 of encumbered Emergency Prep funds to the Equipment budget line item for purchase of GPS discs and user licenses

Ron Forbes explained that \$900 is needed to ensure that the Rino radios already purchased are all usable.

Ron Forbes moved to reassign \$900 of encumbered Emergency Prep funds to the Equipment budget line item for purchase of GPS disks and user licenses; seconded by David McClain.

Melvin Canas provided advice on how to ensure that appropriate procedures are followed with regard to accurate budget reporting.

Ron Forbes amended his motion to include a line item specifically referring to communications equipment for outreach.

There being no objection, the motion to reassign \$900 to an outreach communications equipment budget line item was approved by common consent.

3. Motion to reassign \$8000 of encumbered EP funds to the Equipment budget line item, \$2000 per fiscal quarter

Ron Forbes moved to reassign \$8000 of encumbered EP funds to a new subcategory called general committees operations; seconded by Nichan Kulukian.

There being no object, the motion to reassign \$8000 of encumbered Emergency Preparedness funds was approved by acclamation.

4. Approval of revised Expense Procedures

Ron Forbes noted changes to the Expense Procedures: removal of any reference to stakeholder reimbursement and the second page (which referred to stakeholder reimbursement); Mr. Forbes referred to wording referring to approval of purchases under \$1000. The references to a third signatory and to the secretary were changed, as well.

Melvin Canas advised that DONE is reviewing a policy statement to be presented to BONC regarding the issue of incurring expenses that have not been presented to an NC board, and advised that an appropriate policy is to present all financial matters to the NC board prior to incurring expenses (other than administrative or recurring expenses). Mr. Canas stated that the new DONE funding administrator recommended that the Board approve purchases over \$500. Language referring to "verbal approval" for petty cash purchases was revised.

Ron Forbes moved to adopt the Expense Procedure revisions as read; seconded by Nichan Kulukian.

Mitch White stated his preference to amend the amount to \$500.

Mitch White moved to limit the amount to \$500; seconded by Erick Aguirre.

The Expenses Procedures were revised.

There being no objection, the amendment was approved.

There being no objection, the Expense Procedure revisions were adopted, as revised, by common consent.

B. Crime and Safety Committee Update

Postponed

C. Emergency Preparedness Committee Update

Postponed

D. Outreach Committee

1. Motion to donate Emergency water supplies to events--Granada Hills Street Faire/Emergency Prep Event (10-09), Our Community School Run (10-09)

Postponed

2. Motion to authorize \$500 to support NSDAR event honoring Women Veterans

Wynn vanCitters, first VP, Unit 86, VA Volunteer Service Board, reprised a presentation made to the Outreach Committee regarding recognition of Women Veterans, discussed the luncheon planned in honor of women veterans and asked for support for the event.

David Hyman moved to spend up to \$500 to purchase items for goody bags to be given to women veterans at the October 24, 2009 event to honor women veterans; seconded by David McClain.

Ron Forbes advised of funding procedures. Wynn vanCitters was advised to coordinate purchases with Mr. Forbes.

There being no objection, the motion passed.

3. Events Updates

Sher Murata reported that the Senior Symposium will take place on Wednesday, October 28, from 9am to 3pm, at the Greek Orthodox Church, which will provide catering services at cost. The event targets stakeholders aged 50+. Ms. Murata listed agencies and organizations that will participate, noted that catering expenses are more than anticipated (approximately \$20 per person) and stated that a request for additional funds may need to be included on the next Board agenda.

D. Land Use Committee

1. Update on VA Sepulveda project

Nichan Kulukian reported meetings with Mission Hills and Reseda NC where votes were taken to join the other 7 Valley area NCs in opposition to the project planned by A Community of Friends and New Directions at the Sepulveda VA.

2. Reading of 2nd part of research done by Loyd Ray's attorney

Tabled.

E. DONE Funding program guidelines

Tabled.

F. Grievance Committee Report

(Taken out of order)

Lewis Brown discussed the normal procedure followed regarding grievances and advised that the City Attorney's office had serious problems with the decision as rendered by the grievance panel. Melvin Cañas reported that the grievance panel was advised by the City Attorney to recommend dismissal of the grievance because of a technicality and that the grievance process is reserved for use by stakeholders. Erick Aguirre asked if the merits of the grievance were reviewed; Mr. Cañas stated that the merits were not reviewed. Nichan Kulukian stated that the Board owed it to the grievance panel to receive the report no matter what because "this is our council. It's not the City Attorney's council." Mr. Kulukian stated that the City Attorney should not have been consulted and quoted the second paragraph of NHWNC By-Laws "Article 13." (*The grievance procedure is actually discussed fully in NHWNC By-Laws Article 12.*) Mr. Kulukian stated that the NHWNC Secretary should not have contacted the City Attorney regarding the grievance.

Adam Halaby moved to accept the recommendation that the grievance be dismissed; seconded by David Hyman.

Gerald Schwartz identified himself as chair of the grievance panel selected to review the grievance presented, questioned the City Attorney's right to dismiss anything, only to advise, stated that advice is worth every penny paid for it, complained that information requested regarding proof that violations had occurred was not provided, and complained that he had not heard anything from anyone. Responding to Lewis Brown's question, Mr. Schwartz stated that the panel had been advised to dismiss the grievance on the basis that it had been filed by a NHWNC board member, who is ineligible to use the grievance procedure and that the panel chose to ignore the advice given by the City Attorney. Mr. Schwartz stated that the panel's recommendation to the board includes dismissing the grievance. Responding to Erick Aguirre's questions, Mr. Schwartz stated that he is not a licensed attorney in the state of California, that he had been contacted, but not advised, by Peggy Burgess while he chaired the grievance panel, and that he had been involved with the Veterans Summit event. Mr. Schwartz stated that he spoke with Peggy Burgess "once or twice." Mr. Schwartz reiterated that requests for information were not forthcoming, that neither he nor most of the panel were aware that the

grievance had been filed by a NHWNC Board member and that the panel did not have sufficient information to perform the work at hand.

Estelle Goldman asked who helped David McClain to revise the grievance that was presented; Ms. Goldman claimed that Erick Aguirre assisted Mr. McClain. Ms. Goldman then stated that Linda Lee, the secretary, did not have the knowledge to write the revised grievance.

Garry Fordyce stated that dismissal of the charges does not address issues of character and reputation.

Melvin Cañas advised that ample communication occurred between Linda Lee and his office, noted that he had advised Mr. Schwartz early on how to contact David McClain, and that issues of process were addressed in the grievance that was filed, and that this issue is being reviewed by DONE and the City Attorney's office. Mr. Cañas observed that any stakeholder could file the same grievance regarding the issues raised. Mr. Cañas advised that appropriate communication occurred regarding David McClain's status as a board member. Mr. Cañas advised that a public records request should be submitted that will initiate the process of determining what is considered public information.

Mitch White moved to amend the motion to include that a copy of the grievance and the report should be provided to anyone that requests it; Adam Halaby agreed to the amendment.

Nichan Kulukian moved to further amend the motion to include a statement that the grievance had no merit; seconded by Loyd Ray. The amendment was accepted by Adam Halaby.

Melvin Cañas advised that the amendment is inappropriate, because the question of merit was not reviewed. Mr. Cañas asked Gerald Schwartz to provide a written statement from the City Attorney's office attesting to his assertion that the grievance had no merit and reiterated that DONE is reviewing this situation because issues of process were raised. Mr. Cañas reiterated that opportunity for discussion with the Board's executive committee will occur. Loyd Ray stated that the grievance should not be dismissed without full discussion of the issue at hand; Nichan Kulukian stated that the grievance report should be received. Linda Lee reported that the grievance committee's report is incomplete because no further information was provided to the panel once the City Attorney advised that the grievance was to be dismissed.

VOTE: David McClain—no; Sher Murata—no, Erick Aguirre—no, Lewis Brown—yes, Ron Forbes—no, Nichan Kulukian—yes, Loyd Ray—yes, Mitch White—yes, David Hyman—no, Adam Halaby—yes.

The motion did not pass.

Melvin Cañas responded to stakeholders' questions.

Nichan Kulukian moved to dismiss the grievance, finding it without merit; seconded by Loyd Ray.

Adam Halaby—yes, David Hyman—no, Mitch White—yes, Loyd Ray—yes, Nichan Kulukian—yes, Ron Forbes—yes, Lewis Brown—yes, Erick Aguirre—no, Sher Murata abstained, David McClain—no.

The motion passed.

Melvin Canas advised that a question of process that has been raised with this vote could result in further grievances.

IV. APPROVAL OF JULY 15, 2009 MINUTES

Nichan Kulukian moved to postpone review of the July 15, 2009 Minutes; seconded by Adam Halaby.

There being no objection, the item was postponed.

Lewis Brown responded to questions raised about what should be included in Minutes: under Roberts' Rules, minutes should report the presence of voting members, when and where they met, what was discussed and what was decided. Roberts' Rules does not require that a full transcription be done, it does not require that the minutes include what was discussed. The only requirement is that the item and the decision be recorded. Mr. Brown stated that the inclusion of verbatim transcriptions was advised against by DONE; Mr. Brown stated that had been conveyed to Linda Lee in producing minutes, and advised that a Board decision must be forthcoming to change that procedure.

V. FINAL BOARD COMMENTS AND ANNOUNCEMENTS

Loyd Ray discussed plans to include a September 16, 2009 agenda item for removal for cause of Board members Erick Aguirre, David McClain, Sher Murata and David Hyman. Mr. Ray stated that he had been advised by Melvin Cañas of appropriate procedures. Lewis Brown advised Mr. Ray that his petition should be read at the next meeting. Mr. Ray read his statement

(attached) and was advised by Lewis Brown that Board members should be provided copies. Mr. Brown stated that the item could be agendaized for the October 2009 Board meeting or for a special meeting.

Erick Aguirre reported receipt of a request from Rebecca Wood, whose firm is representing the City on an alternative technology project, to consider a proposal to place an alternative technology facility within the City that will fall under two major categories (biological and thermal) on the September 2009 agenda.

Nichan Kulukian attempted to move to continue to hold Board meetings at New Horizons. This item will be included on the September 2009 NHWNC Board agenda.

David Hyman apologized for comments he made that caused offense, but added that if NHWNC meetings were being held at the Church of the Living Word and Mitch White and Lewis Brown had said the same things, Mr. Hyman would have made the exact same comments. Mr. Hyman stated that he was sorry if Nichan Kulukian was offended by his comments and that the comments may have been inappropriate. Mr. Kulukian stated that he accepted Mr. Hyman's apology.

VI. ADJOURNMENT

There being no objection, the meeting adjourned at 10:40 pm.