

PROPOSED MINUTES  
ENCINO NEIGHBORHOOD COUNCIL MEETING  
WEDNESDAY, AUGUST 24, 2005  
ENCINO COMMUNITY CENTER, 4935 BALBOA BOULEVARD, ENCINO

1. The meeting was called to order by President Linda Goldstein at 7:12 p.m.

Representatives present: Area 1, G. Bailey; Area 2, P. Kater; Area 3, M. Hamilton; Area 4, G. Martayan; Area 5, B. Hand; Area 6, L. Kelson; At Large 1, R. Glushon; At Large 2, J. Woods; Condo/Apt, S. Gamson; Educational, L. Goldstein; Park/Environment, S. Brewer; Planning, M. Berman; Volunteer, S. Lambert; Chamber, J. Simon; EPOA, M. Baar; HOME, G. Silver.

Representatives absent: Area 7, R. Leonard; Business 1, H. Yuloff (excused); Public Safety, M. Grossman (excused); Religious, G. Bedigian (excused).

Alternates present: Area 2, L. Permaul ; At Large 2, L. Klein; Planning, L. Ambers; Volunteer, H. Belasco.

Alternates absent: Area 1, M. Rosen; Area 3, J. Strauber; Area 4, R. Flam; Area 6, M. Ingles; Area 7, P. Noce (excused); At Large 1, G. Gammon; Business 2, G. Smith (excused); Educational, F. Sneddon; Chamber, R. Leyner; EPOA, B. Jasper; HOME, N. Landau.

Vacancies: Alternates: Area 5, Business 1, Condo/Apt, Park/Environment, Public Safety, Religious.

A quorum was present (16 voting members).

2. Approval of July 27, 2005 and August 9, 2005 (Retreat) meeting minutes: Motion (J. Simon), seconded (G. Martayan), to approve both as submitted. Passed unanimously.

3. Approval of yearly calendar for Council meetings: Motion (J. Woods), seconded (S. Lambert) to approve calendar as submitted. Passed unanimously.

4. Executive Committee calendar through December 2005: It is the responsibility of all Members to sign up and serve once during the year in an "At Large" position.

5. Report from City Officials:

Shirin Buckman, the new representative from CD 5 (Weiss) introduced herself.

LAPD SLO Mark Ro: ski mask bandits robbing restaurants on Ventura Blvd.; cars are being broken into east of White Oak Avenue and north of Burbank Blvd. (don't leave laptops, golf clubs, etc. visible; use club); call him to attend block club meetings.

DONE PC Tom Soong: reminder of Brown Act training August 31, 7-9 p.m. at Mission Hills Police Station with many other NCs; 6-7 p.m. for networking; lost two PCs last week; Bylaw amendments should be approved by Friday.

6. Presentation by Department of Public Works on Integrated Resources Plan (IRP):

Jawahar Shah, Unit Manager, Watershed Management gave a presentation on IRP. It is designed to be a Year 2020 integrated plan to deal with wastewater facilities, water supply and conservation, recycling, and runoff management issues through a regional watershed approach. A copy of the Spring 2005 newsletter was distributed. The Draft EIR will be released in late October/early November with 60 days to comment and a public hearing will be held. It will be posted on the internet. The goal is to have the Final EIR ready by summer of 2006.

Reina Pereira and William Vanwagoner of the DWP reviewed the plan alternatives. Alternative 1 would expand Hyperion; Alternative 2 expands both Tillman and LA-Glendale; Alternative 3 and 4 include expansion of Tillman. All have in common the realignment of a major sewer line. The Tillman Alternative 4 "worst case" expansion from 64 mgd to 100 mgd would occur within the existing "footprint" and a 60 million gallon "holding" tank would be constructed under existing cricket field. Solids will continue to be treated only at Hyperion and tertiary treated water will be used for irrigation and groundwater recharge. Berm vs. footprint was discussed with the latter shown on the diagram as being east of Haskell Creek. There was a comment during the Notice of Preparation period to address groundwater recharge

7. Presentation by Sherman Oaks Little League: site at Louise and Victory:

No representative present; referred to the Parks, Open Space, and Recreation Committee to research and report back at future meeting.

8. Presentation regarding City Clerk file numbers attached to items sent to City Council from Neighborhood Councils:

Jason Lyons, Silverlake NC, stated that unlike other city departments whose correspondence are assigned a Council File number, items from NCs are photocopied and delivered to Council mailboxes. The proposal is supported by 32 other NCs. The NC would subscribe to CF referrals and agendas, otherwise it would be up to NCs to get the word out. There are no measurable additional costs. The Community Impact Statement is a 100 word summary of a NC position. There has been discussion of ways to give additional weight, such as a threshold of co-signers (three to five NCs). The City Council Education and Neighborhoods Committee voted to move the proposal forward.

Motion (J. Woods), seconded (R. Glushon) to refer this matter to Legislative Committee for a recommendation to be agendaized for the September ENC meeting. Vote: 7-9-0, motion failed.

Motion (S. Lambert), seconded (M. Hamilton) to support City Clerk file numbers being attached to items sent to City Council from Neighborhood Councils.

Amendment was made (G. Martayan), seconded (R. Glushon), to do this only when at least five NC have signed onto recommendation.

Vote: 1-15-0, amendment failed.

Vote on original motion: passed unanimously.

9. Presentation by the Office of the City Attorney, Public Integrity Division, regarding conflicts of interest, including ethical concerns in government decision-making and expenditure of public funds:

Deputy City Attorney Renee Stadel of the Government Counsel Division made a power point presentation which included topics such as: Political Reform Act: covers conflict of interest, the City Ethics Commission would investigate and refer to State FPPC or District Attorney for further action.

NC members are considered a public official and the NC is a government agency. An economic interest must be worth at least \$2,000, includes spouse or dependent child. Real property includes ownership or lease. Any source of income greater than \$500, gifts of more than \$360 in prior 12 months may be a conflict if related to a matter coming before NC. There is a personal financial effect if assets exceed \$250 in 12 month period. Direct and indirect effect of government decision are at issue, such as materiality effect (direct is disqualified, i.e. within 500 feet) and whether effect is foreseeable. There are few exceptions (i.e. public generally and rule of necessity). The penalties include civil or criminal action, fines, prohibition from holding future public office. There is no indemnification. Copies of "State and City Conflict of Interest Laws: Information for Board Members of Neighborhood Councils" were distributed to all attendees. (Presentation continued after Item 15 below.)

10. Treasurer:

a. Request to add third signature to demand warrant and second signature to debit card: Motion (J. Woods), seconded (S. Lambert) to add third signature to demand warrant and second signature to debit card. Discussion followed concerning the individual signer; this will need to be approved subsequently. Vote 15-1-0. Motion passed.

b. Authorization to purchase brass plates "Donated By" \$60.00 plus tax for one dozen: Motion (J. Woods), seconded (G. Martayan) to purchase brass plates "Donated By" \$60.00 plus tax for one dozen. Passed unanimously.

c. Approve purchase of Canon Imager Class MF5750 \$399.99 plus tax for Emelita Street Elementary School (from \$1,000 already allocated): No further action taken.

d. Financial report through July 31, 2005: Report dated August 24, 2005 was distributed.

11. Secretary:

a. Appointment of Assistant Secretary: Motion (S. Gamson), seconded (S. Lambert) to appoint Peter Noce assistant secretary. Following discussion, amendment made (J. Simon), seconded (R. Glushon) to appoint both Marsia Powers and Sharon Brewer as Assistant Secretary. The Sergeant at Arms ruled that the Bylaws mandate one Assistant Secretary but do not prohibit more than one. Vote on amendment: 12-4-0. Amendment passed. Vote on amended motion: 12-4-0. Amended motion passed.

b. Procedures for Handling Grievances: Motion (L. Goldstein), seconded (M. Hamilton) to refer this item to the Bylaws Committee. Passed unanimously.

12. Committee Reports:

a. Traffic/Transportation: Expansion of Milken School, EIR Comment Letter for Hearing: Motion (L. Kelson), seconded (M. Hamilton), to submit a comment letter including the six points in handout. Following discussion including fire response time, traffic mitigation, and bus to athletic field, vote was 15-0-1. Motion passed.

For next month, position on Ventura Blvd. road repair work during rush hour will be considered.

b. Outreach: Taste of Encino: ENC previously approved \$150 for booth. Motion (L. Goldstein), seconded (B. Hand) to allocate budget of up to \$3000 for Taste of Encino. Following discussion, vote was taken. Passed unanimously.

Greg Martayan stated Council member's responsibilities include going into neighborhood, visiting religious institutions and schools, attendance at meetings, submittal of newsletter articles and posting sites.

13. Applications for Alternate Positions: Motion (J. Simon), seconded (J. Woods) to appoint Abbey Faranesh as Area 5 Alternate and Marsia Powers as Business #1 Alternate. Vote 14-1-0. Motion passed.

14. Agenda Items for September 28, 2005 Council Meeting will be reviewed at Executive Committee meeting.

15. Board Member Comment:

M. Hamilton: A compromise was reached on the Ventura Boulevard proposed commercial development; tour Japanese Garden August 31.

G. Silver: retreat location was difficult to conduct business, there was no public comment, use another location in future.

Presentation by the Office of the City Attorney, Public Integrity Division, regarding conflicts of interest, including ethical concerns in government decision-making and expenditure of public funds (continued from Item 9 above):

Government Code Section 1090 is very important and covers conflicts of interest in city contracting. Remote interests were discussed. Violation are subject to civil penalties; contracts willfully entered into in violation of Section 1090 are a felony; may be forever barred from public office. Contact your PC to seek advice. NCs and the City have attorney-client privilege.

16. Public Comments – One stakeholder made a general comment.

17. Adjournment: The meeting was adjourned at 9:56 p.m.

Respectfully submitted,

Glenn Bailey, Secretary  
Encino Neighborhood Council