

SCNC BOARD

Jeff Carter
Lisa Cahan Davis
Sam Eisner
Bill Harmond
Emily Hibard
Alex Izbicki
Lisa Karadjian
Remy Kessler
Rudy Melendez
Richard Niederberg
Lisa Sarkin
Lana Shackelford
Gail Steinberg
Rita C. Villa
John T. Walker
Denise Welvang



BOARD OFFICERS

PRESIDENT
John T. Walker

VICE PRESIDENT
Lisa Sarkin

TREASURER
Bill Harmond

SECRETARY
Rita C. Villa

CORRESPONDING SECRETARY
Emily Hibard

**SPECIAL BOARD
MEETING APPROVED
MINUTES**

Wednesday, November 18, 2015
Light Buffet 6:30pm
Meeting on or about 7:00pm
at
CBS Studio Center, MPR-3
4024 Radford, Studio City CA, 91604
www.StudioCityNC.org

The public is requested to fill out a "Comment Card" to address the Board on any item of the agenda prior to the Board taking action on an item. Comments from the public on Agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the Agenda that is within the Board's subject matter jurisdiction will be heard during the Public Comment period. Public comment is limited to two minutes per speaker, unless directed otherwise by the presiding officer of the Board. The agenda is posted for public review at: Studio City Neighborhood Council website (www.studiocitync.org); as well as CBS Studio Center, Radford and Colfax gates. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least three (3) business days (72 hours) prior to the meeting you wish to attend by contacting the Studio City Neighborhood Council Vice President, Lisa Sarkin (818) 655-5400 or by e-mail to lsarkin@studiocitync.org. In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the Board in advance of a meeting, may be viewed at our website by clicking on the following link: www.studiocitync.org or, at the scheduled meeting.

1. Call to Order & Roll Call. Jeff Carter– present, Lisa Cahan Davis – present, Sam Eisner – present, Bill Harmond – present, Emily Hibard – present, Alex Izbicki – present, Lisa Karadjian – excused, Remy Kessler - present, Rudy Melendez – present, Richard Niederberg - present, Lisa Sarkin - present, Lana Shackelford – excused, Gail Steinberg – present, Rita Villa – present, John Walker – excused, Denise Welvang – present. 12 voting members; 7 to pass a motion. **36** stakeholders present.
2. Comments by the President. **None.**
3. Public Comments on non-agenda items within the Board's jurisdiction. **Richard Adams** said that there had been no outreach on the special agenda. **Barry Johnson** said we usually have the motion on the agenda.
4. Responses to comments from the Board. **Response by Acting Present** - it was posted on the website and a notification went to the ebalst list. **Rita Villa** explained that there was no motion at the time the agenda was posted as a motion needs to be proposed based upon the presentation.
5. Presentation, Discussion and Possible Motion regarding the neighborhood council election by **Jeff Carter** and **Jay Handal**. **Jay Handal** introduced himself as director of elections for the city clerk for the 2016 elections. He was asked by John Walker to be at this meeting. He said that his mission is to have a robust election. There is an IEA for each region and there will be an IEA for regions that

need more help. There were be poll workers and some will be paid. There will be a link for that. They need to have enough people working to avoid challenges. He works for the city clerk. He gave us a packet with a time line and said that it has lots of information. There is an outreach plan and there will be a spread sheet with prices. They want to get the best prices. The worksheet tells us the budget for elections. There are examples of what went out. The advertising cost is \$47.50 for a buss bench. AAA flag and banner has set prices for banners including hardware and the cost of taking them down. Herb Wesson has proposed a fee free permit for 1 year. He said that is the bulk of what he has to say. Because the SCNC agreed to on line voting we will have electronic equipment at the polling site. There will be no paper. **Jeff Carter** thanked Jay for being here. Remy Kessler asked how on line voting was going to take place? He expressed concern about the mechanics of the process and the practicality of it. **Jay Handal** said that "Everyone Counts" is doing the counting. He gave dates for the candidate filing period and the voter registration period. Voters need to register to vote. Because our NC voted for documentation, documentation will need to be supplied both for the on line voting and at the polls. The city clerk will verify that the voter is registered for the right seat or they are not qualified. If qualified, then the voter will get a pin number and there will be a 21 day period for on line voting. Confirmation will be sent out and the tally will be released at the close of the election. The election chair could make phone calls to people who did not submit proper documentation. The report will tell you the votes by seat. When people come to the poles there will be tablets and people will vote on the tablet. There will be no paper ballots. **Remy Kessler** said with regard to uploading documents, we did not vote for that. **Alex Izbicki** confirmed that there will be a 21 day window to vote on line and 5 hours to vote at the poll. **Rudy Melendez** questioned that you the on line voting period is 21 days in advance. He thought it was closing a week before and that the candidate filing deadline is 46 days before the election. **Emily Hibard** said shareholders have to provide documentation. **Jay Handal** said yes you have to prove you are a homeowner and prove you are qualified to vote for any board seat. He said if we are concerned he will let us change to self-affirmation. **Jeff Carter** said he did not see the agenda before he came tonight. He said he will yield his time to Rita Villa and the board. However he wanted to make two points. First he confirmed that 7 votes are required to pass a motion and second he asked board member who is paid by the city recuse herself. **Rita Villa** gave background on the problems with the stip sheet. She explained that At the May 2015 board meeting the board had a presentation from Gracie Lieu on the stipulation worksheet and on-line voting. There was a question and answer session and a spirited board discussion followed. The board then voted on each individual item on the stipulation worksheet. The minutes of that meeting were recorded as I was not present. That rerecording is available on the SCNC website. I have listened to that recording and have noted that the board vote counts related to the on-line voting and to telephonic voting were not properly recorded. As the votes were not unanimous, we are required to document how each board member voted on the issue. Unfortunately, there was no indication in the minutes of how each individual voted. Additionally, the

stipulation worksheet submitted indicated that the vote on the worksheet was 14 0 0. That statement does not agree with the recording on our website as the items on the worksheet were voted on individually and not as a group. Each item was a different vote result. There were 14 people present that night and 2 are no longer on the board and although some of those who were present are not here this evening, it is important that those here tonight act to either ratify the stipulation worksheet which was submitted or act to revise it. That action should be properly documented with a roll call vote count worksheet as required by DONE.

At this time we know that the system for on line voting is not up and running. At the May meeting Gracie suggested that we immediately start registering people and that we could hold registration events and the City would send someone out to review the documentation and register the stakeholders. That statement is in our recorded minutes. The sheet in front of you indicates that registration for on line voting would be active by mid-November. My latest communication from Jay Handal two days ago indicated that they hope to have it ready by the beginning of December.

As to telephonic voting, today Lisa Cahan Davis advised us that it is still not ready either. At the May meeting Gracie had advised the board that most neighborhood councils vote against telephonic voting as it is cumbersome and not many stakeholders actually use it.

The purpose of electing on line voting was to increase voter participation. Unfortunately, as the board elected to change from self-affirmation to documentation we have added another hurdle for the stakeholder to overcome before they can vote. Even if they are voting at the polls they will be required to provide documentation. Bill Harmond specifically asked that question of Gracie and she confirmed it. At the May meeting Gracie stated that some other neighborhood councils already have a requirement for documentation so there is a book that sets forth what the acceptable forms of documentation are that is also in the recorded minutes. As of two days ago Jay Handal advised me that the book of the required forms of documentation is still on Gracie's desk for approval. Therefore, DONE is clearly not ready to implement either the on line voting registration or the telephonic voting registration.

At this point because (1) the information needed to implement voter registration is not available and because there can be no assurance that it will be available on any specific date, it is not possible to implement an effective outreach plan which would include the type of voter registration events Gracie described at the May meeting and (2) requiring documentation from our stakeholders is a change and that in and of itself will require a specific educational outreach effort, the implementation of on-line voting with documentation will more than likely result in reduced voter participation.

Therefore, I am proposing the following two motions. Rita Villa read the motions and Jeff Carter seconded them.

Motion A: The Board of the Studio City Neighborhood Council revises its election on the stipulation worksheet from "We want online voting with documentation voter verification" to "We want self-affirmation voter verification and no online voting."

Motion B: The Board of the Studio City Neighborhood Council revises its election on the stipulation worksheet from the default which is to have telephonic voting if the neighborhood council elects on line voting to indicate that "we do not want telephonic voting".

Rita Villa stated In the event that neither of these two motions passes, we should at least act to ratify the stipulation worksheet with a roll call vote. The matter was opened for discussion. **Remy Kessler** expressed his concern that the motions will violate the reconsideration provisions of the brown act. **Jay Handle** from the department criticized the SCNC for the way it does its business and said that the motion violates the brown act. **Barry Johnson** said he finds it offensive that the previous speaker can lecture us but not get the on line voting up in accordance with the time line which is already off track. He is sick of LA and said he will be in Japan during the election. The pushing back of deadlines is ridiculous, we are in a poorly run City. **Richard Adams** said that when you are in a hole stop digging. Don't play fast and lose with the bylaws. Anything we try to do tonight will be rejected. **Jeff Carter** said this on line voting is a disaster. He expressed his concern that Jay Handal was intimidating us and and he does not think we should spend our money this way. The SCNC should not be the guinea pigs. This is a disaster. Please undo it. **Denise Welvang** said the motion was passed by those that were here. They will not allow us to undo on line voting. We can't rescind it. **Alex Izbicki** echoed Denise's point. We represent the stakeholders. It is not right to undo what was done. We can ratify what we did. If we rescind on line voting it does not reflect what the stakeholders asked to be done. It would be nice to get legal advice that the city would stand behind.

Alex Izbicki moved to ratify original stip sheet. **Second:** Emily Hibard. **Richard Niederberg** said he is in favor of on line voting. He was not aware that this meant a change from self-affirmation to documentation. **Jan Ross** said she came tonight because she wants to be more involved. We need to do on line voting with self-affirmation. **Barry Johnson** said if you can't get on line voting going within the time line don't do it. We always have polling places. This should be tabled to January. **Hedie Mackay** said she was here the night of the vote for on line voting and most of the stakeholders were for on line voting. This is confusing and hard to keep up. She wants documentation and on line voting. **Denise Welvang** called the question and said we need to vote to ratify what was done before.

Motion: The Board of the Studio City Neighborhood Council hereby ratifies the stipulation worksheet which as it was originally submitted to DONE

See Board Vote on Board Vote Count Form attached to these minutes as Exhibit I. **Motion Failed** as 7 votes required to pass a motion as indicated at the beginning of the meeting. **THE COUNT WAS REVISED BELOW.**

Denise Welvang move to go back to the regular agenda. **Second: Rita Villa; Vote: unanimous.**

The board returned to the special agenda after the conclusion of regular meeting.

Jay Handal said that he had reviewed our stipulation worksheet and consulted with Steven Box. The stipulation worksheet was in fact a revision of our bylaws. On the stipulation worksheet the SCNC effectively changed it way of counting votes. **Article V – Governing Board, Section 3: Official Actions- now states that the votes are counted “Simple majority vote by the board members present, not including abstentions.”** Therefore we did not count the votes properly when we voted to ratify the stipulation worksheet. Remy Kessler stated that the bylaws committee did not believe they were changing the way we count votes when they marked that box on the stipulation worksheet. He said that the way we count votes was not one of the choices on the stipulation worksheet. **Jay Handal** responded that we could have written in something else. **Alex Izbicki** requested that the roll call vote count on ratification of the stipulation worksheet be reviewed in light of the fact that we have apparently changed our bylaws. **Rita Villa** stated that there are 12 board members present. There were 6 yes votes and 4 no votes with two abstentions. Therefore as abstentions are excluded from the calculation, there were 10 votes with 6 in favor of the motion. Using that methodology the passed and we have ratified the original stipulation worksheet.

See Board Vote on Board Vote Count Form attached to these minutes as Exhibit I. **Motion Carried** as abstentions are excluded from the calculation.

6. Adjournment. **Moved: Rita Villa; Second: Rudy Melendez; Vote: Unanimous.**

