

CITY OF LOS ANGELES
CALIFORNIA

BOARD OF NEIGHBORHOOD
COMMISSIONERS

DANIEL GATICA
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CARLENE DAVIS
VICE PRESIDENT

ESTHER CEPEDA-HATCH
LINDA LUCKS
KAREN MACK

JANET LINDO
Executive Administrative Assistant
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ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF
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BONGHWAN (BH) KIM, MPA
GENERAL MANAGER

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August 9, 2011

Mr. Doug Fitzsimmons
dougfitzsimmons@soronc.org

South Robertson Neighborhoods Council
PO Box 35836
Los Angeles, CA 90035

**SUBJECT: DETERMINATION OF THE BOARD OF NEIGHBORHOOD
COMMISSIONERS REGARDING SOUTH ROBERTSON NEIGHBORHOODS
COUNCIL'S PETITION FOR BOUNDARY ADJUSTMENT**

Dear South Robertson Neighborhoods Council President Fitzsimmons:

At its meeting of August 2, 2011, the Board of Neighborhood Commissioners (Commission) rejected the Petition for Boundary Adjustment (Petition) for the South Robertson Neighborhoods Council.

The Commission made the following determinations based on its findings from the meeting:

1. **FOUND** that South Robertson Neighborhoods Council has submitted a Petition for Boundary Adjustment supported by the officially elected Board of the Neighborhood Council in accordance with Article VI section 2 of the Plan for the Citywide System of Neighborhood Councils and Administrative Code section.22.810.1(d).
2. **FOUND** that both the South Robertson Neighborhoods Council and the Mid City Neighborhood Council are each seeking to incorporate the same area outside of their boundaries ("contested area").
3. **FOUND** that at the public hearings for the Board of Neighborhood Commissioners held on July 5, 2011 and August 2, 2011, the weight of the testimony provided at these hearing was that the community stakeholders in the contested area did not agree to inclusion within the South Robertson Neighborhoods Council's boundaries pursuant to Administrative Code section 22.810.1(d)(4).
4. **DENIED** the boundary adjustment petition, **REJECTED** the inclusion of the certified adjacent communities into the South Robertson Neighborhoods Council certified boundaries and **DEEMED** the South Robertson Neighborhoods Council bylaws not amended to include the requested areas.

The Commission's August 2, 2011 determination to reject South Robertson Neighborhoods Council's Petition for Boundary Adjustment is reflected by the following votes:

Ayes: Commissioners Albert Abrams, Esther Cepeda-Hatch, Daniel Gatica, John Kim, Linda Lucks.

Nays: Commissioner Carlene Davis.

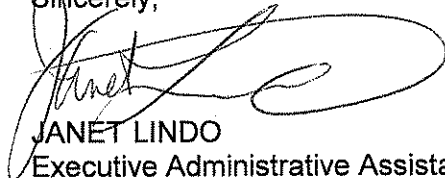
PLEASE BE ADVISED:

In accordance with Section 245 of the City Charter, the Board's determination shall become final at the expiration of the next five meeting days of the City Council during which the City Council has convened in regular session, unless the City Council acts within that time frame by two-thirds vote to bring the action before them or to waive review of the action. The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5 only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision became final.

Section 3 (D) of City Ordinance 174,006 establishing Regulations to implement the Plan for a Citywide System of Neighborhood Councils and Article IV, Section 9 of the Plan, specify the process for appeal of a Board decision to disapprove certification of an applicant group. The Ordinance and Plan state that if the Commission rejects the application, the neighborhood council may appeal to the City Council within five meeting days of the City Council during which the Council has convened in regular session. The City Council may, by ten votes, sustain, revise or modify the Commission's decision. Written correspondence requesting an appeal of the Board's action to the City Council should be forwarded to the Office of the City Clerk for processing: 200 North Spring Street, Room 395, Los Angeles, CA 90012, telephone (213) 978-1050.

If you have any questions regarding this notification, please call the Department of Neighborhood Empowerment at (213) 485-1360.

Sincerely,



JANET LINDO
Executive Administrative Assistant
Board of Neighborhood Commissioners

cc: BongHwan (BH) Kim, General Manager
Larry Frank, Office of the Mayor
Darren Martinez, Office of the City Attorney
Carmen Hawkins, Office of the City Attorney