

April 26, 2021

Councilmember Kevin de León  
Council District 14

RE: DISPUTED BOUNDARY BETWEEN ASNC and HNC

This will advise that at a regularly held public meeting of the Arroyo Seco Neighborhood Council (ASNC) on April 26, 2021, it was moved and passed by a vote of (...) that the ASNC seek support from Councilmember de León regarding the Department of Neighborhood Empowerment's (DONE) improper expansion of the Hermon Neighborhood Council's (HNC) boundaries at the time of its subdivision election on April 8, 2017. The latest version of the ASNC Bylaws includes this error, undermining the will of the Board. The current map expands the territory of HNC beyond what was shown in HNC's application of December 2016. This expansion was never publicly disclosed to ASNC and its stakeholders. The action, facilitated by the Department of Neighborhood Empowerment, willfully violates the Brown Act and takes away a critical, long established area of the Monterey Hills community.

The process of HNC's formation began with the applicant's December 2016 subdivision application. The map and boundary description in the application matched those in ASNC's Bylaws. DONE accepted HNC's application and an election for stakeholders' approval was planned for April 8, 2017.

At some point close to the April election, a new Hermon boundary map emerged. The existing boundary between Via Colina, Lomitas and Ebey had been moved up the hill to the centerline of Via Colina. No notifications or negotiations about this boundary alteration took place. The ASNC Board was never informed of the alteration, and no public announcements about it were made to stakeholders.

In addition to these procedural irregularities leading up to the subdivision election, the information on the [www.empowerla.org](http://www.empowerla.org) website was misleading. On the Hermon subdivision page of the website, the proposed Hermon NC Bylaws showed the map with the original boundaries. At the same time, there was a link labeled "HERMON NEIGHBORHOOD COUNCIL APPLICATION, DOCUMENTS, ETC" that lead to an undated Google Docs page that included the altered boundary map.

A Monterey Hills stakeholder discovered the altered map on the Google Docs page a few days before the April 8, 2017 election. He sought explanation from DONE staff. They never responded to the stakeholder's request. On the day of the election where DONE staff conducted the voting under a poster of the altered map, they dismissed the matter as unimportant with the excuse that no Monterey Hills stakeholders were being moved into the proposed HNC. This argument is irrelevant given that the purpose of neighborhood councils are to provide a communication channel to communities on how they are governed, including land-use concerns within each NC's jurisdiction.

These irregularities are the basis of our complaint against the HNC's encroachment into ASNC territory. The territory in question is important to the ASNC and especially to our stakeholders in the Monterey Hills area because it is integral to this community. Neighborhood Council boundaries should conform to the cultural and physical characteristics of a community. The area taken by HNC has always been part of the CRA-LA created community of Monterey Hills. Tree wells and distinctive brick work on Via Colina are evidence of this fact. Any development of the open space on the west side of Via Colina would have a serious impact on the Monterey Hills community. Because this area is well removed and above the homes of Hermon, any impact on Hermon residents would be negligible.

We contend that the Neighborhood Council boundary between Hermon and Monterey Hills was imposed without proper notification in violation of the Brown Act. Monterey Hills stakeholders were not informed or consulted that Monterey Hills territory was being transferred to HNC. When the deception was discovered at the end of the subdivision period, DONE staff stonewalled. The ASNC and the Monterey Hills community dispute the boundary change and condemn DONE's failure to uphold the Brown Act.

In summary, the 2017 boundary between Hermon and Monterey Hills is disputed by the ASNC. In violation of the Brown Act, an open and due process was not followed in the action of shifting a portion of Monterey Hills west of Via Colina to within HNC boundaries. ASNC requires that the original boundary be restored in our Bylaws. This is not merely a Bylaws change, but redress of a serious failing of the Department of Neighborhood Empowerment.

Thank you for your attention to this important matter.

Sincerely,  
Arroyo Seco Neighborhood Council