



**Northwest San Pedro Neighborhood Council
February 8, 2010 Board and Stakeholder Meeting Minutes
Peck Park, 6:30pm**

1. **Call to Order:** President Dan Dixon called the meeting to order at 6:39pm
2. **Roll Call:** Board members in attendance were: Dan Dixon, Paula Mazzarino, John Greenwood, Craig Goldfarb, Gabriel Rivas, John Mavar, Meryl Moilov, Philip Nicolay, Ray Patricio, Cpt. George Thompson, Barbara Schach, Mary Hamlin, Peter Burmeister and Diana Nave. The following board members were excused: David Arvonio and Laureen Vivian. Approximately 16 stakeholders present.
3. **Approval of Minutes of the January 11, 2010 Meeting:** John Mavar made a motion to approve the minutes of the January 11, 2010 Meeting, seconded by George Thompson and approved unanimously by the board.
4. **Election of New Board Member:** Bob Bryant was recommended to fill the vacant board position (vacated by Mollie Abbatiello due to work commitments). No other applications were received by the Secretary. John Greenwood made a motion to appoint Bob Bryant as the newest board member, seconded by Diana Nave and unanimously approved by the board. Bob Bryant was welcomed and seated. Pres. Dan Dixon commented that Bob Bryant has been very active on various NWSPNC committees. Bob Bryant and John Mavar will be co-chairing the Outreach Committee.
5. **Report from LAPD:** Officer Ashcroft reported that all of San Pedro is being hit with burglaries. Several youth believed to be ditching school are suspected of committing the crimes. He stressed the importance of locking up possessions and knowing who is in your neighborhood so that suspicious behavior can be reported. The burglaries are the biggest problem at the present time. Some minor problems in Peck Park which were handled by officers using the ATVs. Officer Ashcroft asked stakeholders to report anything to him that they see. He also provided an update on sober living homes which are popping up in San Pedro.
6. **MOTIONS:**
 - a. **Motion Re: Elections:** Elections are scheduled for the same day as the State Elections. All neighborhood councils in the area and even the Council office have asked to change the date but the City Clerk's office is not willing to change the date. There is also a second issue related to the amount of money being spent on elections by the city clerk. Diana Nave made a motion that the Northwest San Pedro Neighborhood Council requests that control of the neighborhood council elections be returned to the neighborhood councils immediately. The motion was seconded by Gabriel Rivas and passed unanimously by the Board.
 - b. Craig read the second draft of the proposed motion (see #1) from the Finance Committee. John Greenwood talked about revisions he had made in a third draft. An amendment by proposed by Diana Nave (change "DONE process" to "DONE administrative process" in item #4). The amendment was seconded by John Mavar and approved unanimously by the board. The amended motion was then passed by unanimous vote of the Board. Wording of amended motion follows:

Whereas, the Office of the Controller has done an audit of Department of Neighborhood Empowerment (DONE) management with regards to Neighborhood Council (NC) funding, and Whereas, this second audit report undertaken by the Controller shows serious flaws in the system, echoing the same deficiencies revealed in the first audit in 2006, and Whereas, the report shows that DONE has failed and continues to fail at keeping accurate records of NC funds. The report delineates grave discrepancies in total available cash and the over-allocation of funds to certain NCs. DONE is shown in this report to have failed to review reports and budgets from NCs that DONE has required them to produce, and Whereas, while the Audit Report details 34 points in DONE's current accountability plan for NCs, DONE has failed to consult with the neighborhood councils about the implementation of this plan, and

Whereas, the audit does not include the following points:

- DONE's failure to work with the NCs to craft a system that is workable in the real world.*
- That DONE has succeeded in either making the system difficult to comply with or has directed NCs to circumvent the rules*
- That DONE's policies have been so inconsistent and arbitrary that it has left the NCs confused as to what the policies are*
- That DONE's Treasurers' Training Program, which was supposed to impart clear guidelines, has proven incomplete and inconsistent.*

NOW, THEREFORE, WE RESOLVE THE FOLLOWING:

- 1. That the changes to the NC funding program be sent to the E & N Committee of the City Council for further discussion and review in order to come up with a plan that will reform the DONE administrative process and produce savings equal to or greater than that proposed by the CAO.*
- 2. That the NCs form a committee to oversee NC funding and to reform it to comply with City rules and the needs of the NCs.*
- 3. That the NCs also take over training and mentoring of the Treasurers.*
- 4. That all changes that have been made recently be rescinded until they can be reviewed by the E & N Committee and the NCs.*

- c. Motion to support letter from Board of Neighborhood Commissioners regarding NC's. Dan Dixon read the letter to the Board and stakeholders (see #2) and suggested we strongly support the position taken in this letter. John Mavar made a motion seconded by Barbara Schach that the Northwest San Pedro Neighborhood Council support the position taken in the letter. After discussion the motion was withdrawn. **Substitute motion made by Diana Nave made a motion that we send a letter pointing out the need for the development of a mechanism whereby encumbering of NC funds will be recognized. Seconded Pete Burmeister. Unanimous vote in favor.**

7. Presentation by Mr. BongHwan Kim, General Manager of the Department of Neighborhood Empowerment. Mr. Kim reported on the following:

- a. It is being proposed that the Community Development Department or City Clerk house the Department of Neighborhood Empowerment (DONE) which is being drastically cut. Mr. Kim said that DONE is a General Services Department, and basically an extension of various departments. Due to the mayor's budget cuts, they are being cut from 34 to 17 positions.
- b. There is a great need to create an Emergency preparedness plan within the NC system which includes CERT training etc. He feels that there is a powerful role for NC's in saving human lives.
- c. The NC funding program is broken. A more streamlined payment procedure is desperately needed. Mr. Kim will recommend that the bank card not be eliminated. Petty cash is being eliminated.
- d. The volunteer manpower coming out of NC's would cost over \$9 million if these were paid positions.

8. Possible Motions with respect to City budget issues. No motions were proposed regarding this agenda item.

9. **Report Councilwoman's Office:** Ana Dragin reported on the following:
 - a. The Council has a tough job to do because entire departments are getting eliminated. The councilwoman will be working hard to protect the NC's.
 - b. Letter dated January 19th regarding a motion proposed to the City Council that will allow NC's to opt out of the city clerk process for elections. That Motion was seconded by Councilwoman Hahn.
 - c. Storms in San Pedro. \$30,000 was secured for the families that were affected by the storm damage around 4th Street and Mesa.
 - d. Ribbon cutting ceremony for the Peck Park Horseshoe Pits was cancelled due to rain and has been rescheduled for this Thursday 9am.
 - e. Diana Nave publicly thanked Janice Hahn for her support on the recent CEQA appeals and on the Valley Village Appeal.
 - f. Ana passed around the wording of a Council Motion that will be presented to the Education and Neighborhoods Committee requesting that the City Clerk's Office amend plans for the upcoming Neighborhood Council elections to authorize pilot programs offered and funded by any Neighborhood Councils, as long as the City Clerk determines that any such pilot programs can be implemented in a timely and legal manner without jeopardizing the election services offered in 2010 by the City Clerk's Office or the elections themselves. (This motion was presented by Paul Koretz, Councilmember, 5th District).

10. **Port of Los Angeles:** Augie Besmolovich reported on the following:
 - a. Announcement of the upcoming LA Waterfront Kick-Off Public Meeting being held on February 11, 2010 from 6pm to 8pm at the Crowne Plaza Hotel Ballroom.
 - b. The historic Angel Gate Tug Boat is back in service as a classroom on the water thanks to a successful fund-raising campaign to cover necessary maintenance.
 - c. The Port of LA is moving forward with the federally funded Harry Bridges Blvd roadway improvements that will improve public safety and access into the TraPac container terminal; and create more than 250 local construction jobs. Notice to Proceed date is March 8 and the project is expected to last 21 months.
 - d. The Port continues to pursue more than \$300 million in additional Federal stimulus money.
 - e. Container volume showed a slight increase in December 2009 and ended strong on exports.
 - f. Port working with Vision Industries to evaluate zero-emissions hybrid-electric trucks.
 - g. 9 "Super Days" for the Cruise Ships in San Pedro. PBID is working with the Port to try to get the people into downtown San Pedro.
 - h. Engineers looking at getting the fountain to play more frequently.
 - i. IOWA proposal still being looked at.
 - j. By July some changes will be made to improve traffic at Swinford near the cruise terminal where the traffic backs up. Improvements should be finished by July.
 - k. Knatz met with Janice Hahn's TCT committee Feb 3 to give an update on Gambol Industries and the channel deep ending issue.
 - l. Next BOHC meetings are Feb 18 and Mar 4, 8:30am at POLA Admin Building.

11. **PUBLIC COMMENT:**
 - a. David Green, San Pedro Democratic Club. Announcement about a California State Officer Democratic Candidates Forum on Sat April 10th, 3-6pm, UFCW Hall 770 in Harbor City.
 - b. Evelyn from 7th Street Elementary School asked for an update on the \$1500 funding that was approved by the board for chair gliders at the school.
 - c. Pete Burmeister reported that the West Coast Canine group is waiting for the inspection. They have fulfilled all the requirements that DWP gave them.

12. **Neighborhood Council Elections:** March 8 is the first day for candidates to file. The Outreach Committee will be working on publicity.

13. **Issues and Outreach:** A motion to allocate up to \$7,500.00 for newsletter and outreach expenses for the NC elections was withdrawn after it was determined that the money has already been voted on.

14. **Land Use and Planning Committee:**

- a. Diana reported on two applications for cell towers: One at 8th and Averill; and a second tower that AT&T is now requesting at 1st and Ellery. A letter was received from the DWP in response to NWSPNC's letter regarding the cell tower on Westmont Drive. The letter states that the CPU code, Section 7901, allows communication corporations to construct lines and equipment along and upon any public road or highway and therefore there is nothing that the DWP can do (additional information was provided in Diana Nave's written "Secretary's Report.")
- b. Volunteers of America first presented their plans for veterans housing at the Land Use and Planning Committee. Diana introduced Robert Katherman who gave an overview of the project :
 - i. Property is located behind and below Rolling Hills Prep School. Former Navy Property. Deeded for homeless use only.
 - ii. As part of the project they are proposing a private street (required by City of LA to legalize the property). They will in front of the Zoning Administration on February 25th at San Pedro City Hall. The hearing is for a density bonus.
 - iii. A traffic memorandum handout was provided.
 - iv. Bob Pratt from VOA then talked about the housing and services of the 76 proposed units and what they will offer to the veterans coming from Iraq.
 - v. Questions were asked and answered related to traffic.
 - vi. **A motion was made by John Greenwood to support the project in concept, and the Board will delegate oversight to the Land Use Planning Committee. Seconded by Gabriel Rivas. Passed unanimously by the Board.**
- c. **Motion related to reopening of pipelines controlled by Rancho Holdings (Amerigas).** The following motion was brought forth from the Land Use and Planning Commission and approved by unanimous vote of the NWSPNC Board:

The Northwest San Pedro Neighborhood Council requests that the Harbor Department not take any action regarding Rancho Holdings until they have consulted with the NWSPNC and that if they are seeking to reopen the pipeline an environmental review should be conducted.

- d. **Motion regarding city policy on Accessory Dwelling Units.** Diana Nave talked about the issue. The State of California passed a law several years ago requiring municipalities to provide for second living units in single-family residential areas. These units known as Accessory Dwelling Units (ADUs) might be for a relative or could be rented out. The state set certain parameters and allowed Cities to set more stringent requirements with regard to some features. The City of Los Angeles was starting to develop an ordinance and asked the community for input on a number of items, however, they have stopped working on the ordinance. Many Cities have adopted ordinances that are considerably stricter than the state. Without adopting such an ordinance, a second unit of unlimited size can be built on virtually all R-1 lots. PlanCheckLA, the citywide network of Neighborhood Councils to promote more stakeholder participation in planning and land use issues, has decided to take up where the City left off and develop an ordinance to present to the City. They expanded the City's survey and asked for NC input. **A motion was made by the Land Use and Planning Committee to approve the position paper. The motion was approved unanimously by the NWSPNC Board. (See attached position paper).**

15. Port Committee:

- a. Motion regarding composition of Port Community Advisory Committee: Phil Nicolay talked about the re-structuring discussion related to the PCAC. Port Committee meeting will be March 23, 2010 Tuesday. No motion was voted on.
- b. Plains all American lawsuit was dismissed they are now allowed to go forward with their project.

16. Treasurer's Report:

- a. Motion to allocate \$750.00 to Harbor Interfaith Shelter. Craig explained the motion that was passed by the Finance Committee. The NWSPNC Board voted unanimously in favor of the motion.
- b. Motion for technical correction to previously approved funds for Bloch Field. \$3500 was allocated and we cannot pay for umpires. Motion to support the technical correction for the money already voted on. Passed by unanimous vote.

17. Youth and Education Committee: Comments on funding requests.

18. Harbor Alliance of Neighborhood Councils – A written report was provided by Diana Nave and can be viewed on the NWSPNC website.

19. Chair's Report:

- a. Dan Dixon talked about Emergency Preparedness and Newsletter articles.
- b. Appointment of Co-chairs for Outreach Committee.
- c. The updated list of committee assignments was approved by the board.

20. Meeting adjourned at 9:00pm.

Respectfully submitted by Kristina Smith
Administrative Assistant to NWSPNC Board

ATTACHMENT

What began in AB 1866 as a reasonable idea of allowing granny flats in residential areas was changed through a misguided attempt to provide more housing by overriding local control over land use decisions. The bill limits the regulatory power of local governments and local communities regarding second units being constructed in R-1 neighborhoods. Local governments use zoning restrictions to provide adequate traffic flow, water, sewer services and schools. The Northwest San Pedro Neighborhood Council advocates using the city's regulations for Accessory Dwelling Units to provide needed flexibility to AB 1866. Thus we recommend the following

1. It appears that Government Code Section 65803, "Zoning Regulations," may not apply to Charter Cities because of the Municipal affairs doctrine found in Article 11 of the California Constitution, including Sections 3, 5, and 7. The Council requests that the City Attorney review the California Government Code Section 65852.2 to determine if it is applicable to Charter Cities and if so, to explain the basis for the finding. If this section is not specifically applicable to a Charter City, then the City should not proceed with the development of an ADU Ordinance.

If the Code is applicable to Charter Cities, the City Attorney should be asked to determine if the law can be applied through the creating of specific ADU districts within the Community Plans. If so, the Planning Department should explore this option.

2. Minimum lot size should be 10,000 square feet.
3. Maximum size for an ADU should be 500 square feet with a maximum of one bedroom.
4. At least one of the units must be owner occupied.
5. The parking for the primary residence must be in accordance with the current code and at least one additional off-street parking space must be provided for each ADU bedroom.
6. The ADU should have the same or similar architectural features, style and compatibility as the primary dwelling unit and the external building materials should be the same or similar.
7. The ADU should not be allowed on streets that are substandard in width.
8. All building code and other zoning requirements such as setback, height restrictions, lot coverage, and CCRs must be satisfied.
9. The potential ADU count must be included in the Environmental Assessment of the Community Plan