

Contact Information

Neighborhood Council: Northwest San Pedro Neighborhood Council

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Date of NC Board Action: 06/14/2010

Type of NC Board Action: For Proposal

Impact Information

Date: 06/25/2010

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 09-0966-s1

Agenda Date:

Item Number:

Brief Summary: NWSPNC fully this motion and requests that it be amended as shown in the attachment

Additional Information: We have long been concerned about the potential impacts of SB 1818 on our community, particularly its disregard for the community planning process and environmental impacts of the additional density.



**Northwest San Pedro Neighborhood Council
June 14, 2010 Board and Stakeholder Meeting (DRAFT) Minutes
Peck Park, 6:30pm**

1. **Call to Order:** President Dan Dixon called the meeting to order at 6:pm
2. **Roll Call:** Board members in attendance were: Pete Burmeister, Bob Bryant, Dan Dixon, John Greenwood, Craig Goldfarb, Meryl Moilov, Diana Nave, Phil Nicolay, Gabriel Rivas, Barbara Schach, and Laureen Vivian. Absent: Ray Patricio, Paula Mazzarino and David Arvonio, The following board members were excused: Mary Hamlin, John Mavar and Capt. George Thompson. Approximately 14 stakeholders present.
3. **Approval of Minutes of the February, 2010 Meeting:** John Greenwood made a motion to approve the minutes of the May 10, 2010 Meeting, seconded by Diana Nave. A correction was made on Page 1 showing that Garbriel Rivas was not present at the meeting although marked present. The corrected minutes were approved unanimously by the board.
4. **Report from LAPD:** Officer Ashcroft reported that crime stats are down and property crime have decreased significantly. He commented that there was actually a slight increase in crime mid-week (Tues-Thurs) where normally the crime was higher on the weekend. There have been problems with burglaries during school hours and the truancy task force has made a huge impact. The department is now preparing for the 4th of July and will be heavily deployed in the Taper Avenue area. They will be arresting those people drinking in the street and people setting off fireworks (it was stressed that the officers will not be lenient and people will be taken to jail). Officer Ashcroft also talked about the recent gun buy back program which brought in 700 guns (that means 700 less guns on the streets). Laureen Vivian complained to Officer Ashcroft about the graffiti in Averill Park. Craig Goldfarb asked about the sober living home that was previously a problem and it was mentioned that everything seems to be quiet in that area at the present time.
5. **Port of Los Angeles:** Augie Besmalinovich was not present to provide a report from the Port.
6. **Councilwoman Janice Hahn's office:** Ana Dragin reported on the following:
 - a. Staff Changes at the Harbor District office.
 - b. Street resurfacing. Quite a few streets being resurfaced in the Northwest San Pedro area including North Gaffey and near Taper. A list will be available in the future.
 - c. Dan Dixon made Ana aware of the street damage at the driveway of Target on Capitol.
 - d. Craig Goldfarb asked about resurfacing of Meyer between Capitol and Channel. Ana commented that the worst streets in the district are being targeted first. She suggested that board members email her with any specific requests.
 - e. Pete asked about trucks from Westmont to Channel damaging North Gaffey. He says that Kinder Morgan should be contacted to assist in repairing the damage.
 - f. A new multi-cultural statue will be unveiled on Thurs June 24th 6pm next to water fountain. Brief program and refreshments. Councilwoman will attend and other dignitaries.
 - g. Pete Burmeister thanked Hahn's office for their assistance with the West Coast Canine's issue with the DWP.
 - h. San Pedro Medical Marijuana dispensaries are being shut down.
 - i. A total of 47 ADA ramps will be installed along Gaffey between the end of the freeway and 9th Street.

- j. On 4th of July there will not be a formal program at Cabrillo Beach, however, there will be a program at the Korean Bell and Cabrillo Beach will have a firework show at 9pm.
- k. Averill Park upgrades are complete. Rec and Parks is supposed to do graffiti abatement daily.
- l. Renovation of the Anderson Senior Center will probably begin this summer. Improvements include repair of termite damage and other upgrades.
- m. There will be new fencing erected at Angels Gate near the Korean bell.
- n. Pete Burmeister informed Ana that the Storm drain/flood control canal along the side of Capitol Drive needs cleaning.
- o. Phil Nicolay told Ana that he would like an update on CD 15's input on the DWP increases.
- p. Diana Nave requested that the new staff member at the Councilwoman's office, Erica, come to our meeting next month so the Board can meet her.

7. **Public comment on non-agenda items:** None.

- 8. **Election:** The results were made official this morning. Dan congratulated the two new board members, Mark Anthony Shoats and Cynthia Gonyea who will be seated next month. Dan also thanked the Outreach Committee for the publicity and getting people out to vote on the day of the election. Chuck Hart publicly thanked the Board for their work in the community.
- 9. **Treasurer's Report:** Written reports were provided showing expenditures for the past month. \$9732.92 is carried over to the new year.
 - a. **Craig Goldfarb made a motion to accept the monthly register of expenditures as presented, seconded by John Greenwood and unanimously approved by the Board.**
 - b. General Budget was presented for the 2010-2011 fiscal year. **After discussion Craig Goldfarb made a motion to approve the budget as presented, seconded by John Greenwood. Passed by unanimous vote of the Board.**
- 10. **Motion Re: Neighborhood Council Funding.** Diana Nave gave background information on the motion. There is no concrete plan as to what will happen to the Department of Neighborhood Empowerment. The fate of DONE is still being decided. Several people within the NC system came up with a suggested. It was requested that the Motion be split into two separate motions. Diana Nave agreed and made the following first motion, seconded by Pete Burmeister:

MOTION REGARDING NC FUNDING PROGRAM.

Whereas the Neighborhood Council funding program has become an administrative nightmare to both the City and Neighborhood Councils, and;
Whereas the majority of Neighborhood Councils have shown that they are very capable of managing their own funds, and;
Whereas it has become obvious that a new funding program must be developed, and **Whereas** any new system must allow for ease of use, credit card charges, some type of petty cash or a checking account, and transparency, and;
Whereas many excellent ideas have been proposed by various Neighborhood Council representatives, and;
Whereas it is evident that a new system will not be in place by July 1,
Now, therefore, be it resolved that the Northwest San Pedro Neighborhood Council:
 Requests that the Department of Neighborhood Empowerment immediately make arrangements with US Bank to issue convenience checks using a process such as that contained in Attachment 1:

ATTACHMENT 1- PROPOSED INTERIM MEASURES

US Bank will issue convenience checks to each NC with an active p-card account in good standing. The number and frequency of the check distribution should be enough so an NC can function. Perhaps five initially with replenishment by request of at least two board members with DONE being copied. The checks will be serially numbered.

The checks will bear the account holder's name. Currently, the name is usually that of the treasurer and the community he or she represents. Please note: in the long-run, the account name should be changed to be just that of the respective Neighborhood Council. The TIN should also be changed to the city's.

While it would be appropriate to require dual signatures on checks, that will probably not be possible under this interim arrangement with convenience checks. Therefore, these should be shared custody of the checks. Assuming US Bank sends the checks to the treasurer, the treasurer would prepare a standard memo to the president (copy to the Board), acknowledging receipt of the specific check stock (numbers x through z) and **transferring the physical custody to another board member who is not a signer.**

Before the custodian releases a check to the treasurer for payment of an invoice, the custodian would need written notice (e-mail is fine) from the president (or other designated board member) authorizing the payee, amount and purpose. The custodian will fill out the check as directed, leaving the signature line blank. Upon receipt of the check, the treasurer would sign and deliver it to the vendor. As you can see, there would be at least three persons involved in the issuance of a check making fraud highly unlikely.

There should be a maximum amount of \$5,000 per check. Obviously, the remaining allocated balance to the account cannot be exceeded. Treasurers will have to track the remaining balance to avoid an overdraft, but that would be true with any traditional checking account.

The accounting is no different from what is currently in place; a convenience check drawn against the p-card would be reported as any charge transaction would. All NCs maintain a transaction register and would list this transaction (noting the check number) in their registers.

Only NCs in good financial standing will be approved to use this procedure. The NC community can determine the conditions of good financial standing, but being current on financial reports should be among the requirements.

THIS MOTION WAS PASSED BY THE BOARD WITH 6 YES VOTES AND 5 NO VOTES.

POSSIBLE MOTION #2:

Request that future funding for Neighborhood Councils be in the form of General Purposes Grants in conjunction with uniform protocols and specific reporting requirements such as those in Attachment 2.

ATTACHMENT 2, NEIGHBORHOOD COUNCIL FUNDING PROGRAM PROPOSAL

This proposal relies heavily on the current DONE financial program, but with greater controls in place. This means that NC treasurers' need not go through additional training to learn a new system. Yet, at the same time, it requires only one full time accounting clerk to monitor the program.

We propose a monthly reporting period as opposed to the current quarterly reports. Monthly reporting includes all the current quarterly reports plus bank and purchase card reconciliations. Monthly reporting will expose problems early on which can limit the loss to the city. There will, basically, be no more demand warrants. There will be no more cash accounts. Each NC will open and use a checking account. It also contains penalties to withhold funds if reports are not timely submitted. With a lead time of 30 days, NC treasurers should be able to compile and submit a one month report.

DONE must keep in mind that NC treasurers are volunteers. They did not run for the office as a full time position in order to fulfill ever increasing demands, rules, and regulations. Some of these new rules appear to be "make work" rather than necessary controls. It is the prompt review of reports that will catch any malfeasance, not the number of rules in place.

NEIGHBORHOOD COUNCILS PURCHASE CARD - At the beginning of each quarter during the fiscal year, each purchase card will be loaded with one quarter of the annual funding, currently \$11,250. These funds will be loaded to each purchase card regardless of current balances. NCs will have a maximum daily spending limit of \$3,000. Purchases over \$3,000 may be paid in daily serial changes up to the amount of a very large purchase. Such purchases may also be made via the grant process which will result in a demand warrant. NCs may transfer up to \$500 per month to their checking accounts. Transfers to checking accounts may be made only once a month. Only one purchase card per NC will be issued. The card must remain under the control of the treasurer. Purchase card expenditures must be reconciled monthly with the Card Bank statement.

CHECKING ACCOUNTS - Every NC is expected to open a checking account for expenditures that are too small for the purchase card and for vendors who do not accept credit cards. A tax ID number can be obtained from the IRS for checking account purposes only. No fee checking accounts are available at most banks, however, NCs will be charged for check printing. Deposits can be made monthly via the purchase card in an amount not greater than \$500. Expenditures from the checking account will require signatures of both the treasurer and one other designated board member. Checking account expenditures must be reconciled monthly with the bank statement.

OTHER - All expenditures must be approved by the board whether it be through the budget or by vote at board meetings. All expenditures must be supported by appropriate, original invoices or receipts. If there are missing invoices or receipts, contact the vendor for a duplicate. If unable to obtain a duplicate, the board must pay these funds back to the city from their personal funds. There are no missing receipt affidavits. Any expense reimbursements to board members must include not only the original receipt; it must also include a completed expense reimbursement form signed by the treasurer and one other board member. Monthly reports must be presented to stakeholders at the appropriate stakeholder meetings. These reports must include a beginning balance, receipt of funds, a listing of funds paid out, and an ending balance. They must also include the monthly ending balances of the purchase card and the checking account which must equal the listed expenditure portion of the report. Monthly reports of expenditures and reconciliations to DONE are due no later than the end of the following month. An additional five day grace period will be allowed. Any NC not submitting their reports timely will have a hold placed on their funds until DONE receives the delinquent reports. NCs will use DONE forms to write up their expenditures. Bank and purchase card account reconciliations must also be included. (See attached form.) NCs should always keep copies of all correspondence and reports filed with DONE. All submitted material must be firmly stapled together to insure that no receipts are lost in the handling of the reports.

DONE - When monthly expenditure reports are received, they must be date stamped and recorded as received on a master list. Any NCs whose reports are not received by the end of each month will receive a five day email notification to produce such report. If reports are still delinquent after the extension period, the NC will have a hold placed on their funds until the reports are received. NC expenditure reports will be reviewed for accuracy, proper expenditures, and original receipts. Missing, inaccurate, or photocopied receipts will not be accepted. If the NC is unable to supply the proper receipts, the expenditure will be disallowed, and the amount of the transaction must be repaid to the city. There will be no missing receipt affidavits. Reports should be received with the report forms on the front, followed by reconciliations and the original receipts firmly stapled together. DONE must immediately notify any NC of any problem that occurs in regards to their reports.

IT WAS DETERMINED THAT THIS SECOND MOTION BE SENT TO THE BUDGET AND FINANCE COMMITTEE FOR FURTHER REVIEW.

11. **Planning and Land Use Report:** Diana reported on the following:
 - a. **VOA Proposed Navy Village:** Background information was provided in Diana's written Planning and Land use report. **A motion was made by Diana Nave to replace the motion provided in the agenda packet with an amended motion which she read to the Board. The motion to amend was seconded by Bob Bryant and unanimously approved by the Board. The Board then voted unanimously to approve the amended motion as follows:**

MOTION #1

The Northwest San Pedro Neighborhood Council supports Volunteers of America's proposed NAVY Village ZA-2009-2698 ZA, PS-1422 on the condition that:

1. VOA successfully enters into a written agreement with Rolling Hills Prep School and

Marymount College,

2. VOA meets with the tenants of the Mobile Home Park that is situated directly across Palos Verdes Drive from Marymount/Rolling Hills Prep School,
3. The proposed shuttle and bus be made conditions of the approval in perpetuity, and
4. That a one-year review be required as a condition of approval.

In addition, the Council is concerned about the implementation of ATSAC along Pacific Coast Highway between Western and Gaffey. The signal at Gaffey is under the jurisdiction of the City DOT while the signal at Western is under the jurisdiction of Cal Trans. The NWSPNC requests that the City negotiate with Cal Trans to develop an agreement that will incorporate that intersection into the City's ATSAC System.

- b. **SENATE BILL 1818 Density Bonus:** Diana Nave gave background information on the NWSPNC's concerns about SB 1818. This legislation basically allows for a 30% increase in density above that allowed in the Community Plan and a number of exceptions to the zoning code (e.g. set-backs) in exchange for a very small number of low-moderate income units with no public input. Information was given on the recent introduction of two motions regarding SB1818 by Councilmembers Koretz and Krekorian. **The following motion was made by the Planning and Land Use Committee and unanimously approved by the NWSPNC Board:**

MOTION #2

The Northwest San Pedro Neighborhood Council supports CF 10-0002-S28 and requests that the City of Los Angeles include SUPPORT for the repeal of the State Density Bonus Law (SB1818) in its State Legislative Program for 2009-10 and 2010-11. NWSPNC further requests that the motion be amended to add the following language: "In the event that there is insufficient support statewide to repeal the law, the City should propose an amendment that would create a method for exemptions. Possible bases for exemptions could include: 1) municipalities over a certain size, 2) determination by a municipality that they wanted to opt out, or 3) charter cities."

- c. The second motion, CF 09-0966 S1, instructs the Planning Department to revise the SB 1818 implementation ordinance to reflect the following policy changes:
 - a) Require all density bonus applications to provide written financial proof that any incentive is financially necessary for the provision of the affordable housing,
 - b) Expand the notification to 500 feet radius and notify Neighborhood Councils,
 - c) Allow any interested stakeholder to appeal.

It also asks the Planning Department to evaluate the efficiency of the City's ordinance in providing affordable housing, versus units lost, and its impacts on neighborhoods and to determine whether the affordability covenants are being enforced, if the neediest individuals are actually being given these units, and if there are any changes needed for improvement.

The Planning and Land use Committee recommended support for this motion and asks that it be amended to include actions previously adopted by this council:

MOTION #3

The NWSPNC supports 09-0966-S1 and consistent with prior actions (August 10, 2009) requests that it be amended to include the following:

- 1) All projects requiring a discretionary approval should be required to include the impacts that will be generated by using the maximum bonus applicable to the project;
- 2) Any changes to a project such as [but not limited to] increasing floor to area ratio, decreasing side yard setbacks, or increasing floors, be subject to review and input by Neighborhood councils and others, as required by environmental laws.
- 3) All Local Community Plans and Specific Plans include the density bonuses in the zoning calculations and designations.

THE NWSPNC BOARD VOTED UNANIMOUSLY IN FAVOR OF THIS MOTION.

- d. **Zoning Code Simplification:** The Committee reviewed the proposed topics for revisions in the zoning code and is concerned that the timeframe proposed by the Planning Department will not allow sufficient time for review and input from Neighborhood Councils. Therefore the committee recommended the following motion:

MOTION #4

The NWSPNC recommends that the proposed City Planning Commission June 10, 2010 study session on the code Simplification Work Program and corresponding ordinances and the proposed schedule of July, August and September be delayed 90 days to perform Charter mandated outreach and exchange of feedback with all Neighborhood Councils and include consideration of the impact of SB 1818.

THE NWSPNC BOARD VOTED UNANIMOUSLY IN FAVOR OF THIS MOTION.

- e. **Report on Meeting with Rancho Holdings.** A quick overview of Pat Nave's report was included in the written report of the Planning and Land Use Committee which can be found on the NWSPNC website.
12. **Port Committee:** Phil Nicolay reported on the following:
- a. June 3rd there was a Board of Harbor Commissioners Meeting where a long discussion was held regarding the future structure of the PCAC. A motion to restructure the PCAC was postponed for further review of the issue. Phil commented that the next PCAC meeting is tomorrow (Tuesday, June 15, 2010) but it has a very light agenda.
 - b. Phil announced an upcoming fundraising event being held near the fountain on July 2nd called "Cars and Stripes."
 - c. Port budget has been approved. The Port is spending approximately \$1 million a day on port projects.
 - d. Port traffic is up.
 - e. The Port would like to utilize the 22nd Street Park for events and asks for input from the community.
 - f. There will be no funding for a cruise terminal in the budget for at least 10 years. The waterfront project is ongoing.
 - g. There will be an RFP going out for improvement of Ports O' Call.
 - h. Phil commented that he is more concerned with DWP than the Port.
13. **Outreach Report:** Bob Bryant reported on the following:
- a. His committee has found an excellent way of marketing through the Daily Breeze. 6500 flyers inserted for \$300.
 - b. The newsletter is planned to go to print the first part of July. Bob would like the two new board members to write an article introducing themselves to the community and commenting on what they would like to involve themselves with as Board members.
 - c. The CERT program has been a huge success. Our NC received unbelievable response. The last class is this week. There were a total of 7 classes and approximately 25 people will be graduating. Ultimately, a total of 35 CERT members will be qualified. His committee recommends that our council form an Emergency Preparedness Subcommittee under the Outreach Committee. Such a subcommittee should stand on its own. He has spoken with Jody James and others. He asked if either of the new board members might like to assist.
14. **HANC Report. (Harbor Alliance of Neighborhood Councils).** A written report was provided and will be available on our website. Diana Nave reported on the following highlights of the past meeting:

- a. Bylaws task force. Met several times, they have come up with a “wire frame” on how NC bylaws ought to flow with questions/prompts to be sure everything is included. The report was given to BONC who thought it should be mandatory. DONE made their own recommendations.
 - b. Paul Krekorian will probably be at the next HANC meeting to discuss DONE and CDD etc.
15. **Secretary’s report:** Diana Nave provided a short written report. She commented on the recent motion made by the NWSPNC about naming a trail in Peck Park after Ray Patricio. We got an email back from the Department of Rec and Parks which stated that in order to do that they want a commitment of \$25,000 a year in funding for five years. Other options will be considered. Diana also commented on the cell tower issue at the Presbyterian Church. The recent hearing was not concluded because members of church had not voted. Members of the church have since voted to support the tower. The Zoning Commissioner has not issued a determination. Community members who are upset plan to appeal the determination when it is made.
16. **Other Business:**
- a. Craig Goldfarb commented on 7th Street School and the chair glides (protectors) for the chairs at the school. Our council assisting in funding the project and the school is now asking for volunteers to put the glides on the chairs. Contact Craig Goldfarb if you wish to assist.
17. **Youth and Education Report:** Barbara reported that tonight is the last meeting for board member Meryl Moilov who served as Youth Seat. She was thanked for her excellent work with the Youth and Education committee and as a Board Member on the Neighborhood Council. The Council is now looking for a new board member to fill the vacant seat. The student stakeholder must be between the ages of 16-21, provide a resume and be interviewed by the Youth and Education Committee.
18. **Chair’s report:**
- a. Dan Dixon talked about the formation of a Cell Tower Committee. This new committee would be a working group within the Issues Committee or Planning and Land Use Committee. Bob Bryant commented that he has spoken with some people and one of the key persons that would be an asset to such a committee would be someone who has dealt with AT&T and others. It was recommended that George Radovic be appointed. Another stakeholder, Mr. Granich, who is a CPA, has stated that he would consider being a member, as well as Chuck Hart and David Rivera. There would be three policies that the committee should deal with which would include developing a policy on a local level and also through the city attorney. The committee would deal with the problems as they come up. They should be leading and talking to neighbors etc. to see if we can make the program work. Frank Hong of Councilwoman Hahn’s office would like to meet with Bob and the committee and get the cell tower requests to us as soon as possible. Time is critical. Bob would like to chair the committee in the beginning and then turn it over to one of the other committee members. President Dan Dixon appointed the above mentioned individuals to the committee.
 - b. Pete Burmeister would like to see a committee regarding the Harbor Highland Park. Dan said this will be a new project in July.
 - c. Dan thanked everyone in the room for their participation in our neighborhood council and also thanked those who are not here but have been an important part. There are a lot of issues in our community that we need to address. We are blessed to live in a relatively stable little part of Los Angeles.
 - d. Pete Burmeister wanted to give credit to the Homeowner United group for the tour of the Underground pumping station on Western which he found very interesting.

19. The meeting was adjourned 8:35 pm.

Respectfully submitted,

Kristina Smith, Administrative Assistant to NWSPNC