



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
<http://planning.lacity.org/>

Determination Mailing Date: OCT 28 2015

CASE NO.: CPC-2015-2119-CU
CEQA: ENV-2015-2120-CE

Location: 1730 W. Vernon
Council Districts: 8 – Harris-Dawson
Plan Area: South Los Angeles
Request: Conditional Use

Applicant: Bruce Brown, GEO Re-entry, Inc.
Representative: Fernando Villa, Allen Matkins

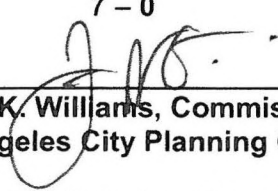
At its meeting of October 8, 2015, the Los Angeles City Planning Commission took the following action:

1. **Approved a Conditional Use**, pursuant to Section 12.24 U.5 of the Municipal Code, to permit the operation of a correctional institution for former inmates and parolees in the [Q]C2-1VL Zone.
2. **Adopted** the attached modified **Conditions of Approval**.
3. **Adopted** the attached **Findings**.
4. **Found** that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Class 5 Category 23 of the City of Los Angeles CEQA Guidelines and per Categorical Exemption No. **ENV-2015-2120-CE** for the granting of a renewal of a Conditional Use Permit.

This action was taken by the following vote:

Moved: Segura
Seconded: Mack
Ayes: Ahn, Ambroz, Katz, Millman, Dake-Wilson
Absent: Choe, Perlman

Vote: 7 – 0


James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Effective Date/Appeals: The Los Angeles City Planning Commission's determination is appealable. Any aggrieved party may file an appeal within 15-days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE: NOV 12 2015

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Findings
City Planner: Michelle Singh

FINDINGS

Entitlement Findings

1. Conditional Use Findings

- a) **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The Applicant, GEO Reentry Inc., is requesting a Conditional Use to reinstate the use, maintenance and operation of a correctional institution that provides support services for County, State and Federal parolees and inmates transitioning into society.

By proposing upgrades to the existing two-story building, the proposed project will provide a safe, structured and supervised environment for program participants who are serving the final months of their sentence at the facility. Upgrades to improve the condition and look of the facility include a new paint job on the exterior of the building, the installation of a new security system, the repair of damaged exterior doors and windows, upgrades to the plumbing, electrical and mechanical systems, and also limited renovations to the interior of the building. The facility's staff will also clean and maintain the alley and sidewalks around the proposed site.

In addition to the new physical improvements to the exterior of the building, the project also proposes to continue several services that are essential to the community, city or region. Job development, counseling for transitional life skills, substance abuse treatment and counseling, case management and accountability monitoring, and facilitated access to medical and mental health care, were services formerly included in the reentry facility that was granted by three previous conditional use permits. These services would continue to be included as part of the support services provided by the proposed reentry facility.

Furthermore, several economic benefits impacting the community include preferential local hiring practices for new facility staff, the creation of new jobs, and benefits for local business from the purchase of facility goods and services from local vendors and increased consumer activity by facility employees.

The proposed project's modest exterior improvements will enhance the built environment in the surrounding area. Currently, the site contains an existing, one- to two-story L-shaped commercial building in need of repair. As designed, the proposed project will enhance Vernon Avenue by maintaining a low-profile presence within the community and one that blends into its environment. The Applicant will be required to meet conditions of approval to mitigate the impacts of the proposed project. Furthermore, by providing transitional services for low-risk/non-violent former inmates and parolees with effective accountability programs that address the full spectrum of needs from mental health to jobs training, and by fulfilling a critical need to reduce the rate of recidivism, the proposed project will provide its participants with the tools and support necessary for positive re-integration into society, which is essential and beneficial to the local community, city and region.

- b) **The project's location, size, height, operation and other significant features will be compatible with and will not adversely affect or further degrade adjacent**

properties, the surrounding neighborhood, or the public health, welfare, and safety.

The proposed site has already been used for a variety of drug and parole rehabilitation programs for many years. The existing structure will remain as it is and is proposed to be utilized as was previously granted under Conditional Use Permits (CPC-2008-4759-CU, CPC-2003-9221-CU and CPC-1998-0319-CUC). The number of parolees housed at the facility will not exceed the maximum number of 140 beds. Furthermore, conditions of approval have been attached that will decrease any potential impacts on the immediate community and support public safety. Such conditions of approval include, but are not limited to: a restriction on the number of beds permitted at the proposed facility; enhancements to the adjacent public right-of-way including new street trees, specifications for the speaker systems used in and around the building and a limit on noise levels; a provision for licensed/certified security staff; mechanisms directing the public's complaint responses/community relations concerns to an appropriate point of contact; restrictions on where program participants can be dropped off and picked up; graffiti abatement; and strict screening standards for those individuals selected for program participation. In the past, screening criteria for potential program participants included permanent exclusion from placement in the re-entry facility if any of the following factors existed:

- No re-entry program is available where the inmate will parole
- Return-to-custody parole violators serving revocation time only
- Current commitment or prior conviction is enhanced by violent offender status
- Any arrest of violation for any act of kidnapping
- Predatory sexual behavior, including annoying children
- Current commitment or prior arrest or conviction for any criminal act using a firearm
- Any conviction for escape
- An active felony hold or detainer for the inmate
- Documented proof of prison gang affiliation or documented active prison gang relationships
- Documented disciplinary problems
- Assignments to the Security Housing Unit (SHU) / Psychiatric Housing Unit (PHU) within the past year
- Current medical or psychiatric problems which cannot be managed in a reentry center or which requires ongoing medical treatment
- Current commitment is for violation of Sale and Possession for Sale of Controlled Substances (large scale for profit)

In addition, the existing structure is uniquely suited to the proposed use as it is self-contained and has operated without incident at this location since 1982. The use is appropriately located in proximity to residential, educational, institutional uses and community resources, which directly support the facility's mission to aid and guide the transition of the center's residents.

c) The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable Community Plan, and any applicable Specific Plan.

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, Land Use, Transportation, Noise, Safety,

Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The project site is located entirely within the boundaries of the South Los Angeles Community Plan. The project site has a land use designation of Neighborhood Commercial. The proposed conditional use permit for a correctional institution is not consistent with the property's zone designation; however, the Applicant is seeking a conditional use permit for relief. With the approval of this entitlement from the City Planning Commission, the proposed project will be in substantial conformance with the purposes, intent, and provisions of the General Plan and all of its elements.

The proposed project is also located within the South Los Angeles Alcohol Sales Specific Plan, but since the proposed project is not requesting to sell alcoholic beverages for off-site consumption, the Specific Plan is not applicable.

Health and Wellness Element

Adopted in March 2015, the Plan for a Healthy Los Angeles lays the foundation to create healthier communities for all Angelenos. As the Health and Wellness Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health as a priority for the City's future growth and development. Through a new focus on public health from the perspective of the built environment and City services, the City of Los Angeles will strive to achieve better health and social equity through its programs, policies, plans, budgeting, and community engagement. The proposed project is consistent with the following goals, objectives and policies:

Chapter 6, Policy 6.3: Lifelong Learning. Create opportunities for education and growth at all stages of life to ensure that every Angeleno has access to the services and resources that will empower them to improve their quality of life and well-being.

Chapter 6, Policy 6.6: Workforce Training. Develop and implement workforce training and placement programs for residents who have barriers to employment and target programming to leverage major capital, infrastructure, transportation, and similar catalytic investments.

Chapter 7: Safe and Just Neighborhoods

Objective(s): Increase the number of non-violent vulnerable offenders (homeless, youth, individuals with mental health issues, etc.) who are diverted from incarceration and rerouted into support services.

Policy 7.5: Reintegration of the Formerly Incarcerated. Support programs for previously incarcerated persons that provide job training, secondary education opportunities, substance abuse, mental health, tattoo removal, housing services, etcetera to foster healthy community reintegration.

Policy 7.6: Diversion. Proactively collaborate with public, private, and nonprofit partners to divert vulnerable populations such as homeless individuals, veterans, individuals with mental health issues, at-risk youth and young adults, and other non-violent offenders from conviction and incarceration to supportive services that promote access to economic, education, housing, and health resources within their communities.

The Applicant proposes the revitalization of an underutilized site by renovating an existing, one- to two-story building and associated surface parking lot for the construction, maintenance and operation of a correctional facility that provides job development services, counseling, transitional life skills, substance abuse treatment and monitoring, case management, accountability monitoring, facilitated access to medical and mental health care and other support services. In order to facilitate the successful transition of low-risk, non-violent offenders back into the community, the proposed facility will provide not only a controlled, structured and humane environment for former inmates, but will also implement a series of security measures to monitor the activity of the program participants and ensure accountability of each individual's whereabouts at all times. Such security measures include electronic sign-in/sign-out, curfews, an enclosed environment for group recreational activities, random drug tests, accountability calls, random site verifications, and licensed/extensively-trained security staff. As part of Condition No.12, a decorative metal plaque will be placed on the main building by the entry or wall near the entrance to the facility that will include a 24-hour emergency telephone number and contact. Complaint calls can also be directed to the Facility Director.

The project is consistent with the above goals, objectives and policies of the Health and Wellness Element of the General Plan as the project provides a valuable resource to the community, City and region. As stated above, the proposed project will use an underutilized building to improve the social health of a city by focusing on one of the most vulnerable group of individuals – the formerly incarcerated. The type of support services provided to program participants offer lasting social and economic benefits not only for those individuals who are successfully re-integrated into society, but these benefits will have far-reaching positive impacts in the broader context of the community. According to the Health and Wellness Element of the General Plan, 75% of the City's extremely poor live in 4 areas, and South Los Angeles is among one of those four areas. Another staggering statistic is that only four percent of South Los Angeles residents have a college degree. The combination of low educational attainment and extremely low poverty levels is a barrier to social and economic prosperity, and limits opportunities for a better life, especially for the formerly incarcerated. The rate of recidivism in the State of California is known to be among the highest in the United States, and many studies have indicated that reentry initiatives that combine work training and placement with counseling and housing assistance can reduce this rate. The proposed project establishes a foundation for a better life by providing a safe place for program participants to live with opportunities for part- and full-time employment, and opportunities to demonstrate compliance for good-behavior, a necessary first step towards transition.

CEQA Findings

Pursuant to State CEQA Guidelines and City of Los Angeles CEQA Guidelines, a Categorical Exemption (ENV-2015-2120-CE) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the Lead Agency finds that, there is no substantial evidence that the proposed project will have a significant effect on the environment pursuant to Class 5 Category 23 of the City of Los Angeles CEQA Guidelines. The attached Categorical Exemption reflects the Lead Agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

CONDITIONS OF APPROVAL

Conditional Use Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A", "Exhibit B", "Exhibit C" and "Exhibit D", and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Use.** The use of the subject property shall be limited to a correctional institution under contract with government funded County, State or Federal correctional agency or agencies, for participants in the Work Furlough Program and associated programs.
3. **Plans.** Prior to the issuance of permits, detailed development plans including a complete landscape and irrigation plan and a parking area plan, shall be submitted to the Planning Department for review and sign-off clearance. The subject property shall be maintained in general conformance with the plot plan and floor plans stamped and dated October 8, 2015, attached to the subject case file. The plans shall comply with applicable provisions of the Municipal Code, the subject conditions herein and the intent of the subject permit authorization.
4. **Type of Resident.** Residents to be admitted to the program shall be limited to individuals selected for program participation by Federal, State and Los Angeles County inmates and parolees, in accordance with the eligibility and suitability criteria in effect on the date of the issuance of this grant.
5. **Number of Residents.** The number of residents at any one time shall not exceed 140 or that permitted by the Los Angeles City Fire Department and the Department of Building and Safety's Certificate of Occupancy permit, whichever is less.
6. **Parking.** The minimum number of on-site parking spaces shall be nine.
7. **Street Trees.** Prior to the issuance of any building permit, the applicant shall plant street trees along Vernon Avenue to the satisfaction of the Urban Forestry Division of the Bureau of Street Services.
8. **Landscape.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.
9. **Noise (Speaker Systems).** Any outdoor public address or paging system shall be designed by a qualified audio sound engineer and shall have the following minimum specifications:
 - a. Low pressure type speaker only may be used and shall be designed to have a maximum coverage area of approximately 400 square feet each;
 - b. Distance between speakers shall not exceed 40 feet; and
 - c. Amplified signals shall not be audible beyond the boundaries of the subject property.

10. **Security guards.** The operator shall employ 24 hour licensed/certified (i.e. custody officer) security. The operator shall prepare a security plan for the site in cooperation with the Los Angeles Police Department and any other responsible agency. Prior to the issuance of any building or land use permits, the proposed plan shall be submitted to the Planning Department for review and inclusion in the subject file.
11. **Walls, trash and storage.** Open areas devoted to trash storage or other storage shall be buffered so as not to result in noise, odor or debris impacts. Solid masonry block walls, a minimum of six feet in height, shall enclose trash and other storage areas. There shall be no openings except for gates.
12. **Complaint Response/Community Relations.** A minimum one (1) square-foot decorative metal plaque shall be placed on the main building by the entry or wall near the entrance that includes a 24-hour emergency telephone number and contact including the City Planning Case No. CPC-2015-2119-CU, with the statement that details the conditions of approval that are available for viewing at the City Planning Department in the subject case file.
13. **Deliveries.** An unloading area for the deliveries of supplies shall be provided on-site and not in the public right-of-way.
14. **Monitoring of Complaints.** The operator shall coordinate with the local division of the Los Angeles Police Department regarding appropriate monitoring of community complaints concerning activities associated with the subject facility.
 - a. Provide the emergency telephone number to the immediate neighbors, local neighborhood associations, Certified Neighborhood Council(s) and the Los Angeles Police Department.
 - b. The operator shall keep a log of complaints received, the date and time received and the disposition of the response. The log shall be retained for a minimum of one year and shall be made available upon request to the Planning Department or affected Council Office for review.
 - c. The operator shall designate a community liaison. The liaison shall meet with representatives of the neighbors and/or neighborhood association, at their request, to resolve neighborhood complaints regarding the subject property.
15. **Floor Area.** The total gross floor area dedicated to the correctional institution on the subject property shall not exceed 17,170 square feet.
16. **Drop-off/pick up.** All drop-off and/or pick-up activity shall take place on-site and out of public view from the main entrance.
17. **Term of Grant.** This grant shall be terminated on the same date that the applicant's government funded contract is terminated or within five years after the effective date of this grant, whichever is less. After five years, if the contract remains in effect, the applicant shall file for a new conditional use application with the City of Los Angeles Planning Commission.
18. **Graffiti.** The owners shall maintain the subject property clean and free of debris and rubbish and shall promptly remove any graffiti from the wall, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E. Exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to heights of at least 9-feet excluding windows and signs.

19. **Lighting.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties nor from above. This condition shall not preclude the installation of low-level security lighting.
20. **Fire.** The requirements of the Fire Department relative to fire safety, which may include but are not limited to access and interior heat sensitive sprinkler systems.
21. **Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
22. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Director of Planning will have the right to require the petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review the petitioner's compliance with and the effectiveness of the conditions of the grant. The petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.

Administrative Conditions

23. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
24. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
25. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
26. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
27. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

28. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
29. **Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.
30. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
31. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

DETERMINATION LETTER
CPC-2015-2119-CU
MAILING DATE: 10/28/15

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