

Google Groups

Fwd: Public Records Act Request to Westside Neighborhood Council ("WNC") – dated Friday March 3, 2017 / WNC Response

Zina Cheng

Mar 14, 2017 10:30 AM

Posted in group: **Clerk-PLUM-Committee**

NOTE TO LA CITY STAFF

Please Cc sharon.dickinson@lacity.org on all emails related to PLUM Committee.

Zina Cheng, Legislative Assistant
Planning and Land Use Management Committee

City of Los Angeles, Office of the City Clerk
Council and Public Services
(213) 978-1537
zina.cheng@lacity.org

Forwarded conversation

Subject: **Fwd: Public Records Act Request to Westside Neighborhood Council ("WNC") –dated Friday March 3, 2017 / WNC Response**

From: **Robert Silverman** <robert@magnorealtygroup.com>
Date: Mon, Mar 13, 2017 at 4:22 PM
To: paul koretz <paul.koretz@lacity.org>, joan pelico <joan.pelico@lacity.org>, shawn bayliss <shawn.bayliss@lacity.org>, zina cheng <zina.cheng@lacity.org>

Dear Concilman Koretz,

I had make a public records request to the WNC for items specifically related to OUTREACH for BMO and R1 Variation Zones.

I think their response only solidifies my grievance that was recognized by the Department of Neighborhood Empowerment.

See below.

Thank you,

-Robert Silverman

From: "Steve Spector" <Steve.Spector@macerich.com>
To: "robert@magnorealtygroup com" <robert@magnorealtygroup.com>
Sent: Monday, March 13, 2017 3:32:22 PM
Subject: Public Records Act Request to Westside Neighborhood Council ("WNC") –dated Friday March 3, 2017 / WNC Response

March 13, 2017

Mr. Robert Silverman

robert@magnorealtygroup.com

Sent Via E-Mail

Re: Public Records Act Request to Westside Neighborhood Council ("WNC") dated Friday March 3, 2017 / Response

Dear Mr. Silverman:

This correspondence is in response to your e-mail dated March 3, 2017, requesting certain records from the WNC under the Public Records Act. As you are aware, WNC is comprised of members of the public who provide, on a volunteer basis, services to the City of Los Angeles by providing recommendations to the City on issues impacting our community.

The Public Records Act allows the public to inspect non-exempt and reasonably identifiable writings relating to the conduct of the public's business and that are prepared, owned, or retained by a local agency. (*Gov. Code §§ 6252 and 6253(d)*). Under the Act, the public may inspect reasonably identifiable records only if the records being requested exist and are non-exempt. (*Gov. Code §§ 6252 and 6253(d)*.) Under Government Code section § 6253 (b), a request must reasonably identify or describe the records that are being sought. (*See also Rogers v. Superior Court, (1993) 19 Cal.App.4th 469, 481; holding that a request must be specific and focused.*). In addition, there is no obligation to create a record for the purpose of responding to a request under the Public Records Act. (*Gov. Code § § 6252 and 6253 (d).*)

The Neighborhood Council has conducted a diligent search in an effort to obtain and identify potentially responsive documents. Your original request and our original response are as follows:

Request #1

“All correspondence, either Handwritten or Electronically regarding the outreach made to stakeholders regarding the BMO and Variation Zones.”

Response #1

To date, we have found no documents responsive to this request.

Request #2

“All print material that may have been used for outreach for the BMO and Variation Zones”

Response #2

To date, we have found no documents responsive to this request.

Request #3

“Any and all emails with the City Council member Mr. Paul Koretz regarding this issue.”

Response #3

To date, we have found no documents responsive to this request.

Request #4

“All financial records to show what was spent on outreach or community meetings about the BMO and variation zones.”

Response #4

To date, we have found no documents responsive to this request.

Request #5

“Copies of all minutes from any meetings that specifically addressed the BMO or Variation Zones.”

Response #5

The documents responsive to your request are minutes from WNC meeting held on the following dates, which minutes can be found on the WNC website at wncla.org, and found via the hyperlinks provided below:

November 13, 2014

http://wncla.org/wp-content/uploads/2015/11/m_11-14.pdf

January 8, 2015

http://wncla.org/wp-content/uploads/2015/11/m_01-15.pdf

February 12, 2015

http://wncla.org/wp-content/uploads/2015/11/m_02-15.pdf

March 13, 2015

http://wncla.org/wp-content/uploads/2015/11/m_15-03.pdf

April 9, 2015

http://wncla.org/wp-content/uploads/2015/11/m_15-04.pdf

September 10, 2015

<http://wncla.org/wp-content/uploads/2015/09/WNC-Minutes-September-2015.pdf>

January 14, 2016

<http://wncla.org/wp-content/uploads/2016/02/WNC-Jan-2016-Minutes.pdf>

January 14, 2016

<http://wncla.org/wp-content/uploads/2016/02/WNC-Jan-2016-Minutes.pdf>

July 14, 2016

<http://wncla.org/wp-content/uploads/2016/08/WNC-Minutes-July-Final.pdf>

August 11, 2016

<http://wncla.org/wp-content/uploads/2016/08/WNC-Minutes-August-Draft3.pdf>

September 8, 2016

<http://wncla.org/wp-content/uploads/2017/03/Meeting-Minutes-Sept-8-2016.pdf>

October 13, 2016

<http://wncla.org/wp-content/uploads/2017/01/WNC-Minutes-October-final.pdf>

October 13, 2016

<http://wncla.org/wp-content/uploads/2017/01/WNC-Minutes-October-final.pdf>

January 12, 2017

<http://wncla.org/wp-content/uploads/2017/02/WNC-Minutes-January-Final.pdf>

Request #6

“Any and all Electronic email correspondence between board members and others regarding the BMO and Variation zones.”

Response #6

To date, we have found no documents responsive to this request.

We are conducting a search of board members own records to determine whether there are additional records responsive to this request. If we find additional records that are in addition to those provided hereby, we will make those available to you as well.

You may inspect the requested records at no charge, once they are available for inspection during regular business hours at a location to be determined (we will work with D.O.N.E. to find a suitable location) If you wish inspect these documents, please contact me at 424-229-3348 to make an appointment to view these documents. Please allow 48-hour notice so that I can ensure that someone will be able to meet you.

If you would like copies of the documents once they are gathered, please note that cost is \$0.10 (or actual commercial copy cost) for each page, payable to the City of Los Angeles. This amount is calculated pursuant to the Los Angeles Administrative Code, Chapter 2, Article 4, Section 12.40 (b). As a convenience, I am transmitting the attached documents electronically via email at no cost.

If you have any questions regarding this matter, please contact me at 424 229-3348 or via email at: steve.spector@macerich.com.

Please advise if you have any further questions.

Very truly yours,

Steve Spector, WNC Vice Chair

Steve Spector

.....
401 Wilshire Boulevard, Suite 700
Santa Monica, CA 90401
p. 424.229.3348

From: **Robert Silverman** <robert@magnorealtygroup.com>
Date: Mon, Mar 13, 2017 at 4:31 PM
To: paul koretz <paul.koretz@lacity.org>, joan pelico <joan.pelico@lacity.org>, shawn bayliss <shawn.bayliss@lacity.org>, zina cheng <zina.cheng@lacity.org>

Dear Councilman Koretz,

I had made a public records request to the WNC for items specifically related to OUTREACH for BMO and R1 Variation Zones.

Google Groups

Fwd: Westside Neighborhood Council Grievance #68

Zina Cheng

Mar 14, 2017 10:30 AM

Posted in group: **Clerk-PLUM-Committee**

NOTE TO LA CITY STAFF

Please Cc sharon.dickinson@lacity.org on all emails related to PLUM Committee.

Zina Cheng, Legislative Assistant
Planning and Land Use Management Committee

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----- Forwarded message -----

From: **Robert Silverman** <robert@magnorealtygroup.com>
Date: Mon, Mar 13, 2017 at 4:23 PM
Subject: Fwd: Westside Neighborhood Council Grievance #68
To: zina cheng <zina.cheng@lacity.org>

From: "robert@magnorealtygroup.com" <robert@magnorealtygroup.com>
To: "paul koretz" <paul.koretz@lacity.org>, "shawn bayliss" <shawn.bayliss@lacity.org>, "joan pelico" <joan.pelico@lacity.org>
Cc: "zina" <cheng@lacity.org>
Sent: Monday, March 13, 2017 3:54:43 PM
Subject: Westside Neighborhood Council Grievance #68

Dear Councilman Koretz and Mr. Bayliss,

I wanted to bring to your attention the Acknowledgement of my grievance against the Westside Neighborhood Council.

It shows there has been ZERO Outreach to the Stakeholders on this issue. (Please See attached)

Which is why hundreds of homeowners are so upset and are supporting R1V2 Zoning now that they understand what is happening.

Barbara Broide is a member of the WNC as well, and still no OUTREACH was done.

I hope this helps you understand your constituents frustration on this BMO process.

Thank you

-Robert Silverman

From: "Jasmine Duckworth" <jasmine.duckworth@lacity.org>
To: "Jasmine Elbarbary" <jasmine.elbarbary@lacity.org>
Cc: "Lorenzo Briceno" <lorenzo.briceno@lacity.org>, "Semee Park" <semee.park@lacity.org>, "robert@magnorealtygroup.com" <robert@magnorealtygroup.com>
Sent: Friday, March 10, 2017 11:56:42 AM
Subject: Grievance #68

Hello,

Please find attached the Grievance Determination Letter in connection with the recently submitted Grievance against the Westside Neighborhood Council. A copy of the Grievance has been submitted to the Neighborhood Council board for reference.

To view the Department of Neighborhood Empowerment's Grievance Policy, [click here](#).

Best,
Jasmine Duckworth
Department of Neighborhood Empowerment
200 N. Spring Street, Suite 2005
Los Angeles, CA 90012
Office | 213-978-1551 Fax | 213-978-1751
Email | EmpowerLA@lacity.org Web | www.EmpowerLA.org



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Department of
NEIGHBORHOOD EMPOWERMENT



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Grievance Determination

Grievant's Name: Robert Silverman

Neighborhood Council: Westside Neighborhood Council

Grievance Number: 68

Violation Alleged: Neighborhood Council Bylaw Article Number II Section B, Subsections 1 through 6 and any other City code, executive directive, rule or regulation applicable to Neighborhood Councils.

Date of Viewing: March 10, 2017

The Department shall review a Grievance within seven calendar days of submission to determine whether the Grievance conforms to the Grievance Policy. Upon a determination that a Grievance conforms to the Policy, the Department shall certify the Grievance for disposition and notify the affected Neighborhood Council that the Grievance may proceed through the Grievance process established herein. The certification of a Grievance by the Department shall not be construed as a statement regarding the validity or invalidity of the Grievance.

This Grievance was reviewed by:

- 1). Jasmine Duckworth
- 2). Lorenzo Briceño

After reviewing Grievance #68, the Department will forward Grievance #68 to the Westside Neighborhood Council. According to the Westside Neighborhood Council's Bylaws, the Council must adhere to the following:

Section 11: Community Outreach

The WNC is committed to developing a system whereby pertinent information transmitted through the City's Early Notification System will be disseminated or timely made available to every Stakeholder. The Governing Board shall direct that a system of outreach be instituted to inform Stakeholders as to the existence and activities of the WNC, including its Board selections, to find future leaders of the Governing Board, and to encourage all Stakeholders to seek leadership positions within the Governing Board.

A. The Governing Board shall have a standing Outreach Committee, which will report its activities and recommendations to the Governing Board monthly at the regular Governing Board meeting.

B. The Governing Board shall maintain a web site presence to disseminate information to WNC Stakeholders and others interested in the WNC.

C. In addition, the Governing Board shall create, or shall cause to be created, a marketing plan to solicit participation from Stakeholders. The plan may include, for example, the creation of flyers, postcards, pamphlets and other related materials. It may also include e-mail blasts to various organizations including a regularly scheduled e-blast to local government officials and to the Chamber of Commerce, Neighborhood Watch, Home Owners' Association and other local organizations as determined by the Board.

D. Outreach also should be undertaken at public events and shall be coordinated with other Neighborhood Councils when appropriate.

After receiving a certified Grievance from the Department, a Neighborhood Council must, at its next regular or special meeting, but not more than 60 calendar days from the communication from the Department, take one of the following actions:

- (A) Consider the Grievance in accordance with the grievance process specified in the Neighborhood Council's bylaws and issue a decision to sustain and cure or reject the Grievance in whole or in part; or
- (B) Waive consideration of the Grievance and request the Department to forward the Grievance directly to the Regional Grievance Panel for consideration.