

**Fwd: Objection**

1 message

Tue, Dec 11, 2018 at 8:10 AM

From: **wilmington citizens** <citizensforabetterwilmington@gmail.com>

Date: Mon, Dec 10, 2018 at 10:17 PM

Subject: Re: Objection

To: <councilmember.cedillo@lacity.org>, <councilmember.Krekorian@lacity.org>, <councilmember.blumenfield@lacity.org>, <david.ryu@lacity.org>, <paul.koretz@lacity.org>, <councilmember.martinez@lacity.org>, <Councilmember.Rodriguez@lacity.org>, <councilmember.harris-dawson@lacity.org>, <councilmember.price@lacity.org>, <councilmember.wesson@lacity.org>, <councilmember.bonin@lacity.org>, <councilmember.englander@lacity.org>, <councilmember.ofarrell@lacity.org>, <councilmember.huizar@lacity.org>, <councilmember.buscaino@lacity.org>, <mike.n.feuer@lacity.org>, <CityClerk@lacity.org>, <mayor.garcetti@lacity.org>

**Addendum to Previously Submitted Objections on Council File #18-0651**

Within the last 24 hours we submitted Objections to Action taken on this Council File on 12/07/2018

We would like to add the following Objections:

- We have been working very hard with the Councilman's office on this issue towards a mutual resolution. We **OBJECT** to the entire manner with which this Council File has been handled. We **OBJECT** to the full Council taking action on the above-referenced Council File with regards to the Community of Wilmington. We Further object to the full Council taking action against San Pedro as well.
- Both of these communities are victims of these non-transparent policies being deployed. Additional files are being sent to committees that shouldn't have been. Less than 48 hours' notice of hearings. If this happened once we could call it a mistake but this is a constant and ongoing pattern where these two communities are made victims. These actions have destroyed the public Trust
- We **OBJECT** to our Councilman condoning the CD 15 working group headed up by Amber Sheikh Ginsburg that is condoning a mob rule mentality.
  - It is our understanding that our Councilman asked that 2 representatives from each Neighborhood Council Join this ad-hoc committee that is not accountable under the Brown Act.
  - Amber is a professional fundraiser for 501 (c )'s with a company Called Thurlow and Associates and there is what appears to be a direct conflict of Interest. One of the clients of the firm that Amber as Amber condones and encourages the people under her to go so far as to plan creating a mob to silence those who do not agree with their agenda. People who show dissent at these meetings are quickly silenced.
  - We **OBJECT** to Condoning and nurturing mob rule. This sort of behavior is never acceptable in a free society but that is exactly what our Councilman is doing by giving legitimacy to this group and supporting it.
  - We **OBJECT** to a conflict of interest that appears to be present between Amber Sheikh Ginsburg and Joe Buscaino. Amber's employer has SBCC Thrive as one of their clients and Joe Buscaino is one of SBCC's Thrive's sponsors/partners. SBCC thrive also has United Way as one of their sponsors and United Way is running the "Everyone In" campaign supporting Bridge Housing and in her work biography it states She sits on the Harbor Area Mayor's Homelessness Organizing Committee.

The 2017 Ethics Handbook for City Officials states as follows:

"Persons in the public service shall not only be ever conscious that public service is a public trust but also shall be impartial and devoted to the best interests of the City, and shall so act and conduct themselves, both inside and outside the City's service, as not to give occasion for distrust of their impartiality or of their devotion to the City's best interests.

In addition to state law, the City has its own conflicts provision. The City's appearance standard states that it is "not in the public interest" for you to act on a matter if you do not believe that you could act impartially or if the public might reasonably reach that conclusion. This can be true even when your interest in the matter is not financial. The City Attorney may decide, pursuant to City Charter § 222, that the public interest prevents you from acting even when you would not be disqualified by state conflict of interests laws.

There is at the very least at least an "appearance" of a lack of impartiality towards the Communities of Wilmington and San Pedro that needs to be explored.

Respectfully Submitted,

Citizens for a Better Wilmington

On Mon, Dec 10, 2018 at 12:01 AM wilmington citizens <citizensforabetterwilmington@gmail.com> wrote:

Re: Council File **18-0651**

**Locations: 828 Eubank Avenue, Wilmington**

**515 N. Beacon Street, San Pedro**

I the undersigned OBJECT with regard to the above-referenced Council File Item #9 on The Agenda for Council meeting on Friday, December 9, 2018 at 10:00 a.m. for the following reasons:

- Homeless and Poverty Committee should have never voted on this matter and referred it to the Council because : ( 1.) There was no quorum when the Homeless and Poverty Committee met on 12/05/2018 and (2.) No notice that the Poverty and Homeless Committee would be hearing this matter was given to the Public denying the public's right to input.
- There are three properties considered in CF# 18-0651 but only 1 property was referred to the Poverty and Homeless Committee. On 12/5/2018 the property located at 2316 East Imperial Hwy, Watts CA was the ONLY property that was to be referred to the Homeless and Poverty Committee. Instead not ONLY was the property in Watts submitted but the properties in Wilmington and Watts Were submitted as well. I am on the clerks mailing list and the email that was sent out stated that ONLY the Property in Watts was to be submitted to the Poverty and Homeless Committee. The Poverty and Homeless Committee shouldn't have even had the opportunity to vote on this as not only was there was no quorum but the matter should have never been referred to the Poverty and Homeless Committee to begin with. Since the clerk never sent out a notice that the properties in Wilmington and San Pedro would be on the Agenda this again denied the public the opportunity to be heard and definitely should not have been referred to the Council for its meeting on 12/7/2018 at 3:00 p.m. *the Council meeting was at 10:00 a.m. on . ???*
- There should have been at least 48 hours' notice as to what was going to be on the agenda at the Council Meeting on Friday, 12/07/2018 at 10:00 a.m. . The Poverty and Homeless Meeting was on Wednesday 12/05/18 at 3:00 p.m. and the Council meeting on Friday at 10:00 a.m. was considerably less that a full 48 hours. As mentioned earlier we are on the clerks mailing list and again the clerk did not mail out any notice that this matter regarding the Wilmington and San Pedro Properties was going to be heard . This failure to notify yet again denied the public a right for input. It is most concerning that matters without a quorum are being advanced.
- The lack of Notice and the failure to adhere to the Basic Rules of having a quorum before voting on an issue not only denied the public the right to speak on the matter the public was also denied ample time in being able to review the close to 2000 page report submitted by the Bureau of Engineering .
- Neither property has had a full EIR and there was a lack of notice to the public in both the communities of Wilmington and San Pedro
- There are NUMEROUS errors and omissions on the report submitted by the Bureau of Engineering dated 11/29/2018 for **828 Eubank Avenue, Wilmington CA**, calling into question the validity of the report itself:
  1. The deed submitted is for a wrong address located in Long Beach
  2. The sewage line listed is incorrect and instead lists its location in at Beacon and O'Farrell streets not located in the Wilmington Community. ( Per CEQA Guidelines 15301(b) as it applies to sewerage: The key consideration is whether the project involves negligible or no expansion of an existing use. This location was never intended to be used for habitation and the sewage line on the report is not within the confines of Wilmington.
  3. Some parts of the report indicate it is a report for CD 10
  4. Some parts of report list Assessors ID as Incorrect
  5. Only once throughout the report is the "CORRECT" address on file with the assessor listed. The correct address with the Assessor is 826 Eubank Avenue, Wilmington CA had the correct address been used a comprehensive Environmental report could have been completed. Instead the following addresses are referenced. 828,818 and 823 Eubank.
  6. Not using the address on file has provided limited information and is not a true depiction of the status of the property and without complete information we cannot fully assess if or where contamination or hazardous matter may exist. We know the entire area has numerous environmental issues and the BOE report lists 38 pages of oil wells within a ½ mile radius.( approximately 1730 wells) as well as many contaminated sites (CEQA guidelines 15300.2 e) Hazardous Waste Sites. A categorical exemption

shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

7. There is no assurance that this address does not have aquifers part of the Dominguez channel GAP Project. These aquifers help stop ground water contamination by pumping fresh water against salt water. The BOE report states clearly one of these aquifers may be under this site and those who are employed in this industry have stated it is their belief that aquifers are in close proximity to the proposed Eubank location.

8. Per the City's own database Groundwater is reached at approximately 10 feet or less of grounds surface. This is a shallow depth and is not addressed in the BOE report.

9. The report fails to state that the property on Eubank is located less than 500 feet from our children's baseball field. The report fails to mention that this site is located in close proximity to 2 Civil War Landmarks (Drum Barracks Landmark #169) and the Drum Barracks Powder Magazine (LAHCM 249 ). The powder magazine is located ½ a block away from this location and approximately 500 feet from where it is believed that the historic Mojave Road ended. (Landmark #169) The report also fails to mention a small park adjacent to the Powder Magazine. CEQA guidelines 15300.2 (f) states " Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource" This project will definitely affect our historic resources.

10. The report fails to mention that we are 1 of 3 communities in Los Angeles that have unusual circumstances by way of the Clean-Up Green Up Ordinances because of pollution, blight and open storage and that in June 2005 the city planning department stated in its findings that "the development of the Wilmington Community is such that many industrial areas are located directly or adjacent to or in close proximity to residential neighborhoods, which subjects area residents to severe adverse impacts from open storage usage including visual blight, noise, dust, odors rodents and vermin etc". The Eubank location is bordered on 2 sides by open storage use, and one side by an auto dismantler and across the street from an oil field. Per CEQA guidelines 15300.2 (c) states "Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." CU-GU is unusual circumstances at in only affects 3 communities in Los Angeles and Our community can reasonable expect this shelter to cause adverse effects.

11. The report fails to mention the Eubank location is in a Methane Zone

12. The property is Listed in the Nationwide Wetlands Index

There are several issues that need to be addressed at 515 N. Beacon Street address:

1. The Hillside adjacent to the proposed location has not been secured and is experiencing landslide activity.
2. As a result of this activity roots are exposed from the trees and are in jeopardy of sliding down the hillside
3. Residences located at the top of the hillside are in jeopardy of being part of the landslide
4. The property was previously a wood milling factory which used chemicals that may have leached into the soil and without a full EIR contamination cannot be assessed.(CEQA guidelines (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
5. The location is in Close Proximity to a school, center for "exceptional" and disabled adults, pre-school and businesses and the cruise ship terminal.
6. The numerous issues with the landslide would have an unusual and significant effect on the environment (CEQA guidelines 15300.2 (c)

The lack of notice completely violates the affected parties right to due process and is illegal under Federal, State and City Law and I OBJECT to the council's illegal actions.

Citizens For A Better Wilmington

**Fwd: Attn: City Clerk 2nd Request to file with CF 18-0651**

1 message

Tue, Dec 11, 2018 at 8:17 AM

From: **wilmington citizens** <citizensforabetterwilmington@gmail.com>

Date: Mon, Dec 10, 2018 at 10:52 PM

Subject: Attn: City Clerk 2nd Request to file with CF 18-0651

To: <councilmember.cedillo@lacity.org>, <councilmember.Krekorian@lacity.org>, <councilmember.blumenfield@lacity.org>, <david.ryu@lacity.org>, <paul.koretz@lacity.org>, <councilmember.martinez@lacity.org>, <Councilmember.Rodriguez@lacity.org>, <councilmember.harris-dawson@lacity.org>, <councilmember.price@lacity.org>, <councilmember.wesson@lacity.org>, <councilmember.bonin@lacity.org>, <councilmember.englander@lacity.org>, <councilmember.ofarrell@lacity.org>, <councilmember.huizar@lacity.org>, <councilmember.buscaino@lacity.org>, <mike.r.feuer@lacity.org>, <CityClerk@lacity.org>, <mayor.garcetti@lacity.org>

Re: Council File **18-0651**

**Locations: 828 Eubank Avenue, Wilmington  
515 N. Beacon Street, San Pedro**

I the undersigned OBJECT with regard to the above-referenced Council File Item #9 on The Agenda for Council meeting on Friday, December 9, 2018 at 10:00 a.m. for the following reasons:

- Homeless and Poverty Committee should have never voted on this matter and referred it to the Council because : ( 1.) There was no quorum when the Homeless and Poverty Committee met on 12/05/2018 and (2.) No notice that the Poverty and Homeless Committee would be hearing this matter was given to the Public denying the public's right to input.
- There are three properties considered in CF# 18-0651 but only 1 property was referred to the Poverty and Homeless Committee. On 12/5/2018 the property located at 2316 East Imperial Hwy, Watts CA was the ONLY property that was to be referred to the Homeless and Poverty Committee. Instead not ONLY was the property in Watts submitted but the properties in Wilmington and Watts Were submitted as well. I am on the clerks mailing list and the email that was sent out stated that ONLY the Property in Watts was to be submitted to the Poverty and Homeless Committee. The Poverty and Homeless Committee shouldn't have even had the opportunity to vote on this as not only was there was no quorum but the matter should have never been referred to the Poverty and Homeless Committee to begin with. Since the clerk never sent out a notice that the properties in Wilmington and San Pedro would be on the Agenda this again denied the public the opportunity to be heard and definitely should not have been referred to the Council for its meeting on 12/7/2018 at 3:00 p.m. *the Council meeting was at 10:00 a.m. on . ???*
- There should have been at least 48 hours' notice as to what was going to be on the agenda at the Council Meeting on Friday, 12/07/2018 at 10:00 a.m. . The Poverty and Homeless Meeting was on Wednesday 12/05/18 at 3:00 p.m. and the Council meeting on Friday at 10:00 a.m. was considerably less that a full 48 hours. As mentioned earlier we are on the clerks mailing list and again the clerk did not mail out any notice that this matter regarding the Wilmington and San Pedro Properties was going to be heard . This failure to notify yet again denied the public a right for input. It is most concerning that matters without a quorum are being advanced.
- The lack of Notice and the failure to adhere to the Basic Rules of having a quorum before voting on an issue not only denied the public the right to speak on the matter the public was also denied ample time in being able to review the close to 2000 page report submitted by the Bureau of Engineering .
- Neither property has had a full EIR and there was a lack of notice to the public in both the communities of Wilmington and San Pedro
- There are NUMEROUS errors and omissions on the report submitted by the Bureau of Engineering dated 11/29/2018 for **828 Eubank Avenue, Wilmington CA**, calling into question the validity of the report itself:
  1. The deed submitted is for a wrong address located in Long Beach
  2. The sewage line listed is incorrect and instead lists its location in at Beacon and O'Farrell streets not located in the Wilmington Community. ( Per CEQA Guidelines 15301(b) as it applies to sewerage: The key consideration is whether the project involves negligible or no expansion of an existing use. This location was never intended to be used for habitation and the sewage line on the report is not within the confines of Wilmington.

3. Some parts of the report indicate it is a report for CD 10
4. Some parts of report list Assessors ID as Incorrect
5. Only once throughout the report is the "CORRECT" address on file with the assessor listed. The correct address with the Assessor is 826 Eubank Avenue, Wilmington CA had the correct address been used a comprehensive Environmental report could have been completed. Instead the following addresses are referenced. 828,818 and 823 Eubank.
6. Not using the address on file has provided limited information and is not a true depiction of the status of the property and without complete information we cannot fully assess if or where contamination or hazardous matter may exist. We know the entire area has numerous environmental issues and the BOE report lists 38 pages of oil wells within a ½ mile radius.( approximately 1730 wells) as well as many contaminated sites (CEQA guidelines 15300.2 e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
7. There is no assurance that this address does not have aquifers part of the Dominguez channel GAP Project. These aquifers help stop ground water contamination by pumping fresh water against salt water. The BOE report states clearly one of these aquifers may be under this site and those who are employed in this industry have stated it is their belief that aquifers are in close proximity to the proposed Eubank location.
8. Per the City's own database Groundwater is reached at approximately 10 feet or less of grounds surface. This is a shallow depth and is not addressed in the BOE report.
9. The report fails to state that the property on Eubank is located less than 500 feet from our children's baseball field. The report fails to mention that this site is located in close proximity to 2 Civil War Landmarks (Drum Barracks Landmark #169) and the Drum Barracks Powder Magazine (LAHCM 249 ). The powder magazine is located ½ a block away from this location and approximately 500 feet from where it is believed that the historic Mojave Road ended. (Landmark #169) The report also fails to mention a small park adjacent to the Powder Magazine. CEQA guidelines 15300.2 (f) states " Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource" This project will definitely affect our historic resources.
10. The report fails to mention that we are 1 of 3 communities in Los Angeles that have unusual circumstances by way of the Clean-Up Green Up Ordinances because of pollution, blight and open storage and that in June 2005 the city planning department stated in its findings that "the development of the Wilmington Community is such that many industrial areas are located directly or adjacent to or in close proximity to residential neighborhoods, which subjects area residents to severe adverse impacts from open storage usage including visual blight, noise, dust, odors rodents and vermin etc". The Eubank location is bordered on 2 sides by open storage use, and one side by an auto dismantler and across the street from an oil field. Per CEQA guidelines 15300.2 (c) states "Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." CU-GU is unusual circumstances at in only affects 3 communities in Los Angeles and Our community can reasonable expect this shelter to cause adverse effects.
11. The report fails to mention the Eubank location is in a Methane Zone
12. The property is Listed in the Nationwide Wetlands Index

There are several issues that need to be addressed at 515 N. Beacon Street address:

1. The Hillside adjacent to the proposed location has not been secured and is experiencing landslide activity.
2. As a result of this activity roots are exposed from the trees and are in jeopardy of sliding down the hillside
3. Residences located at the top of the hillside are in jeopardy of being part of the landslide
4. The property was previously a wood milling factory which used chemicals that may have leached into the soil and without a full EIR contamination cannot be assessed.(CEQA guidelines (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
5. The location is in Close Proximity to a school, center for "exceptional" and disabled adults, pre-school and businesses and the cruise ship terminal.
6. The numerous issues with the landslide would have an unusual and significant effect on the environment (CEQA guidelines 15300.2 (c)

The lack of notice completely violates the affected parties right to due process and is illegal under Federal, State and City Law and I OBJECT to the council's illegal actions.

Citizens for a Better Wilmington

**Addendum to Previously Submitted Objections on Council File #18-0651**

Within the last 24 hours we submitted Objections to Action taken on this Council File on 12/07/2018

We would like to add the following Objections:

- We have been working very hard with the Councilman's office on this issue towards a mutual resolution. We **OBJECT** to the entire manner with which this Council File has been handled. We **OBJECT** to the full Council taking action on the above-referenced Council File with regards to the Community of Wilmington. We Further object to the full Council taking action against San Pedro as well.
- Both of these communities are victims of these non-transparent policies being deployed. Additional files are being sent to committees that shouldn't have been. Less than 48 hours' notice of hearings. If this happened once we could call it a mistake but this is a constant and ongoing pattern where these two communities are made victims. These actions have destroyed the public Trust
- We **OBJECT** to our Councilman condoning the CD 15 working group headed up by Amber Sheikh Ginsburg that is condoning a mob rule mentality.
- It is our understanding that our Councilman asked that 2 representatives from each Neighborhood Council Join this ad-hoc committee that is not accountable under the Brown Act.
- Amber is a professional fundraiser for 501 (c )'s with a company Called Thurlow and Associates and there is what appears to be a direct conflict of Interest. One of the clients of the firm that Amber as Amber condones and encourages the people under her to go so far as to plan creating a mob to silence those who do not agree with their agenda. People who show dissent at these meetings are quickly silenced.
- We **OBJECT** to Condoning and nurturing mob rule. This sorta of behavior is never acceptable in a free society but that is exactly what our Councilman is doing by giving legitimacy to this group and supporting it.
- We **OBJECT** to a conflict of interest that appears to be present between Amber Sheikh Ginsburg and Joe Buscaino. Amber's employer has SBCC Thrive as one of their clients and Joe Buscaino is one of SBCC's Thrive's sponsors/partners. SBCC thrive also has United Way as one of their sponsors and United Way is running the "Everyone In" campaign supporting Bridge Housing and in her wok biography states She sits on the Harbor Area Mayor's Homelessness Organizing Committee.

**The 2017 Ethics Handbook for City Officials states as follows:**

"Persons in the public service shall not only be ever conscious that public service is a public trust but also shall be impartial and devoted to the best interests of the City, and shall so act and conduct themselves, both inside and outside the City's service, as not to give occasion for distrust of their impartiality or of their devotion to the City's best interests.

In addition to state law, the City has its own conflicts provision. The City's appearance standard states that it is "not in the public interest" for you to act on a matter if you do not believe that you could act impartially or if the public might reasonably reach that conclusion. This can be true even when your interest in the matter is not financial. The City Attorney may decide, pursuant to City Charter § 222, that the public interest prevents you from acting even when you would not be disqualified by state conflict of interests laws.

**There is at the very least at least an "appearance" of a lack of impartiality towards the Communities of Wilmington and San Pedro that needs to be explored.**

Respectfully Submitted,

Citizens for a Better Wilmington