

Google Groups

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**Re: VIOLATION OF WNC BYLAWS AND STAKEHOLDER RIGHTS**

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Zina Cheng

Mar 7, 2017 9:46 AM

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

The Office of the City Clerk is in receipt of your comment. It is now included in the public record.

\*\*\*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

On Tue, Mar 7, 2017 at 9:42 AM, Robert Silverman <robert@magnorealtygroup.com> wrote:

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**From:** "robert@magnorealtygroup.com" <robert@magnorealtygroup.com>  
**To:** "carmen hawkins" <carmen.hawkins@lacity.org>, "mike n feuer" <mike.n.feuer@lacity.org>  
**Cc:** "steve4348" <steve4348@att.net>, "spm alot1" <spm.alot1@gmail.com>, "maryseat11" <maryseat11@yahoo.com>, "wncluc" <wncluc@gmail.com>, "jae" <jae@heyler.com>, "bkotler" <bkotler@us.westfield.com>, "lisa tabot" <lisa.tabot@cancer.org>, "shawwnc" <shawwnc@yahoo.com>, "Stacy Antler" <stacyantler@sbcglobal.net>, "wncmobility" <wncmobility@yahoo.com>, bbroide@hotmail.com, "francescaart" <francescaart@sbcglobal.net>, "tmtippit" <tmtippit@ca.rr.com>, "wncseat2" <wncseat2@gmail.com>, "Terri Tippit" <westsidenc@ca.rr.com>, "news" <news@edit.nydailynews.com>, "metrodesk" <metrodesk@latimes.com>, "dnmetro" <dnmetro@dailynews.com>, "shawn bayliss" <Shawn.Bayliss@lacity.org>, "Sharon." <Dickinson@lacity.org>, "zina" <cheng@lacity.org>, "eric garcetti" <eric.garcetti@lacity.org>, "mike n feuer" <mike.n.feuer@lacity.org>, "Colleen Mason Heller" <cmasonheller@yahoo.com>, "joan pelico" <joan.pelico@lacity.org>, "mltusher" <mltusher@att.net>, "Lisa Waltz" <waltzworld@gmail.com>, "commissionerlipmen" <commissionerlipmen@gmail.com>, "commission" <commission@empowerla.org>, "istrano" <istrano@naicapital.com>, "Melissa Bloom Brand" <mbloom@gmail.com>, "rosenlaw" <rrosenlaw@earthlink.net>, "eric" <eric@ericshabsis.com>  
**Sent:** Tuesday, March 7, 2017 9:40:11 AM  
**Subject:** Re: VIOLATION OF WNC BYLAWS AND STAKEHOLDER RIGHTS

Dear Attorney Hawkins,

My name is Robert Silverman and I am a homeowner in Council District 5, more specifically Westwood between Santa Monica to Pico.

I am a stakeholder in the Westside Neighborhood Council and was on the agenda for this coming Thursday March 9th, to give a presentation regarding the new BMO, Variation Zones, Attached/Detached garages. I was going to explain the differences between the BMO and the R1V2 zoning and how it affects property values in the area.

Full disclosure, I am a supporter of R1V2 for the area and am working with City Councilman Paul Koretz' office on this. I have over 600 signatures for my neighborhood, and the support of one HOA, there are two HOA's here, One who is supportive of the issue, they did great outreach and came to a consensus as to what their stakeholders wanted and made a recommendation to Council. This is exactly the type of HOA that we need in our community. I want to thank that HOA (Century Glen HOA) and bring that to your attention so they can be praised for doing a good job.

The other HOA Which is called Westwood South of Santa Monica, has done ZERO outreach on this issue, so myself and a large group of homeowners have gone door to door and explaining the issue and gathered signatures to support.. The MAJORITY of the people want R1V2. The Chair of this HOA, Ms. Barbara Broide has fraudulently sent out letters to the City Council saying she has the support of over 3800 homeowners, with absolutely no backup.. In fact there are only about 1900 single family residences in this HOA's jurisdiction.

Lastly the Westside Neighborhood Council has not conducted any outreach on this issue, They have had over 2 years to do so! And only because I was on the agenda about this, are they even having this meeting! There is a large coverup going on here Attorney Hawkins! The WNC is using its power and influence to push forward their own agenda, while crushing to voices of the majority of the stakeholders, I have all evidence to support my claim based on numerous emails and screenshots of websites that were changed to cover up the lack of outreach.

I need to speak to you as soon as possible, My rights as a stakeholder have been violated, the ByLaws of the WNC allow any individual to be on the agenda. There is public comment afterwards so anyone can speak to their concerns.

I am pursuing this with all legal remedies afforded to me. This is now becoming a civil rights issue.

Please contact me at 310-571-5081 today to discuss this at length.

Thank you,

-Robert Silverman  
Homeowner in Lower CD5

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**From:** "robert@magnorealtygroup.com" <robert@magnorealtygroup.com>  
**To:** "metrodesk" <metrodesk@latimes.com>, "dnmetro" <dnmetro@dailynews.com>, "news" <news@edit.nydailynews.com>, "Terri Tippit" <westsidenc@ca.rr.com>, "wncseat2" <wncseat2@gmail.com>, "tmtippit" <tmtippit@ca.rr.com>  
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**Sent:** Tuesday, March 7, 2017 9:18:13 AM  
**Subject:** Re: VIOLATION OF WNC BYLAWS AND STAKEHOLDER RIGHTS

Ms. Morocco,

Please forward me the name of the person you spoke to at the City Attorney office.

In what capacity did you speak to them? You are listed as the co-treasurer on the Board Member page. I think that it was beyond your scope to even speak on this subject.

If anyone would have spoke to someone it would have been Ms. Tippit.

Again, forward me the name of who you spoke to.

Thank you

-Robert Silverman

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**From:** "robert@magnorealtygroup.com" <robert@magnorealtygroup.com>  
**To:** "metrodesk" <metrodesk@latimes.com>, "dnmetro" <dnmetro@dailynews.com>, "news" <news@edit.nydailynews.com>, "Terri Tippit" <westsidenc@ca.rr.com>, "wncseat2" <wncseat2@gmail.com>, "tmtippit" <tmtippit@ca.rr.com>  
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**Sent:** Monday, March 6, 2017 9:18:42 PM  
**Subject:** Re: VIOLATION OF WNC BYLAWS AND STAKEHOLDER RIGHTS

Dear Ms. Morrocco and Ms. Tippit,

This is completely unacceptable, It doesn't matter If I am listed as an individual, IF someone wants to be on the agenda, per your by-laws they are entitled to be on your agenda. This is in your By-Laws, and You can look at past agendas and see individuals have been on there. In fact #4a is an individual!!!!

Your problem, Is you and your board want to deprive me and fellow stakeholders of their voices and rights. We are a group now of about 600 people and growing. My presentation was to show both sides of the story, what can be built under BMO, what can be built under R1V2 and the differences of Garages and detached garages.

This presentation would also show how it effects values of properties, both Tear Downs and new construction with BMO and R1V2.

If there was a group that was against R1v2 that wanted to be on the Agenda then they should have spoke up and got onto the agenda themselves.

Instead you have removed me, which is a violation of your bylaws, and a violation of my civil rights!!

Now what you have done is taken my vote off the table. No one even reached out to me to inform me this was happening? It was only by chance that I saw it.

Im putting you and your board on notice now, My civil rights have been violated, my first amendment rights have been violated, WNC bylaws have been violated, Department of Neighborhood Empowerment rules have been violated.

I am calling the City Attorney tomorrow morning about this, Did you speak to Attorney Feuer or was it one of his assistants? I want to know who you spoke to and when.

I am not going to let this serious violation pass.. I demand to be put back on the agenda as I was before.

-Robert Silverman

Dear Mr. Silverman

Since I am the one who spoke directly with the City Attorney today on this matter, I felt it only correct that I respond to your question regarding our agenda.

You have not been removed from the agenda.

The issue regarding the BMO and impacts it has on our stakeholders in the WNC area will be discussed and comments or suggestions or questions that arise from our meeting will be sent to our Councilman Paul Koretz. A copy of this letter will be made available on our website.

There is no scandal here. The change was due to the fact that the City Attorney found it inappropriate for us to list you, a stakeholder, individually on the agenda. We are a City body and she said we would have been required to give equal time to other stakeholders who may share or disagree with your position. Since I am told you are bringing quite a few people with you to this meeting, giving everyone equal time was not possible. I am also told there will be many coming who support the BMO. Instead of taking you off the meeting entirely, which none of us wanted to do, I revised the language to suit **her requirements**. We did this quickly so we could meet our posting requirements of 72 hours. Again, if we had not done this we would not have been able to have it on the agenda at all per our City Attorney.

Please do not mis interpret this as anything but a revision of language to reflect what the WNC hopes to achieve with this topic...and that is to let our stakeholders learn and express their views and then make sure those views are shared with our council office.

You are not being diminished in anyway. We want to hear from you and others who have opinions about the BMO.

We are not taking a vote at this meeting. We are simply letting our stakeholders voices be heard.

It is almost 9pm...I would go into more detail, but I am literally in the middle of dinner with our out of town guests. Your email sounded like you wanted an immediate response so I took a moment away from everyone to assure you that you are on the agenda for Thursday and you will be heard. Please make copies of any written materials you wish the board to look at.

If you want to discuss this further I will be available tomorrow. I will be happy to talk then.

Good Night

Lisa Morocco

**From:** "robert@magnorealtygroup.com" <robert@magnorealtygroup.com>  
**To:** "metrodesk" <metrodesk@latimes.com>, "dnmetro" <dnmetro@dailynews.com>, "news" <news@edit.nydailynews.com>, "Terri Tippit" <westsidenc@ca.rr.com>  
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**Sent:** Monday, March 6, 2017 8:09:04 PM

**Subject:** VIOLATION OF WNC BYLAWS AND STAKEHOLDER RIGHTS

Dear Ms. Tippit,

It has come to my attention that you have removed me from the Agenda on March 9th. I hope this is an oversight, As of yesterday I was on the Agenda, and today I am not on the agenda.

I had a 20 minute presentation planned regarding this.

Please immediately respond as to what is going on? This is really starting to become a scandal and abuse of power.

-Robert

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**From:** "robert@magnorealtygroup.com" <robert@magnorealtygroup.com>  
**To:** "Terri Tippit" <westsidenc@ca.rr.com>, "metrodesk" <metrodesk@latimes.com>, "dnmetro" <dnmetro@dailynews.com>, "news" <news@edit.nydailynews.com>  
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**Sent:** Sunday, March 5, 2017 5:19:52 PM  
**Subject:** IMMEDIATE RESPONSE REQUIRED

Dear Ms. Tippit,

I am asking for clarification as to the location of the meeting on March 9th.

On your website you have listed :

Where:Westside Pavilion, Meeting Room A, 10800 W. Pico, Los Angeles When:7:00PM on Thursday, March 9th, 2017

On the published agenda you have listed:

**\*\*STOREFRONT NEXT TO HALLMARK NEAR MACY'S FIRST FLOOR\*\***

**THIS IS CONFUSING TO  
STAKEHOLDERS AND NEEDS  
TO BE CLARIFIED  
IMMEDIATELY!!!**

**I EXPECT AND DEMAND THIS  
TO BE CLARIFIED NO LATER  
THAN TOMORROW 3/6/17 ON  
YOUR WEBSITE AND ON THE  
PUBLISHED AGENDA!**

**Robert Silverman  
President & Broker  
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468 N. Camden Drive  
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310.571.5081  
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**From:** "Terri Tippit" <westsidenc@ca.rr.com>  
**To:** "robert@magnorealtygroup.com" <robert@magnorealtygroup.com>  
**Cc:** "steve4348" <steve4348@att.net>, "spm alot1" <spm.alot1@gmail.com>, "maryseat11" <maryseat11@yahoo.com>, "wncseat2" <wncseat2@gmail.com>, "wncluc" <wncluc@gmail.com>, "jae" <jae@heyler.com>, "bkotler" <bkotler@us.westfield.com>, "lisa tabot" <lisa.tabot@cancer.org>, "shawwnc" <shawwnc@yahoo.com>, "Stacy Antler" <stacyantler@sbcglobal.net>, "wncmobility" <wncmobility@yahoo.com>, bbroide@hotmail.com, "francescaart" <francescaart@sbcglobal.net>, "elshabsis" <elshabsis@aol.com>, "shawn bayliss" <Shawn.Bayliss@lacity.org>, "Sharon." <Dickinson@lacity.org>, "zina" <cheng@lacity.org>, "eric garcetti" <eric.garcetti@lacity.org>, "mike n feuer" <mike.n.feuer@lacity.org>, "Colleen Mason Heller" <cmasonheller@yahoo.com>,

bbroide@hotmail.com, "joan pelico" <joan.pelico@lacity.org>, "mltusher" <mltusher@att.net>, "Lisa Waltz" <waltzworld@gmail.com>

**Sent:** Sunday, February 26, 2017 1:45:15 PM

**Subject:** Emergency Meeting Requested soonest available date File # 16-1460 and 14-0656

Robert,

Thank you for your email.

Information about the WNC, including our agendas, are posted on our website (wncla.org). If you would like to stay informed on WNC activities and receive our agenda please contact your seat representative Barbara Broide (seat 7) at bbroide@hotmail.com or Stacy Antler (seat 10) at stacyantler@sbcglobal.net, please share with others.

The WNC too has been closely involved with this issue over the last several years. We are surprised to learn that so many of our stakeholders knew nothing about the BMO. We hosted a couple of meetings with the Planning Department where they gave very lengthy and detailed power point presentations on this issue.

When there have been changes or questions regarding the BMO, CD5 includes it in their monthly report at our meetings.

Recently at a WNC meeting we were given an update on the BMO. The board decided we could not take a position without first having each seat reach out to their stakeholders and bring back to the board the results of that outreach. To adequately reach over 80,000 stakeholders takes time.

The area you mentioned in Rancho Park has over 5,000 stakeholders.

I know several of our local HOAs included an update on the BMO at their annual meeting.

I am not sure a WNC emergency meeting would be appropriate on this matter at this time nor would it be instructive to the council office. I say this for a few reasons:

1. RFAR variants are being selected by each community. Many areas have selected a variant. The WNC is comprised of many of these communities. It would be inappropriate for the WNC to dictate to each area on this matter. It is up to each area and the people in each area to select the RFAR that is right for them.
2. The council office has established a survey to measure support. It is CD5Survey.com. I understand from the council office that they will be using this data as one way to measure support for each variant.
3. From a logistics standpoint, it is exceptionally unlikely I could get a quorum.
4. As indicated by Shawn in his email, there is a mechanism to change an area should there be proven support for the change.

1. The ICO cannot be extended.

There seems to be a lot of confusion about what impact the BMO will have on a stakeholder. The WNC is working with CD5 to host a Community Meeting with Councilmember Koretz and Planning Department. We want our stakeholders to have the opportunity to attend an informative detailed presentation on the BMO by the planning department and have their questions answered. This will also include the process to opt out.

I am providing an email below that was sent out by Shawn Bayliss for your review.

Terri

Let me provide another attempt at "clearing things up" as well as stating the Councilmember's position on the mansionization issue.

All areas are assumed to be under the Baseline Mansionization Ordinance (BMO) level of density(45%) unless the community has demonstrated support for a different zone.

As you review the chart below, density is described by providing a percentage which reflects how big a house can be relative to the lot size. This is called the "Residential Floor Area Ratio" or RFAR. These are the possible levels:

Approximate Home Sizes By Lot Size							
Zone	RFAR	5,000	6,001	7,001	8,001	9,001	10,001
BMO	45%	2,250	2,700	3,150	3,600	4,050	4,500
R1V1	65-55%	3,250	3,780	4,270	4,720	5,130	5,500
R1V2	55-45%	2,750	3,180	3,570	3,920	4,230	4,500
R1V3	45-35%	2,250	2,580	2,870	3,120	3,330	3,500
R1V4	40-30%	2,000	2,280	2,520	2,720	2,880	3,000

Based on emails we have received from constituents, it appears that some do not understand this issue, weren't aware such an important issue is being discussed or weren't aware of all of the ramifications of a zone.

As a result, I wanted to be clear that we have a mechanism to update/change a zone after the fact should it be demonstrated that a majority of property owners in an area support the change.

I also want to be clear that those communities that have already done outreach and indicated they wish a zone other than BMO should not worry. There have been no changes made.

For all property owners interested in reaching out to us, it would be most helpful if you could go to our online survey and provide your contact information and density preference.

You can reach the online survey by clicking here: [CD5 Survey](#)

Regardless of which density is selected, the BMO has new rules for articulation and step backs for stories above the first story. Paul put this in to prevent the box-home-issue that most irritated constituents.

The Councilmember recognizes that this is not a one-size-fits-all issue. This is why we made sure there is a mechanism for property owners in an area to opt in to another zone. I hope this has cleared things up. Please be sure to participate in the survey.

Shawn Bayliss

Chief Deputy of Legislation & Planning  
Office of Councilmember Paul Koretz  
(213) 473-7005 - Los Angeles

(818) 971-3088 - Valley District Office

(323) 866-1828 - Wilshire District Office  
Email: [Shawn.Bayliss@lacity.org](mailto:Shawn.Bayliss@lacity.org)

**From:** Robert Silverman [<mailto:robert@magnorealtygroup.com>]

**Sent:** Saturday, February 25, 2017 9:59 PM

**To:** [chair@wncla.org](mailto:chair@wncla.org)

**Cc:** [steve4348@att.net](mailto:steve4348@att.net); [spm.alot1@gmail.com](mailto:spm.alot1@gmail.com); [maryseat11@yahoo.com](mailto:maryseat11@yahoo.com); [wncseat2@gmail.com](mailto:wncseat2@gmail.com); [wncluc@gmail.com](mailto:wncluc@gmail.com); [jae@heyler.com](mailto:jae@heyler.com); team; [bkotler@us.westfield.com](mailto:bkotler@us.westfield.com); [lisa.tabot@cancer.org](mailto:lisa.tabot@cancer.org); [shawwnc@yahoo.com](mailto:shawwnc@yahoo.com); Stacy Antler; [wncmobility@yahoo.com](mailto:wncmobility@yahoo.com); [bbroide@hotmail.com](mailto:bbroide@hotmail.com); [francescaart@sbcglobal.net](mailto:francescaart@sbcglobal.net); [elshabsis@aol.com](mailto:elshabsis@aol.com); paul koretz; Shawn Bayliss; Sharon Dickinson; zina cheng; eric garcetti; mike n feuer

**Subject:** Emergency Meeting Requested soonest available date File # 16-1460 and 14-0656

Dear WNC board members and Executive Officers,

My name is Robert Silverman and I am a homeowner in Lower CD 5 more specifically Westwood, between Santa Monica and Pico. I have been involved with the the Mansionization efforts now for over 2 years. I have attended practically every City Council, PLUM, and Commissioners meeting regarding these issues.

I have a large group of Stakeholders in Seat 7 and 10 that are in support of the new Zoning R1V2 (formally R1VNEW) for this neighborhood. I have been held over at PLUM meeting pending the support, and then Koretz' office will make a motion for my neighborhood to go for a vote at PLUM for a "Carve out" from the BMO to R1V2 zoning.

There are hundreds and hundreds of stakeholders in support of this.

After a review of your organizations minutes, you had a vote in October of 2016 where you voted on a BMO that was not yet finalized. This should now come back for public comment and a new vote should be had that can be forwarded to Mr. Koretz for consideration.

I am requesting this meeting to be held at the earliest possible date. Many of the stakeholders are looking at all options including legal challenges to this. There was ZERO public outreach and hundreds of homeowners have no idea what is going on.

Please respond back immediately and set us on the agenda for the first available slot next week (Feb 27th through March 3rd).

I am requesting that Mr. Shawn Bayliss as well as Mr. Paul Koretz (Both CC'd on this email) to attend the meeting so they can understand the outcry for R1V2 zoning.

Thank you for your attention to this URGENT matter and I look forward to hearing from you on Monday the 27th with a date and time.

Kind regards,

Robert Silverman

310-571-5081

robert@magnoreatlygroup.com