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**General Meeting Agenda
Wednesday, September 25, 2013**

**American Jewish University
15600 Mulholland Drive
Bel Air, CA 90077
(Room 208 in the Activities Building)**

7:00-9:00 p.m.

The public is welcome to speak. Meeting is being audio taped.

*We request that you fill out a **Speaker Card** to address the Council on any item on the Agenda. Comments from the public on other matters not appearing on the Agenda will be heard during the Public Comment period. Public comment is limited to 3 minutes per speaker unless waived by the presiding officer of the Council. (As a covered entity under TITLE of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, listening devices, or other auxiliary aids and/or services will be provided upon request. To ensure availability of services, please make your request at least 3 business days prior to the meeting you wish to attend by contacting the Neighborhood Council Project Coordinator at 213 485-1360.)*

General Meeting

- 1. Call to order** – Council Member roll call (Quorum = 12) (1 minute)
- 2. Pledge of Allegiance** (1 minute)
- 3. Approval of the August 28, 2013 Minutes (motion)**
- 4. Approval of tonight’s Draft Agenda**
 - changes or additions
- 5. Public Comments** – (15 minutes – 3 minutes per speaker)
- 6. (Agendas, brochures, & public service handouts available on piano in front)**
- 7. President’s Report** – *Gary Plotkin*
 - a. Welcome and confirm appointment of *Jamie Hall* as Board Member representing the Laurel Canyon Association, (*in place of Gary Gole.*)
 - b. Welcome *Vincent (Vini) Fabrocini* as guest and Potential Board Member representing the Commercial Stakeholders
 - c. Search for replacement of *Carla Cretaro*, of K-5 Public Schools.
 - d. Meeting sites: AJU through May 2013 for monthly Board meetings.
 - e. Motion to authorize *Gary Plotkin, Robert Ringler, Robin Greenberg & Ramin Kolahi* to submit Community Impact Statements (CIS) on behalf of the Board. (*We need a board resolution and/or minutes & agenda identifying those authorized by the Board to submit CIS’s on behalf of the Board.*)
 - f. Motion on new posting site – change from BAA to Bel-Air Bar & Grill.
 - g. Update on Board Retreat by *Don Loze* as Chair

- h. Possible motion to increase funding for Empowerment, because they don't have the people power to do what is necessary.
- i. Consider 9 Proposed Motions by the NC Plan Review Committee now before the before the Board of Neighborhood Commissioners (**Exhibit "A"**)
- j. Update on status of Fire Safety Signs (*Andre Stojka*)
- k. Report on Operation NC Blitz (small asphalt repairs in NC boundaries) – (*Andre Stojka*)
- l. Update on BSL LED Conversion Program – (*Travis Longcore, Ph.D.*) (motion)
- m. Update on IBEW-DWP issue (*Don Loze*)
- n. Report & Possible Motion to have webmaster, *Aaron DeVandry*, supervise Mail Chimp – *Ramin Kolahi*
- o. **Attend Congress of Neighborhood Councils on Sat. Sept. 28th at City Hall** for education and training involving neighborhood council issues.

8. Secretary's Report – Robin Greenberg (5 minutes)

9. Treasurer Report – Alan Fine (10 minutes)

- Update and approval of Treasurers Report (motion)

10. Public Safety/Disaster Preparedness Committee – *Chuck Maginnis* (20 minutes)

- Senior Lead Officer 8A29 - *Chris Ragsdale*, WLA Community Police Station
- Senior Lead Officer - *Ralph Sanchez*, Hollywood Community Police Station
- Report on September 19th EP Committee Meeting
- Implement Emergency Notification & Sign Up

11. Planning and Land Use Committee (PLU) – *Ramin Kolahi*

- Report on PLU September 10th meeting by Ramin
- Motion to support WRAC's support of consolidation of the Planning & Building Depts.
- Possible motion re: opposition of holding off on the Planning & Building consolidation.
- Project Updates
- 8150 Sunset Blvd Project
- Recruit Committee Members.

12. West Los Angeles Regional Alliance of Councils (WRAC) – *Robin Greenberg* (10 minutes)

- Report on WRAC meeting held 09/18/2013 - **We will vote on all WRAC motions from 09/18 meeting except murals & billboards as follows.**
- DWP Owens Valley Motion – Special Guest, *Dr. Jim Enstrom (Exhibit "B")*
Motion to end an additional amount above and beyond the \$1.2 Billion spent on water (20% of our water bills) to mitigate the Owens Lake Dust Control Project which measures 6' above the level of the lake. A lawsuit is pending. 4 million Los Angeles residents are paying to mitigate dust for a handful of people in the Owens Valley.
- **Passed by WRAC:** WRAC motions to support Rate Payer Advocate's recommendation to evaluate the costs of FIT-100 program.

- **Passed / Resolved by WRAC:** WRAC supports a Metro rail station on the Crenshaw Line (that could serve as an additional station for the Green Line) at the Intermodal Transit Facility (ITF) proposed for LAX.
- **Passed by WRAC:** WRAC supports the consolidation of departments, per Council File 13-0046. WRAC believes that to fully implement the consolidation, it is necessary to establish a financing mechanism (or fee) to grow the Condition Compliance and Code Enforcement Units.
- **Passed by WRAC:** WRAC moves that each Council within WRAC should pass a motion requiring that Traffic and Parking be considered in the discussion and presentation of new building projects including all CEQA projects per Senate Bill 731.
- **Passed by WRAC:** Billboards motion (No further action needed at this time.)
- **Passed by WRAC:** Murals motion Version “B” (No need to vote on this evening.)

13. Outreach Committee Report – Robin Greenberg (5 minutes)

14. Bylaws & Rules Committee Report – Larry Leisten (5 minutes)

- Update on September 18th Bylaws meeting

15. Council District 5 Report –Field Deputy, Ms. Gurmet Khara, &/or Planning Deputy Noah Muhlstein (5 minutes)

16. Council District 4 Report - Field Deputy & Deputy of Housing and Transportation - Sharon Shapiro (5 minutes)

17. Traffic Committee Report & Police Advisory Board Report – Robert A. Ringler
Next LAPD West Bureau Traffic Committee: Wednesday October 9, 2013 at 8:30 a.m. at the West Los Angeles Community Police Station, 1663 Butler Avenue.

18. Ad-hoc “I-405 Sepulveda Widening Improvement Project” of last general meetings - Irene Sandler

19. Private and Public Schools News (1 minute)

20. New Business/General Announcements (1 minute)

21. Motion to Adjourn Meeting

NEXT BABCNC MEETING: October 23, 2013



www.babcnc.org

First Addendum to the General Meeting Agenda
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- 1. 1st Addendum to the President's Report – Gary Plotkin**
- p. **Rat poisons on the Eastern Santa Monica Mountains – (3 minutes) Tony Tucci**
Motion to draft a letter to City Council requesting that they support Councilmember *Koretz* and CLAW's initiative for an ordinance that bans the sale and use of anticoagulant rodenticide and prohibits its use, particularly in our hillsides and other ecologically sensitive areas
- q. **Report on the developments regarding the slope failure mitigation measures on Laurel Canyon Blvd being considered immediately – (5 minutes) Cassandra Barrere**

Visit <https://www.surveymonkey.com/s/9motions> to weigh in individually through a survey, or consider the motions collectively as a Neighborhood Council board or committee and forward your resolutions to NCPlan@empowerla.org. Thank you.

1) Introduction

Welcome!

This survey has been created to provide you with an opportunity to weigh in on a number of current Neighborhood Council policy issues. Your time and attention is valuable and greatly appreciated.

Over the last half year, Neighborhood Council Plan Review committees have been carefully considering many of the laws which govern the Neighborhood Council system. A number of their recommendations have now gone before the Board of Neighborhood Commissioners. Before voting on the recommendations, the Commission would like your input. By filling out this survey, you will be providing the Commission with valuable insight.

The committees have proposed motions to amend the City's Administrative Code which touch upon numerous topics and would ultimately require City Council action. In some cases, the changes (or reaffirmation of current policy) can be effectuated at the Commission or Department level.

The nine topics that you'll see addressed in the motions presented in this survey include:

- NC subdivision/boundary adjustment policies
- Grievances and complaints policies and procedures
- Rules for governing board selections
- Election policies and procedures; term limits
- Brown Act and posting policies
- NCs and rule formulation; appointments of General Manager, Board of Neighborhood Commissioners
- Creating and maintaining information and communication network for public use
- Duties of the Board of Neighborhood Commissioners
- Exhaustive efforts process

If you would like to view the worksheets and related documents that the NC Plan Review committees used as they deliberated on these issues, you can do so at www.empowerla.org/ncplan. You can also leave comments on the webpage.

Thank you for taking the time to complete this survey. Your input is valuable to the Commission and to the Neighborhood Council system.

EXHIBIT "A"

2) Neighborhood Council subdivision/boundary adjustment policies

Motion recommends that:

“A new Neighborhood Council may be created from within the boundaries of an existing Neighborhood Council by the following process:

- a. The subdividing group shall undertake the process for Neighborhood Council formation as already described for new councils.
- b. The Department of Neighborhood Empowerment shall set an election to take up the question within 90 days of verifying all paperwork is complete.
- c. A majority of the votes cast by stakeholders of the entire original Neighborhood Council shall be required to complete the separation and create a new council.
- d. If an area leaves a Neighborhood Council, the original council should simply be required to adjust its boundaries and board structure and not recertify.
- e. If an area moves between two existing Neighborhood Councils, neither should be required to recertify.”

3) Grievances and complaints policies and procedures

Motion recommends that:

- a. “The grievance procedure and the complaint process be merged into one system; that the Department of Neighborhood Empowerment (Department) establish a single set of procedures with a regional grievance panel empowered to render a final decision on a grievance without further right of appeal, which shall be based on the grievance policy recommendations already made by the Department as reflected in its report dated November 22, 2011, and contained in Council File Number 11-1018.”

*(*see note at end of document)*

4) Rules for governing board selections

Motion recommends that:

- a. “The Department of Neighborhood Empowerment look at establishing rules and guidelines for Board selections so that they are more uniform and more open to the public.”

*(**see note at end of document)*

5) Election policies and procedures; term limits

Motion recommends that:

- a. "Reaffirm support for the authority having been returned to the Department of Neighborhood Empowerment to conduct Neighborhood Council board elections and to partner with the City Clerk for back office administrative services.
- b. All Neighborhood Councils need to participate in elections or selections at least every two year cycle.
- c. Existing Neighborhood Council boards are encouraged to partner with other Neighborhood Councils and with the Department of Neighborhood Empowerment for candidate recruitment and election outreach.
- d. The City of Los Angeles should not require Neighborhood Councils to impose term limits. It should be left to each Neighborhood Council's discretion.
- e. There shall be participatory involvement of Neighborhood Councils in reviewing election policies and procedures prior to Neighborhood Council elections."

6) Brown Act and posting policies

Motion recommends that:

- a. "Reaffirm support for the Brown Act for Neighborhood Councils and its single accessible 24 hour posting requirement, and reaffirm current board policies regarding electronic mail and website posting, with only one physical posting site as opposed to many. The email requirement shall specify that agendas be sent to "NCSupport" with the intent that the Department will post them to the city's agenda system.
- b. Neighborhood Councils that do not have a website must post in at least five (5) physical locations."

7) NCs and rule formulation; appointments of GM, Board of Neighborhood Commissioners

Motion recommends that:

- a. "Neighborhood Councils should have a greater role in the formulation of rules and regulations as promulgated by the Department and shall continue to have an advisory role in the appointment of the Department General Manager and the members of the Board of Neighborhood Commissioners."

8) Creating and maintaining information and communication network for public use

Duties of the Department in Sec 22.801(j) currently states that “[The Department shall] with the assistance of the Information Technology Agency, create and maintain an internal and external information and communication network, including a Citywide database of neighborhood organizations and similar information, that would be available for public use;”

Proposed motion to adopt the recommendations of the NC Plan Review Committees that Sec 22.801(j) of the Administrative Code be amended as follows:

“with the assistance of the Information Technology Agency, create and maintain an internal and external information and communication network that would be available for public use to:

- a. Provide organized access to all current rules, regulations, and election/selection/voting and any other procedures adopted by the Department of Neighborhood Empowerment.
- b. Provide organized access to all historic rules, regulations, and election/selection/voting and any other procedures adopted by the Department of Neighborhood Empowerment that are no longer in force.
- c. Provide organized access to all current legal opinions by the City Attorney on matters relating to the Department of Neighborhood Empowerment, Board of Neighborhood Commissioners, Department rules or regulations, and Department procedures for elections/selections/voting and any other matter.
- d. Provide organized access to all historic legal opinions by the City Attorney on matters relating to the Department of Neighborhood Empowerment, Board of Neighborhood Commissioners, department rules or regulations, and department procedures for elections/selections/voting and any other matter that are no longer in force.
- e. Provide a Citywide database of existing neighborhood organizations and similar information, sortable by areas and individual Neighborhood Councils.”

9) Duties of the Board of Neighborhood Commissioners

Motion recommends that:

- a. “The Board of Neighborhood Commissioners be given more power to enforce its policies.”

*(***see note at end of document)*

10) Exhaustive efforts process

Motion recommends that:

- a. "As part of exhaustive efforts the Department shall be able to recommend to the Board of Neighborhood Commissioners that the board of a neighborhood council be removed prior to having to recommend involuntary decertification."

*(***see note at end of document)*

*(****see note at end of document)*

NOTES

*Note: A further elaboration of the Department's grievance policy recommendations are included in the flowchart found on page 13 of the document located at <http://empowerla.org/wp-content/uploads/2013/05/NCPlan-All-worksheet-session3.pdf>.

**Note: According to the City Charter, Neighborhood Councils can conduct either an "election or selection" of their governing boards. The majority of Neighborhood Councils conduct elections, while some conduct selections through open town hall-style meetings.

***Note: Regarding Item 9, as the policy making body for neighborhood councils the Board of Neighborhood Commissioners is asking for your thoughts and your advice on what authority they might request in order to be able to enforce the policies they adopt.

****Note: Item 10 was not brought before the Commission at its June 27th meeting, but will be introduced at a subsequent meeting. In the meantime, you are requested to also weigh in on the issue as it is one of the recommendations from the NC Plan Review Committees.

*****Note: Currently, if all exhaustive efforts have been unsuccessful in helping a Neighborhood Council that is struggling to function, the final recourse for the Department is to recommend to the Board of Neighborhood Commissioners that the Neighborhood Council be decertified. If a decertification occurs, the neighborhood will cease to have a Neighborhood Council until a new certification process has occurred, which can entail multiple months or years. This recommendation by the NC Plan Review Committees seeks to provide an alternate tool for the Department and Board short of decertifying the Neighborhood Council.

Motion: Oppose the April 2013 LADWP Owens Lake Dust Mitigation Master Project Concept and Request That LADWP Work with Ratepayers and Neighborhood Councils to Develop a Master Project That Wastes Little Water and Costs Far Less Than \$1 Billion.

Background:

Details about the Master Project Concept are described on the Owens Lake webpage of LADWP (<http://ladwp.org/owenslake>).

The Master Project Concept is an improvement over the existing Owens Lake Dust Mitigation Project, which is also described on the LADWP webpage. However, the new concept it does not reduce future water waste and expenditures enough. This is a reflection of the complex and contentious nature of this issue, which requires immediate input from Ratepayers and Neighborhood Councils who have previously been excluded from participation in this project.

Detailed background on the long-running controversy surrounding Owens Lake is given in the 8,600-word March 23, 2006 LA Weekly article by Jeffrey Anderson “The Eternal Dustbowl: Paying for the sins of L.A.s water barons has created a half-billion-dollar boondoggle” (<http://www.laweekly.com/2006-03-23/news/the-eternal-dustbowl/full/>)

Reasons to oppose further water waste and expenditures on Owens Lake are explained below in the Questions & Answers regarding the October 2012 LADWP Owens Lake Dust Mitigation Lawsuit. This lawsuit was supported by the entire LA City Council and LA Mayor Villaragosa when it was filed. The Questions & Answers and the lawsuit are on the LADWP webpage.

Selected Questions & Answers:

Q: Why did LADWP bring this lawsuit?

A: The Los Angeles Department of Water and Power (LADWP) has devoted an enormous amount of financial and water resources to live up to all its’ fundamental obligations to control dust at Owens Lake. This work has resulted in substantial and enduring environmental progress – leading to an enormous reduction in dust coming from Owens Lake.

As a result, the LADWP has been left with absolutely no choice but to file a lawsuit in federal court. This was the Department’s only remaining option to rein in the Great Basin Unified Air Pollution Control District regulator, who is seemingly unaccountable to anyone.

Q: How much has the dust control effort so far cost Los Angeles water consumers?

A: Right now nearly two months per year of the average Los Angeles residential water customer’s bill is devoted to Owens Lake mitigation measures, with a total project cost so far in excess of \$1.2 billion. And recent orders by Great Basin for new areas to mitigate dust - that was not caused by LADWP - will require another \$400 million from Los Angeles water consumers.

EXHIBIT “B”

Q: How much water has LADWP used to reduce dust at Owens Lake?

A: This decade-long effort has required – and will continue to require – an enormous commitment of scarce water resources. To give you some sense of the scope of the issue, the amount of drinking water being used to control dust on Owens Lake each day would overflow the Rose Bowl every day of the year. And now, and for every year going forward until other dust control methods are approved, the amount of water annually being devoted by LADWP to Owens Lake would be sufficient to supply the entire City of San Francisco for an entire year – over 30 billion gallons of water a year.

Looked at from another perspective, LADWP now devotes 50% of its LA Aqueduct water to dust and environmental mitigation projects in the Owens Valley and Eastern Sierra, resulting in the need to purchase an equivalent amount of increasingly scarce MWD water – putting increased pressure on water supplies from and through the Bay-Delta (about 90% of LADWP's water purchases from MWD come from Northern California via the State Water Project).

In short, while LADWP customers have conserved water to the lowest point in 40 years and use less water than any major city in the U.S., Great Basin continues to mandate wasting billions of gallons of drinking water to control dust at Owens Lake.

Q: What other solutions is LADWP proposing?

A: For nearly 2 years, LADWP, state agencies; Inyo County and local environmental groups have worked to develop a master plan that would greatly reduce the waste of water for dust mitigation, enhance the environment, and provide a sustainable path forward. Great Basin, meanwhile continues issuing orders for new areas for dust control with no regard for such a plan, no evidence of any responsibility by LADWP for dust from such areas, and no concerns whatsoever of the costs to LADWP or the impact of continued wasted water on the State.

LADWP believes that it is incredibly unfortunate that -- despite the enthusiasm of federal, state and local agencies for this proposed multi-party effort -- the Owens Valley regulator has not only refused to participate – but has chosen to file lawsuits and continue to impose unreasonable regulations.

Q: In what ways, specifically, has the local Owens Valley regulator behaved unreasonably?

A: The list of unreasonable actions is a long one. Here are just some examples:

(1) The local regulator is using funding by City of Los Angeles ratepayers to support 90% of the entire cost of operations of his agency -- including staff salaries, benefits, fully funding its pension system and paying its outside lawyers at the rate of \$750 an hour.

(2) The local regulator has also refused to pursue other responsible parties, or consider innovative solutions that might save water, because he says he has Los Angeles water consumers right where he wants them: As a "fish on a hook."

(3) The local regulator continues to impose new requirements on Los Angeles ratepayers to solve problems that L.A. did not cause in the first place.

Q: LADWP has also brought suit against both federal and state government agencies. Why?

A: Great Basin is not the only defendant in the case. The other defendants in this lawsuit were named because they are essential to resolving the issue of LADWP's responsibility for dust control at Owens Lake. Specifically:

(1) California State Lands Commission: The Commission claims ownership of the entire lakebed, while at the same time its staff has actively rejected waterless dust control measures under a misguided notion that all dust control projects on Owens Lake require water. This idea contradicts the California Constitution's requirement for all water use in the state to be both reasonable and beneficial.

(2) United States Environmental Protection Agency: The EPA Last approved a plan for controlling dust at Owens Lake in 1999. Despite a clear legal requirement to the contrary, the EPA has not approved or rejected Great Basin's 2008 State Implementation Plan (SIP). (EPA will claim it approved dust control requirements for Owens Lake under a separate air quality plan for a separate region, Coso. However, that approval was not enough to meet the legal requirements related to the 2008 SIP).

(3) United State Bureau of Land Management: The BLM owns, as a matter of law, large areas of the Owens Lake playa. BLM does not want to claim ownership, but does not really have a choice unless and until it transfers ownership to another entity.

(4) California Air Resources Board: CARB is a defendant because it has refused to provide the City due process by allowing a hearing at which Great Basin provides substantial evidence that LADWP's activities are the cause of the air quality standard violations and has denied LADWP the ability to crossexamine its witnesses and provide exculpatory evidence.

Q: What does LADWP want to accomplish with this lawsuit?

A: LADWP has two goals.

First, to reign in this unaccountable local regulator by forcing the regulator to abide by the State Constitution as well as applicable federal and state laws; and

Second, under the supervision of a federal judge, bring other responsible parties, including the federal and state governments, to the table to devise ways to protect the environment while saving a significant amount of scarce water and safeguarding the pocketbooks of Los Angeles water customers.



1.805.225.4766 • INFO@CLAWONLINE.ORG • PO BOX 50000 • STUDIO CITY CA. 91614

August 26, 2013

Councilman Paul Koretz
Fifth Council District
200 N. Spring Street, Room 440
Los Angeles, CA 90012

Honorable Councilmember Koretz and staff:

Thank you for meeting with Citizens for Los Angeles Wildlife (CLAW) on Wednesday, August 21' 2013. Together we discussed the evidence and statistics revealing the deleterious impact of anticoagulant rodenticide on wildlife in the Santa Monica Mountains and other ecologically sensitive areas citywide. We also discussed that anticoagulants rodenticides are lethal to all native wildlife, causing secondary and tertiary poisoning of indigenous predators such as bobcats, coyotes, mountain lions, owls and hawks and force an ecological imbalance. Rat poison also presents grave danger to domestic animals and children.

This letter is a formal request for you, Councilmember Koretz, to author an ordinance that bans the sale and purchase of anticoagulant rodenticide in the City of Los Angeles and restricts its municipal, commercial, professional and private use in order to:

- Prevent accidental poisoning of wildlife, domestic pets and humans;
- Restore the natural balance of pest control in the Santa Monica Mountains and other ecologically sensitive areas of the city struggling to survive in the urban interface, including the LA River and hiking trails.

We propose this ordinance should include:

- A city-wide ban on the sale and purchase of anticoagulant rodenticide.
- Prohibit the municipal, commercial, industrial, professional and private use of anticoagulant rodenticide particularly in our hillsides and other ecologically sensitive areas and within 100 feet of parks, school zones, playgrounds and play structures.
- A system of fines should be instituted to support this ordinance with increased fines in our hillsides and ecologically sensitive areas as well as within 100 feet of our parks, school zones, playgrounds and play structures.

While we have been inspired by resolutions passed by a handful of cities in California, we are enthusiastic that an ordinance, in a city this size, under your direction will go even farther to provide relief from this indiscriminate killer. We commend you for your leadership on this issue. As you know, CLAW is proud to offer its support and resources to help push this ordinance forward.

Sincerely,

Alison Simard, Skip Haynes and Tony Tucci
Board of Directors