



Building A Better Community

General Board Meeting <u>AGENDA</u> <u>Wednesday</u>January 28, 20157:00-9:00 p.m.

Special Guest, Paul Darrigo, RE: Implementing the RACO Program Elections of Officers Special Guests, Thomas Soong of DONE & Carmen Hawkins, Deputy LA City Attorney

American Jewish University 15600 Mulholland Drive, Room 223, Bel Air, CA 90077 Room 223, Main Campus, 2nd floor, accessible from west side of Casiano Rd. Park at lower parking (Lot 1) below the security kiosk

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- In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting, may be viewed at our website by clicking on <u>www.babcnc.org</u> or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, contact BABCNC Administrator, Cathy Palmer, 310-479-6247 or email <u>council@babcnc.org</u>.

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 presiding officer of the Council.

ADMINISTRATIVE MATTERS

- 1. Call to order Council Member roll call (Quorum = 12)
- 2. Pledge of Allegiance
- 3. Motion to approve the November 19, 2014 Minutes
- 4. Motion to approve tonight's January 28, 2014 Agenda
- 5. Public Comments (15 minutes 3 minutes per speaker)
- 6. (Agendas, brochures, & public service handouts available)

7. **President's Report** – *Gary Plotkin* (3 minutes)

1.a. <u>RACO Funds & BABCNC</u> – (Discussion & Possible Action) *Gary Plotkin* (3 minutes)

(See Attachment: **Exhibit "A1"** including RACO flyer from 02/2012 & emails from Grayce Liu regarding meeting with Brenda Barnette, GM Dept. of Animal Services, in November 2014.)

In November 2010, BABCNC contributed \$250 toward the RACO fund.

On 11/07/14 Grayce Liu from DONE sent an email to BABCNC President, noting that from 2010-2012, that \$24,000 was raised by NCs around the City, towards a Reserve Animal Control Officer (RACO) program by the Dept. of Animal Services. The funds have been held in reserve until the Dept. of Animal Services was ready to implement the program. *Grayce*invited NC Executive Directors and Brenda Barnette, from Animal Services, to a meetingto learn about the history of the funds and next steps. NCs were offered an option for a refund of their prior contributions that were not yet used.BABCNC agendized this for December which meeting was cancelled, and have therefore carried it over to this evening's January meeting.}

MOTION that BABCNC leaves the \$250.00 contribution made in November 2010 in the special fund, so that the funds be used at this time toward the implementation Reserve Animal Control Officer (RACO) program.

1.b.<u>Special Guest Speaker Paul Darrigo</u>- (Discussion & Possible Action)(10 minutes)

(See Attachment: **Exhibit "A2"**from Paul Darrigo including community benefit sheet regarding RACO & sample letter of support from Tujunga-Sunland NC dated 09/1814)

MOTION: That BABCNC write a letter of support to the City of Los Angeles to implement the RACO program using the Neighborhood Council's funds held in reserve for the last 3 to 4 years.

- 8. Fast Track(Update, Discussion and Possible Action)
- a. Bel Air Alliance Report Dan Love (5 minutes)
- b. Budget Reps' Report on Budget Advocates Stojka(2 minutes)
- c. SCAQMD Air Alerts & No Burn Alerts / Mandatory Wood-Burning Bans for Residentsof the South Coast Air Basin (Updates, Discussion & Possible Action)-- Robert Ringler (2 minutes)
- 9. Secretary's Report Robin Greenberg (3 minutes)
- 10. Treasurer's Report/ Expenditures (Updates, Discussion & Possible Action)

a.Status of <u>Signs</u>&<u>Poles</u>to accompany Red FlagsJamie Hall, Cass Barrere &Dan Palmer (2 minutes)

b. <u>MOTION</u>: BABCNC approves November 2014 and December 2014 expenditure reports and bank statements - *Alan Fine*(5 minutes)

(Attachments:November & December Expenditure Reports & Bank Statements.)

c.<u>MOTION</u>: BABCNC approves re-opening the Ad-Hoc Special Committee on Use of Financial Surplus Before End of Fiscal Year and that Jamie Hall chair the committee.*Alan Fine*(3 minutes)

11. Public Safety/Disaster Preparedness Committee – Chuck Maginnis(5 minutes)

- Senior Lead Officer 8A29 Chris Ragsdale, WLA Community Police Station
- Senior Lead Officer Ralph Sanchez, Hollywood Community Police Station
- Report on EP Committee Meetings
- 12. Planning and Land Use Committee (PLU) (Updates, Discussion & Possible Action) Kemp a. Update on 01/13/2015 PLU Meeting- Michael Kemp (15minutes)

The following motions are recommended by the PLU Committee:

1. 10101-10107 Angelo View Drive:

ENV 2014-4540

Haul route to allow the total export of 51,050 cubic yards of dirt for the construction of a 41,206 s.f. SFD with a basement that includes 19,500 s.f. of habitable space and a 13,189 s.f. underground garage. Package received: 01/05/15

<u>Motion</u>: The BABCNC recommends that the LADBS Board of Building & Safety Commissioners <u>deny</u> the Haul Route as requested.

2. 320 North Carolwood

ZA 2014-3242-F

To allow a 8' wall, 8'5" gates, pilasters, and 15' hedge in the required front yard setback in lieu of the 3'6" allowed by code.

Motion: BABCNC recommends that the City of Los Angeles Zoning Administrator deny request.

3. 2301 Kimridge Road

ZA 2014-4243 (F)

Increase the height of concrete fence walls in the required front yard from 6'-0" to 8'-0" for a new dwelling currently under construction under permits: 12010-20000-01619. 6'-0" height was previously approved under case ZA 2012-1758 ZAD, ZAA, DRB, SSP, MSP.

Motion: The BABCNC recommends that the City of Los Angeles Zoning Administrator <u>not</u> oppose the request.

4. 1533 & 1541 Marlay Drive

AA 2014-4248- PMEX Adjust lot line between parcels 1 and 2 to follow existing fence. <u>Motion</u>: The BABCNC recommends that the City of Los Angeles Zoning Administrator <u>not</u> oppose the request.

13. West Los Angeles Regional Alliance of Councils (WRAC) (Updates, Discussion & Possible Action) – *RobinGreenberg* (10 minutes)

MOTION 1 : **RE: Support for Council File 14-1624** That the PW Department, with assistance from DOT, Planning, CA, DONE, CAO and CLA, be instructed to present a report setting ways and means by which the City may best serve community organizations seeking to undertake community improvement projects (CIS).- Passed in WRAC

MOTION 2: **RE: Support for Council File 13-0025SI**: Police Commission report 14-0441 regarding recommendations for hit and run collision reward system. Passed in WRAC

(RE: Proposed reward system to capture those fleeing hit and run accidents.)

MOTION 3: **RE:** Support for Council File 14-1738: That the Police Department report on the status of its plan to issue body worn cameras to LAPD officers. Passed in WRAC

MOTION 4: **RE: Martin Cadillac**: Resolved the WRAC does <u>not</u> support the Martin Cadillac Project as presented in the DEIR(Olympic and Bundy). Passed in WRAC

(RE: An 800,000 square foot development site.)

14. **Santa Monica Mountains Conservancy Report** (Updates, Discussion and Possible Action) - *Travis Longcore (5 minutes)*

a. LAFD's Canopy Project: This is a request for BABCNC to provide a letter asking the City to respond to attached materials regarding the LAFD's Canopy Project.

MOTION: that the Bel Air-Beverly Crest Neighborhood Council endorse the letter sent by The Urban Wildlands Group, Benedict Canyon Association, Laurel Canyon Association, Residents of Beverly Glen, and Citizens for Los Angeles Wildlife to the Los Angeles Fire Department on January 11, 2015 regarding the LAFD's Canopy Project.

Please see this 26-page Attachment: **Exhibit "B"** which includes the above-referenced letter dated January 11, 2015 and available backup documentation obtained by Travis Longcore. [Everyone is encouraged to print out your own copy if so desired from attachment emailed to you with this agenda, or from the website at <u>www.babcnc.org</u>, under "About", "Agendas & Minutes", or by contacting the BABCNC office as instructed at the top of page 1 of this agenda. A master copy will be available at the meeting, in the white binder on the table near the door for all to see.]

15. **Outreach Committee Report** – *Robin Greenberg*(5 minutes)

a. Report on DONE Outreach Task Force Meeting of January 16, 2015(Exhibit "C1")

b. Report onCD5 Coalition; Paul Koretz, Guest Speaker January 17, 2015(Exhibit "C2")

16. Bylaws & Rules Committee Report – Larry Leisten(10 minutes)

a.) Status Update on Bylaws Submitted to DONE - Leisten

17. New Business / General Announcements: (Updates, Discussion & Possible Action)

a. <u>Special Report & Discussion</u> by *Thomas Soong* of the Department of Neighborhood Empowerment (DONE) & *Carmen Hawkins*, Deputy City Attorney, at the Los Angeles City Attorney's office(5 minutes each)

b. <u>Correct Voting Procedure</u>– Larry Leisten(5 minutes)

Correct voting procedure, per existing bylaws referring to Rules. Since no specific Rule, looking to Roberts Rules of Order on the voting procedure.Votes should be recorded by roll call vote.

MOTION: RE: Voting procedures

c. <u>Grievance against BABCNC by Bruce Kuyper</u>(Exhibit "D"- Larry Leisten (15 minutes) LarryLeistenwill announce procedure for dealing with the grievance. Gary will recusehimself. Grievance to be heard and resolved by the Board pursuant to our current bylaws.

d. <u>Election of BABCNC Board Officers</u> – Larry Leisten (10 minutes)

e. Appointment of Dan Love for seat on BABCNC Board. Gary Plotkin(3 minutes)

MOTION:BABCNC acknowledges Dan Love as an at-large member of the BABCNC in a non-represented area of Bel Air.

f. <u>Council Votes Yes on Hiring Outside Council CF-14-1606</u> (Discussion& Possible Action) *Plotkin* (5 minutes)

This is in regards to the City of L.A. using outside legal counsel to fight suits from LA residents on Planning & Land Use issues. See article posted on www.babcnc.orgwebsite. For more details see Council Files CF NO. 14-1606 and 14-1438 below: http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-1606 http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-1438

- g. <u>L.A. City Central Collections System</u> Don Loze Council File #: 14-0600 (FY2014-2015 City Budget Proposal)- No Report
- h. DWP Rate Increases and Tier 2 Rates Don Loze- No Report
- i. <u>City Sidewalks</u> Gary Plotkin- No Report
- j. <u>Ad-hoc "I-405 Sepulveda Widening Improvement Project"</u> & Metro Update on Sidewalks @ Skirball Bridge to Mulholland -- *Sandler* Plotkin- No Report
- 18. Ad-Hoc Standing Committee on Los Angeles 2020 Report "Monitoring City's Solutions & Actions" (established on 01/22/14)– Co-Chairs, Andre Stojka & Tony Tucci (3 minutes)
- 19. Council District 5 Report Planning Deputies, G. Khara &N. Muhlstein& Shawn Baylis (5 mins)

Including responses to questions raised at the November 2014 BABCNC Board meeting with Special Guest Speaker, CD5 Councilmember Paul Koretz, and interim issues.

- 20. Council District 4 Report Field Deputy & of Housing & Transportation Shapiro(5 minutes)
- 21. Traffic Committee Report & Police Advisory Board Report– RobertRingler (1 minute) Next LAPD West Bureau Traffic Committee:Wednesday February 11, 2014 at 8:30 a.m. at the West Los Angeles Community Police Station, 1663 Butler Avenue.
- 22. Private and Public Schools News (2 minutes)
- 23. Old Business (3 minutes)
- 24. Motion to Adjourn

UPCOMING MEETING – Wednesday February 25, 2014 at AJU

The agenda is posted for public review at Bel Air Foods (formerly "Bel Air Market"), 2323 Roscomare Rd., 90077, Glen Center Postal Service 2934 1/2 N Beverly Glen Cir 90077, Laurel Canyon Country Store2108 Laurel Canyon Blvd, 90046, Glen Market, 1603 N Beverly Glen Blvd., 90077 and/or Bel Air Bar & Grill, 662 North Sepulveda Blvd., 90049.

Exhibit A. P.1

From: Grayce Liu [mailto:grayce.liu@lacity.org] Sent: Friday, November 7, 2014 6:23 PM To: gary Plotkin Cc: Janet Lindo Subject: BABCNC RACO Funds

Hi, Gary,

Hope all is well. From 2010-2012, Neighborhood Councils around the City contributed \$24,000 towards a Reseve Animal Controll Officer (RACO) program operated by the Department of Animal Services. These funds have been put into a separate account while Animal Services worked out program implementation issues. At this point, Animal Services is ready to implement the program.

There has been a lot of confusion surrounding the RACO program from Neighborhood Council leaders so I asked Animal Services' General Manager, Brenda Barnette, if she could meet with Neighborhood Council Executive Offiers to clarify the history of the funds and its use. Brenda agreed so I am hosting a meeting to discuss the RACO program at our office on Tuesday, November 18th, at 6 pm. Brenda will be discussing next steps for those Neighborhood Councils who are interested in having their funds still be applied to the program. In the alternative, Neighborhood Councils may have the ability to ask for a refund of their funds for which I would still need to go to City Council for transfer approval if that's the case.

In November 2010, BABCNC contributed \$250 toward the RACO fund. As space is limited, if you would like to come to the meeting, please RSVP to <u>Janet.Lindo@lacity.org</u> with the names of your NC Executive Officers who are interested in attending and their car information for parking.

If you cannot make the meeting, please email Janet any questions you may have so that I can be sure that they are addressed.

Please let me know if you have any other questions. Have a great evening and weekend!

Best,

Grayce Liu General Manager

Department of Neighborhood Empowerment 200 N. Spring Street, Suite 2005 Los Angeles, CA 90012 Downtown Office: (213) 978-1551 Downtown Fax: (213) 978-1751 "Dear Neighborhood Council Leaders,

Exhibit Al. P.2

I hope this email finds you well. Thank you for either attending Tuesday's meeting or sending questions regarding your RACO funds. Here is a summary of what Brenda went over on Tuesday.

The last RACO class to graduate was in 2011. There has been no class since then because there was a
hiring freeze at Animal Services in 2012, which affected the number of applicants for the RACO program
because they used this training as a possible way to get a full time paid position at the department. There
are still RACO volunteers working in the City, but most are also Animal Service employees who volunteer
for to work as RACOs at a shelter where they are not employed.

Animal Services can hold a RACO training as soon as they get 15 qualified candidates so please spread the word to your board and stakeholders to apply if you want this program to go forward. Qualified candidates have been hard to find because there is a background check and significant training since they are authorized to use firearms. We sent out information about the program in our newsletter <<u>http://empowerla.org/reserve-animal-control-officer-raco-program/?utm_source=GM%27s+Message%2C+Department+Budget%2C+Leadership+Academy%2C+and+LA+goes+Skating%21&utm_campaign=GM%27s+Message%2C+Department+Budget%2C+Leadership+Academy%2C+aind+LA+goes+Skating%21&utm_medium=email> today. Brenda has also provided a link to the Volunteer
 Handbook<<u>http://www.laanimalservices.com/pdf/volunteer/volunteer_handbook.pdf</u>> as well.
</u>

- If your Neighborhood Council doesn't want to wait until 15 qualified candidates can be found, they can
 request that the funds be used in another way for animal care, such as designated spay/neuter program in
 your area, flyers (can be bilingual) with your Neighborhood Council name on it for distribution to your
 stakeholders and any other creative ideas your Neighborhood Council may have. The board must take
 action to make the change.
- If your Neighborhood Council would rather have the funds returned, Animal Services will need a letter from the Neighborhood Council board (board must take action on this) requesting that the funds be returned to the Department of Neighborhood Empowerment (Department) and your specific Neighborhood Council. Once they receive this letter, Animal Services will write a memo to the Department accounting staff and provide them with the account information where the funds currently reside (AWTF, Fund 859). The Department accounting staff will need to do transfer the funds from Animal Services to the Department and the Neighborhood Council. This will require only the Controller's Office to approve and not City Council because the funds are sitting in a special account. We anticipate that once Animal Services receives the letter, it will take 3-4 weeks to transfer the funds into the Neighborhood Council's account. This money will be in addition to the \$37,000 the Neighborhood Council currently has for this fiscal year. The Neighborhood Council can submit this request at any time, i.e. it's not limited to this fiscal year right now as the special funds money cannot be swept.

If you have any questions regarding the various options or Animal Services programs, Brenda has asked that you contact her directly via email at <u>Brenda.Barnette@lacity.org</u> <<u>mailto:Brenda.Barnette@lacity.org</u>>. If you have a guestion on the Department funding part, you may contact me.

Thank you again for your participation. Have a great evening and weekend!

Best,

Grayce Liu General Manager

Department of Neighborhood Empowerment 200 N. Spring Street, Suite 2005 Los Angeles, CA 90012 Downtown Office: (213) 978-1551 Downtown Fax: (213) 978-1751"



Exhibit AI. P3 FMM February 2012

RESERVE ANIMAL CONTROL OFFICER (RACO) PROGRAM

Are you interested in trying something different? The RACO Program welcomes volunteers to become Reserve Animal Control Officers serving in the same capacity as our Animal Control Officers.

The program requires a commitment of 16 hours of volunteer service each month at any one of our six Animal Care Centers for 3 months prior to the first class. This commitment will provide a great opportunity to serve and observe. Prospective candidates will learn about care and handling of a variety of animals, interface with Center, Medical, and Field Staff, work with Supervisors and become familiar with day-to-day operations. For those that are already volunteering, you've already learned this – and much more!

During this three month commitment, there will be an application process. Applicants must be a minimum of 21 years of age, a high school graduate or equivalent, and must have a current driver's license. A background check, drug and alcohol screening will be performed as a part of the process. Prospective candidates should also be prepared for a physical requirement check. RACOs must be able to lift at least 70 pounds and sometimes in excess of 70 pounds. Other physical agility requirements, such as stooping, crawling, and bending, will also be tested.

The training program will run for approximately 6 months with a schedule of 4 hours on both Tuesday and Thursday evenings with classroom and field training during the program. Uniforms, equipment and training will be provided by the Department (at no cost to the RACO). We do, however, require a 1 year commitment of 16 hours per month after graduating from the class. We need you!

We are currently accepting applications from volunteers who have finished or will soon finish their required volunteer pre-service. Please complete a regular City Application located at: <u>http://per.lacity.org/application.pdf</u> and mail it to: RACO Program, LA Animal Services, 221 N. Figueroa St., Suite 500, Los Angeles, CA 90012.

The next class will begin after we have 15 qualified applidants. Slots are limited.

Thanks, again, for your interest. We can't wait to see you - in a uniform!

DEPARTMENT OF ANIMAL SERVICES 221 N. Figueroa Street, 5th Floor, Los Angeles, CA 90012 (888) 452-7381 Administrative Office Hours: Monday - Friday (8AM - 5PM) Saturday, Sunday and Holidays (Closed) Shelter Hours: Monday (Closed) Tuesday (8 AM-7PM) Wednesday (8AM-5PM) Thursday (8AM-7PM) Friday (8AM-5PM) Saturday (8AM-5PM) Sunday (11 AM-5PM) Holidays (Closed)

Sunland-Tujunga Neighborhood Council

IMPROVING THE QUALITY OF LIFE IN SUNLAND TUJUNGA 7747 Foothill Blvd., Tujunga, CA 91042 • www.stnc.org • 818-951-7411 • FAX 818-951-7412

September 18, 2014

EXhibit Az p.1

Eric Garcetti, Mayor City of Los Angeles 200 N. Spring Street Los Angeles, CA 90012

Dear Mayor Eric Garcetti:

Back in 2010, the board of the Sunland Tujunga Neighborhood Council allocated \$1,500 to institute a program, established by the L.A. City Charter for the Department of Animal Services, called the Reserve Animal Control Officers (RACO). Our funding went toward initiating a training program of volunteer Animal Control officers to assist the Department in investigating cases of animal abuse and neglect to improve the quality of life, health and safety for the animal population of L.A. and its citizens. Our board was enthusiastic about this program and wholeheartedly supported it.

However, we recently learned, after years of putting it on hold, that Animal Services has not implemented the RACO program. This is after Animal Services sent out a press release announcing that the program and committed to following through on it with 11 volunteers enrolled. These RACO officers graduated but were never utilized, even though the Department badly needs additional officers.

Currently there are only two Animal Control officers on the night shift for the entire City of Los Angeles. These two officers are responsible for carrying out all investigations and requests for an estimated population of over 30,000 stray animals and 3 million pet owners (who own 2 million dogs and cats, horses and other animals). Due to the lack of officers, there is a marked lack of responsiveness by DAS to approximately 500 emergency phone calls each week. We have been told there is a six week backlog to respond to "Emergency" phone calls, if it happens at all.

Due to Animal Services' current policy, millions of dollars of City revenue is being lost each year because the Department does not enforce collection of license fees, fines or penalties, including on cases of animal abuse and backyard breeders. We believe that investigating animal abuse cases should be one of the Department's highest priorities. With the City's funding issues and financial deficiencies, it is highly irresponsible to refuse the help that is being freely offered by volunteers who are ready and waiting to be trained and utilized to carry out these duties.

As a Neighborhood Council that oversees a community of animal lovers, we feel the Department needs to be held accountable to following through on the training and immediate implementation of the RACO program, which we and about 25 other NCs in the City funded for a total of \$30,000 for the project's funding. We believe the City is responsible to each and every one of our neighborhood councils to get this program started up again.

We are asking the Mayor (City Council, PAWS Committee and Board of Animal Commissioners) to closely look at the reasons why the RACO program has not been implemented, even though it was established by the L.A. City Charter and funded by its NCs. Furthermore, we want accountability and transparency on why the funds we approved for the RACO Program were not used, where those funds went, and when - if ever - the program will be implemented. As a Neighborhood Council, we represent the City to our stakeholders and are responsible to them for any programs we fund.

Exhibit A2 P3

Animals are dying by the thousands on our streets each week and people are being put in unsafe situations because there are not enough animal control officers to follow up immediately on emergencies, as well as non emergencies. Our stray animal population is out of control and needs protection right now. Also, animals are being abused and neglected and our Animal Services department is not staffed to investigate these situations or to follow up and take action against those parties.

We need your help and your commitment to put the RACO program into use with the funds we have already allocated. Please confirm your commitment to our STNC and to the City's animal population.

Respectfully,

The Board of the Sunland - Tujunga Neighborhood Council, City of Los Angeles, CA

Mark Seigel, President

cc: The Paws Committee Board of Neighborhood Commissioners Los Angeles City Council

taxhibitA2 p.3

BENEFIT TO THE COMMUNITY RESERVE ANIMAL CONTROL OFFICER (RACO)

Services for pet and wildlife population in large cities often go overlooked, understaffed and underfunded, yet the need is ever present. Especially in our cities efforts to be better prepared in an emergency or disaster.

LAAS Reserve Animal Control Officers (RACO) are highly trained volunteers that provide benefit to the community by enhancing service at Animal Care Centers, in the field and will provide benefit to the community in being better prepared for emergencies and disasters through out the City of Los Angeles.

The Hollywood Hills West Neighborhood Council area is home to thousands of pets, wildlife and Runyon Canyon Park, one of the largest off leash dog parks in the City of Los Angeles.

- Enhance service at animal care centers.
- Assist in better response time in the field.
- · Provide more trained individuals to assist Animal Services in the community.
- Increased LAAS service coverage as the program develops.
- The addition of these highly trained RACO volunteers allows Animal Services to be better prepared and capable in emergency preparedness efforts.



January 11, 2015

Ralph Terrazas, Fire Chief City of Los Angeles Fire Department 200 North Main Street, 16th Floor Los Angeles, CA 90012

Re: LAFD "Canopy Project"

Dear Chief Terrazas:

On behalf of our five organizations, we are following up on our joint letter to you of October 5, 2014 regarding the LAFD "Canopy Project." We are disappointed that we have not yet received a response. The October 5, 2014 letter is attached for your reference.

Documents released by the LAFD during the intervening months in response to a Public Records Act request from the Bel Air-Beverly Crest Neighborhood Council provide additional evidence about the nature of the LAFD Canopy Project and the need for it to undergo environmental review. Although incomplete, these documents show the extent of the removal of trees by the LAFD, which took place without appropriate notice, permits, or mitigation of environmental impacts.

We request that any further tree trimming and/or tree removals by the LAFD adhere to existing rules and regulations, including the notice requirements for City actions on private property, avoidance of impacts to protected tree species (or securing required permits), and abandonment of the curb-to-sky clearance order, which is not required by any law or ordinance. We furthermore request that you ensure that the mitigation that would have been required for impacts that have already occurred to protected trees as documented below be fully implemented in the locations where those impacts have taken place.

Canopy Project Improperly Implemented by Brush Clearance Unit

It is not clear under what specific legal authority the Brush Clearance Unit has been implementing the Canopy Project. The Brush Clearance Unit implements a set of regulations in the Municipal Code that pertain to fire safety in the Very High Fire Hazard Severity Zones. This Unit is funded at least in some part by fees paid by property owners. The code sections implemented by the Brush Clearance Unit do not require clearing of trees from curb to sky over roadways. The brush clearance ordinance requires only that trees within 10 feet of streets, roads, and alleys must be trimmed so that no leafy foliage, twigs, or branches are found within 6 feet of the ground. This is the responsibility of each landowner, and the Fire Department's legal means of enforcement is to issue a Notice of Noncompliance, not to do the work itself without allowing the property owner the opportunity to resolve a specifically articulated violation of the brush clearance ordinance. Trees over roadways must provide 14 feet of vertical clearance for a width of 20 feet under California Fire Code Section 503.2.1, but this is not part of the brush clearance ordinance.

The LAFD Canopy Project has sidestepped the property owner notification process entirely. In the documents recently released, we have found evidence that the Brush Clearance Unit tied the contracts for the Canopy Project not to individual parcels where the trees were found, but rather to City properties (i.e., the streets and roads). LAFD staff inserted "LA" as the owner name in the "Master Parcel Information Sheet" and removed any mailing address. Then, in issuing the contracts to undertake the work for various streets and roads, the Fire Chief signed a series of letters that read as follows:

The City of Los Angeles has authorized representatives of [name of contractor] to bring this property into compliance with Section 57.21.07 of the Los Angeles Municipal Code, as amended by Ordinance 160860. The Code requires brush clearance on properties in certain areas of the City of Los Angeles. This parcel is in noncompliance after all legal notices were given as required by the Code Section referred to above.

Therefore, the City has contracted for brush clearance with the aforementioned contractor who is acting as the official agent of the City of Los Angeles in entering on this property for the purpose of eliminating the fire hazards.

A copy of one of those letters is attached. The Brush Clearance Unit's contracts with the contractors required that they remove all vegetation "back to curbside and vertically to the sky."

The letters from the Fire Chief and the associated contracts are extremely troubling for several reasons:

1. The City is announcing the project to itself because the properties in the contracts are City streets. This amounts to street tree trimming and is the responsibility of a different City department, which has its own tree trimming guidelines. The LAFD did not follow the regulations in place for trimming of street trees. It also involved trimming and/or proposed removal of trees in City parks (e.g., De Neve Square Park) and yet apparently did not provide notice to the Department of Recreation and Parks.

- 2. The City used this authorization to trim and remove trees that were on private property, despite claiming that the owner of the property was "LA."
- 3. The relevant code section for hazardous vegetation (previously LAMC Section 57.21.07, now Section 57.322) does not require that all vegetation be trimmed from curbside vertically to the sky or anything remotely similar to this order and therefore does not provide the legal basis for the contracts that have been issued.
- 4. Those property owners whose trees were trimmed or removed did not in fact receive the legal notice that the Fire Chief attested had been given to them in each of the letters, nor were they given the opportunity to remedy the alleged violations as the City is required to provide under LAMC Section 57.322.
- 5. By funding this project out of the Brush Clearance Unit, the City is possibly using brush clearance fees intended to finance fire safety compliance on private property to trim the City's own trees, inasmuch as the trees trimmed and removed in this project were indeed found on City property.

This multiyear, ongoing project has already resulted in significant adverse impacts to the natural resources and aesthetics of canyon neighborhoods that have not been disclosed, analyzed, or mitigated as required by law, and promises to continue to do so.

Canopy Project Impacted More Than 262 Trees, Including 117 Protected Trees

It is not possible to ascertain how many trees in all have been impacted because of the way the contractors and Fire Department have kept records for the Canopy Project. We do know that the number is greater than 262 trees overall, including 117 protected trees.

In the most recent documents released by the LAFD, invoices for "additional" tree removals for contractors implementing the Canopy Project from 2011 to 2014 were provided. What appears to have happened was that the contractor would bid a certain amount to clear a section of roadway. The Brush Clearance Unit then accepted this bid. Afterwards, the contractor would submit an invoice for additional trees that were trimmed, cut back, or removed and the Brush Clearance Unit approved these charges as a change order. The invoices enumerated only the specific trees that were affected over and above those included in the original bid and therefore are only a partial record of the impacts of the project. The records do not appear to describe the impacts to trees that were covered under the original bids of the contractors, and indeed for some of the contracts, no species-by-species information is available at all.

The available information is, however, sufficient to document that a substantial number of trees regulated by the City's Protected Tree Ordinance have already been impacted by the Canopy Project. In the records the LAFD released, 117 protected trees (59 Coast Live Oak, 42 California Sycamore, and 16 Southern California Black Walnut) have been impacted (Table 1). The impacts have included trimming (13 trees), abutment cuts (29 trees), and removals (75 trees). The term "abutment cuts" refers to severe pruning that removes major parts of a tree. This was done to achieve the Brush Clearance Unit's desired clearance from curbside to sky and would violate the required standards for trimming street trees in the City of Los Angeles (and accepted standards of arboriculture).

Table 1. Minimum number^{*} and location of trees regulated by City of Los Angeles Protected Tree Ordinance that have been impacted by LAFD Canopy Project, 2011–2014. These represent trees enumerated in change-order invoices from International Environmental Corporation and do not include any tree trimming, cutting, or removal included in the original bids.

Location	Trimmed	Abutment Cuts	Removed	Total Impacted	
n a de la de la companya de la comp La companya de la comp		Coast Live Oak			
Benedict Canyon		4		4	
Beverly Glen Canyon	3	5	8	16	
Laurel Canyon	3	3	22	28	
Mulholland Corridor		3	8	11	
Subtotal	6	15	38	59	
	0	alifornia Sycamoro	2		
Beverly Glen Canyon	2	11	10	23	
Laurel Canyon	5	1	13	19	
Subtotal	7	12	23	42	
	Souther	n California Black	Walnut		
Benedict Canyon			2	2	
Laurel Canyon			6	6	
Mulholland Corridor		2	6	8	
Subtotal		2	14	16	
Total	13	29	75	117	

^{*}The Canopy Project impacted trees in other canyons (e.g., along Roscomare Road) but no records were provided that reported the number or species of trees. The Canopy Project also impacted protected trees outside the territory of the Bel Air-Beverly Crest Neighborhood Council (e.g., Beverly Glen north of Mulholland and Mandeville Canyon).

In addition to protected trees, the Canopy Project documents show payments for "additional" work that resulted in impacts to 145 non-protected trees, consisting of 29 trimmed trees, 14 abutment cuts, and 102 removals.

LAFD Misled Residents and Apparently City Council About Canopy Project

As you are likely aware, the Canopy Project has caused significant community consternation since it was started in 2011. In 2012, the controversy in Benedict Canyon was covered on the evening news. In 2014, the LAFD called out the LAPD to threaten residents with arrest, including a mother with her toddler, for asking questions about the legal justification for cutting protected trees in half.

Throughout this process, the LAFD has not been forthright with the community. The LAFD has claimed that the project was required by the Fire Code (it is not) and that it was required by State law (it is not). Furthermore, LAFD staff told City Council representatives that it was not ordering curb-to-sky clearance when that was exactly what was ordered in the contracts that had

been let. Joan Pelico of Councilmember Koretz's office wrote to Dr. Longcore on January 21, 2014:

Hi, here's the latest. ...I just spoke to Captain Valdez again and he said they were not doing curb to sky and are taking the aesthetic of the trees and the neighborhood into consideration. I convinced him to have a representative of LAFD attend BABCNC meeting tomorrow night to explain, clarify and listen. He is going to try and come and if not, either Inspector Orona or another LAFD brush unit rep. will be there. I am also going to forward the email stating the orders for trimming so he knows what you have been told. Travis, I will call you in a few minutes. To be continued. Joan

Yet, at the time when Mr. Valdez was telling Ms. Pelico that the order was not curb-to-sky, International Environmental Corporation had a contract that specified, in all capital letters, that they clear from curbside vertically to the sky. Ms. Pelico never provided a copy of the orders as she indicated she would do in her email (perhaps because the LAFD did not provide them to her), and the contractors continued trimming from curb to sky down Beverly Glen for a few weeks thereafter, until a critical mass of Beverly Glen residents somehow succeeded in getting the orders changed for the remaining lower part of the canyon, perhaps through involvement of the City Forester.

Residents of hillside communities appreciate and respect the firefighters who stand ready to defend these areas in case of emergency. These communities have strong and deep relationships with their local fire stations. It is extraordinarily disappointing that the representatives of the Brush Clearance Unit have undermined and eroded that longstanding trust through the ongoing implementation of the Canopy Project.

Conclusion

We have heard that the Brush Clearance Unit intends to dispatch contractors to remove trees and tree canopy along the side streets of the canyons next. If this is true, we ask that you ensure that:

- 1. The Department adhere to the notice requirements for trimming or removing any trees or brush on private property as is required by law (LAMC Section 57.322.2.1.1);
- 2. The standard for trimming trees over public roads be that defined in the Fire Code, which is 14 foot vertical clearance for 20 foot width (California Fire Code Section 503.2.1 as modified by City of Los Angeles Ordinance No. 182822), not clear from curbside vertically to sky or curbside vertically to 14 feet when the road is greater than 20 foot width:
- 3. Any impacts to trees protected by ordinance be preferentially avoided and only occur with a valid permit from the City Forester with the findings and mitigation for impacts required of everyone else in the City;
- 4. Trimming of trees on City property follow the requirements and guidelines of the City Forester for street trees; and
- 5. Any deviations from these guidelines be preceded by review of the project under CEQA as required by law.

Finally, we request that the LAFD disclose and mitigate the impacts to protected tree species that it has already caused in a timely and transparent manner.

You may direct any response to Dr. Travis Longcore at P.O. Box 24020, Los Angeles, CA 90024, longcore@urbanwildlands.org, or (310) 247-9719.

Sincerely,

Travis Longcore, Ph.D., Science Director The Urban Wildlands Group

Nickie Miner, Vice President Benedict Canyon Association

Gillian Calof, Vice President Residents of Beverly Glen

Cassandra Barrere, President Laurel Canyon Association

Alison Simard, Chair Citizens for Los Angeles Wildlife

cc: Mayor Eric Garcetti City Attorney Michael Feuer Councilmember Paul Koretz Councilmember Tom LaBonge Board of Public Works City Forester George Gonzalez Santa Monica Mountains Conservancy California Department of Fish and Wildlife BOARD OF FIRE COMMISSIONERS

GENETHIA HUDLEY-HAYES PRESIDENT CASIMIRO U. TOLENTINO VICE PRESIDENT

> DIANA M. BONTÁ ANDREW FRIEDMAN JILL FURILLO

LETICIA GOMEZ EXECUTIVE ASSISTANT I CITY OF LOS ANGELES

CALIFORNIA



FIRE DEPARTMENT

BRIAN L. CUMMINGS

BRUSH CLEARANCE UNIT 6262 VAN NUYS BLVD. #451 VAN NUYS, CA 91401

> (818) 374-1111 FAX: (818) 778-4911

http://www.lafd.org

ANTONIO R. VILLARAIGOSA MAYOR

August 9, 2011

CONCERNED PROPERTY OWNER:

RE: PACKAGE NO. 2011171018

The City of Los Angeles has authorized representatives of

to bring this property into compliance with Section 57.21.07 of the Los Angeles Municipal Code, as amended by Ordinance 160860. The Code requires brush clearance on properties in certain areas of the City of Los Angeles. This parcel is in noncompliance after all legal notices were given as required by the Code Section referred to above.

Therefore, the City has contracted for brush clearance with the aforementioned contractor who is acting as the official agent of the City of Los Angeles in entering on this property for the purpose of eliminating the fire hazards.

Questions regarding clearance should not be directed to the contractor. If you have any questions, please contact the Brush Clearance Unit at (818) 374-1111.

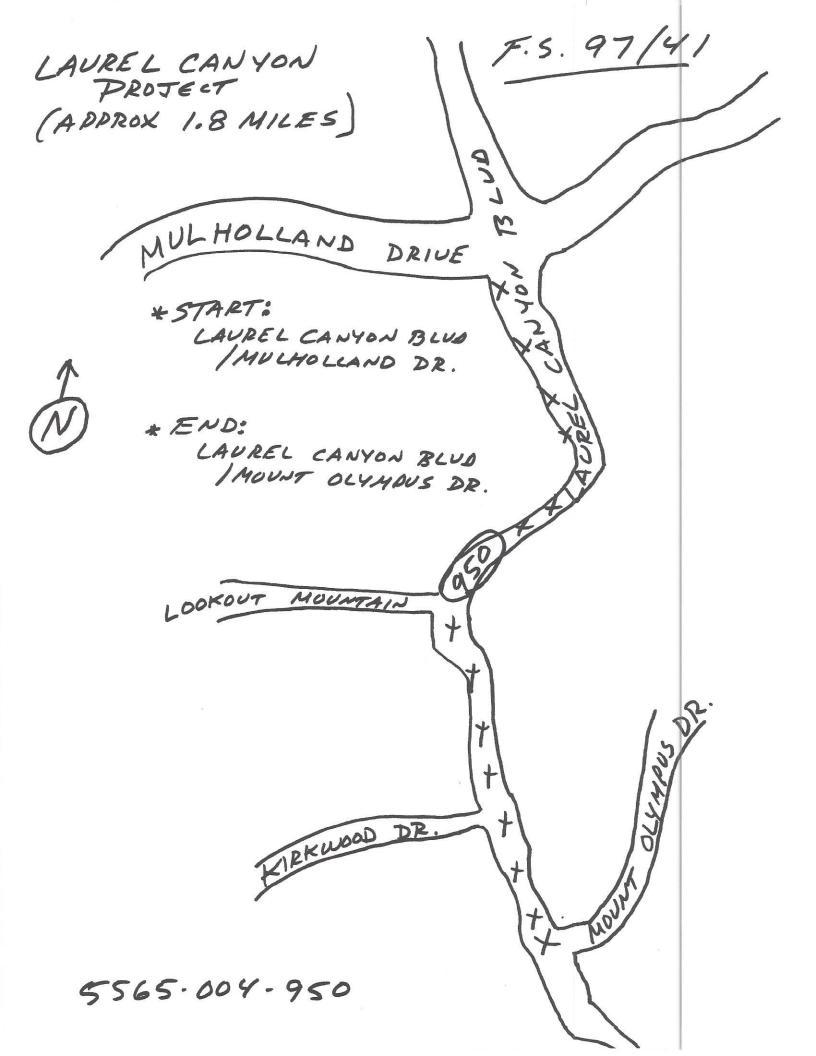
Very truly yours,

MILLAGE PEAKS Fire Chief

Robert L. Knight, Captain II Commander, Brush Clearance Unit

RLK:gxp

DAT	# 04/ CONTRACTOR WORKSHEET PKG#2011171 013
	DECTOR: NOVELA ASSESSOR'S I.D.# 5565.004.950
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	EAR ENTIRE PARCEL YES NO
SO	ME WORK DONE BY OWNER YES NO (EXPLAIN):
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8	PROVIDE 5' CLEARANCE FROM ALL ROOFTOPS Image: Constant of the second
-	REMOVE ALL DEAD TREES, PREVIOUSLY CUT VEGETATION AND DEBRIS
Ne ↑	ALL TREES TREE CANOPIES
	TO BE TRIMMED BACK TO
	CURBSIDE AND VERTICALLY TO THE SKY
1	BY REMOVING CROSS BRANCHES





October 5, 2014

Ralph Terrazas, Fire Chief City of Los Angeles Fire Department 200 North Main Street, 16th Floor Los Angeles, CA 90012

Re: LAFD "Canopy Project"

Dear Chief Terrazas:

We are writing to you regarding the Los Angeles Fire Department (LAFD) "Canopy Project," an ongoing, multi-year effort by the LAFD to remove trees and tree canopy adjacent to and over public streets in the Very High Fire Hazard Severity Zones of the City of Los Angeles. Although implemented through separate contracts with outside contractors, the LAFD "Canopy Project," as it is called on official bid documents from the LAFD Brush Clearance Unit, constitutes a "project" within the meaning of the California Environmental Quality Act (CEQA) (Pub. Res. Code § 21000 et seq.). To the best of our knowledge, however, no environmental review was conducted prior to the implementation of this ongoing project.

The Bel Air-Beverly Crest Neighborhood Council of the City of Los Angeles made a request to the LAFD custodian of records on June 23, 2014 (attached) to obtain documents that would confirm the existence of the "canopy project," which has affected neighborhoods throughout the hillsides of the Santa Monica Mountains. The Brush Clearance Unit, through the custodian of records, claimed in a response to Travis Longcore by telephone on July 11, 2014 that such a project did not exist. Dr. Longcore then submitted a second request for records on July 29, 2014 (attached) that asked for all documents regarding work by the Brush Clearance Unit undertaken by contractors in the territory of the Bel Air-Beverly Crest Neighborhood Council from 2011 to present. Dr. Longcore picked up those documents on August 19, 2014 and although they were only partially responsive (e.g., no records from 2011 or 2012 were included, attachments were omitted, and many categories of documents were absent), they did contain documents that

confirmed that the LAFD does indeed have a discretionary project known as the LAFD "Canopy Project."

CEQA defines "project" in several ways, one of which is as an activity undertaken by a public agency "which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..." (Pub. Res. Code § 21065). The definition of "project" is "extremely broad" under CEQA (Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster (1997) 52 Cal.App.4th 1165, 1188-1189). A "project" is any activity by an agency that may cause either a direct or reasonably foreseeable indirect physical change in the environment, and encompasses "the whole of an action" (Pub. Res. Code § 21065(a); CEQA Guidelines § 15378(a)). In this case, the extensive removal of trees and tree canopy within a concentrated area, including the severe and improper trimming and outright removal of trees protected by the City of Los Angeles Protected Tree Ordinance, constitutes a significant adverse impact on the environment. It is obvious that the LAFD is aware that this impact is significant because the City Forester informed the LAFD in early February 2014 that removal of protected trees was not permitted under City ordinance and required the LAFD to obtain permits for the removal of protected trees in subsequent implementation of the LAFD Canopy Project (see attached). Such removals would require mitigation, to which LAFD has apparently agreed (although not performed for the many protected trees impacted to date), and which agreement provides clear evidence beyond the obvious physical changes that the removals have an adverse impact on the environment.

The LAFD Canopy Project does not simply enforce existing statutes that are normally enforced by the Brush Clearance Unit. The Brush Clearance Unit amended its normal contract forms for brush clearance with the following text: "ALL TREES, TREE CANOPY AND VEGETATION/SHRUBS TO BE TRIMMED BACK TO CURBSIDE AND VERTICALLY TO THE SKY" (see attached). This is not required by the Brush Clearance Ordinance or the City or State Fire Codes and represents a discretionary action on the part of the LAFD.

By way of background, the only specific mention of roadways and streets in the City of Los Angeles Brush Clearance Ordinance is that trees within 10 feet of streets, roads, and alleys must be trimmed so that no leafy foliage, twigs, or branches are found within 6 feet of the ground. This is the responsibility of each landowner, and the Fire Department's legal means of enforcement is to issue a Notice of Noncompliance, not to do the work itself without allowing the property owner the opportunity to comply with a specifically articulated violation of the Brush Clearance Ordinance.

California Government Code Sections 51175–51189 contain requirements about establishment of defensible space for fire protection. These State regulations also mandate that the State Department of Forestry and Fire Protection develop guidance on fuels management that includes, among other things, "regionally appropriate vegetation management suggestions that **preserve and restore native species**, minimize erosion, minimize water consumption, and **permit trees near homes for shade, aesthetics, and habitat**" (emphasis added; Cal. Gov't Code § 51182(c)). The Legislature intends for fire officials to balance vegetation management goals with environmental considerations, *including preservation and restoration of native species, shade, aesthetics, and habitat*.

The LAFD Canopy Project has thus far specified that streets be cleared from curb to sky, resulting in a radical change in the environment and including removal of and damage to protected trees. Again, this is not required by any State or local law, even though LAFD officials incorrectly asserted on many occasions that this standard was required by State law. State law requires the provision of access roads for firefighting apparatus in the California Fire Code (CCR, Title 24, Part 9). The City of Los Angeles adopts the California Fire Code with some very minor changes, most recently by Ordinance No. 182822. California Fire Code Section 503.2.1 requires that, "Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm)." The City of Los Angeles requires 14 feet of vertical clearance for access roads instead of 13 feet 6 inches, but it does not establish special requirements for clearance over roadways that differ from the California Fire Code. As long as a 20-foot width is clear to 14 feet height, a tree that is less than 14 feet above the road in areas beyond that 20-foot width would not violate the California Fire Code and its removal or limb removal would be discretionary on the part of LAFD.

CEQA Guidelines (14 CCR § 15000 et seq.) define "approval" of a project as "the decision by a public agency which commits the agency to a definite course of action in regard to a project..." (Guidelines § 15352(a)). Thus, it appears that the LAFD has approved the LAFD Canopy Project at some point in the past and continues to implement it without the required environmental review under CEQA. Even after repeated requests by residents and representatives of environmental groups, LAFD officials implementing the Canopy Project denied that the project existed. Only after a Public Records Act request were LAFD documents labeled "Canopy Project" obtained, and the LAFD still has not provided any environmental documentation or the official decision that authorized the project.

CEQA contains exemptions to the requirement for environmental review for certain projects, but none of those exemptions is applicable here. Unlike the definitions of "project" and "approval," which are expansive, the application of exemptions to CEQA is narrow. "Exemption categories are not to be expanded beyond the reasonable scope of their statutory language" (*Mountain Lion Foundation v. Fish and Game Commission* (1997) 16 Cal.4th 105, 125). CEQA Guidelines Section 15061(b)(3) contains the so-called "common sense" exemption, exempting a project when it can be seen *with certainty* that there is *no possibility* of a significant environmental impact. That provision is inapplicable here because tree and tree canopy removal has already dramatically altered the environment of canyon roads and the LAFD has already admitted that adverse environmental impacts are occurring by agreeing to comply with the mitigation requirements of the Protected Tree Ordinance. It is noteworthy that the documents produced by the Brush Clearance Unit contained no evidence that the LAFD has actually complied with the mitigation measures required under the Protected Tree Ordinance, although it has removed many protected trees and improperly trimmed many more.

Because the City has approved the LAFD Canopy Project, then attempted to hide its existence by failing to produce responsive documents and denying the public, other agencies, and interested experts the right to comment on the wisdom of the project, the impacts of the project, and the adequacy of any proposed mitigation measures, and because environmental impacts have already

occurred and are certain to continue, the LAFD Canopy Project has violated CEQA and must therefore be discontinued immediately and halted unless and until the proper environmental review is completed.

Please contact Dr. Longcore at <u>longcore@urbanwildlands.org</u> or (310) 247-9719 at your earliest convenience if you wish to discuss this matter further, or to inform us of any future environmental reviews or hearings related to the LAFD Canopy Project pursuant to Public Resources Code Section 21092.2.

Sincerely,

Travis Longcore, Ph.D., Science Director The Urban Wildlands Group

Hilary Slevin, President Benedict Canyon Association

Gillian Calof, Vice President Residents of Beverly Glen

Cassandra Barrere, President Laurel Canyon Association

Alison Simard, Chair Citizens for Los Angeles Wildlife

cc: Mayor Eric Garcetti City Attorney Michael Feuer Councilmember Paul Koretz Councilmember Tom LaBonge City Forester George Gonzalez California Department of Fish and Wildlife Santa Monica Mountains Conservancy

P.O. Box 24020 Los Angeles, CA 90024-0020 (310) 247-9719 tlongcore@babcnc.org

June 23, 2014

Los Angeles Fire Department Arson Investigation Section 1700 Stadium Way Los Angeles, CA 90012

To the Custodian of the Records:

On behalf of the Bel Air-Beverly Crest Neighborhood Council (BABCNC), I am contacting you to obtain copies of certain documents held by the Los Angeles Fire Department. BABCNC is certified by the City of Los Angeles to represent the City's hillside communities stretching from Laurel Canyon to Sepulveda Boulevard and from Sunset Boulevard to Mulholland Drive. As a City entity, we are requesting documents from you to better understand and address community concerns about an ongoing project to remove tree canopy over streets in the Very High Fire Hazard Severity Zones in our territory and elsewhere.

This request regards activities by the Los Angeles Fire Department in which it has engaged the services of a tree contractor to remove trees and tree canopy along public streets in the Very High Fire Hazard Severity Zones of the City. This project has been managed by the Brush Clearance Unit and involves the following personnel: Inspector Gabriel Orona, Inspector John Novella, Captain Anthony Valdez, Commander Robert Knight, and Battalion Chief Alberto Abarca. The tree contractor is International Environmental Corporation.

This request is addressed to the Arson Investigation Section because Battalion Chief Alberto Abarca directed me to you for any requests for documents, after being unable to provide any written documentation about the formal authorization for the tree canopy removal program by the Fire Department, City Attorney, or Mayor when I requested it of him in a telephone conversation in the late morning of February 3, 2014.

BABCNC seeks information about the so-called "canopy project" (as it has been referred to by the representative of International Environmental Corporation) that has trimmed or removed trees along roads in Laurel Canyon, Benedict Canyon, Beverly Glen Canyon, Roscomare Canyon, and other areas within the Very High Fire Hazard Severity Zone since 2011. We seek the following documents pertaining to all such activities, known collectively as "the program":

 Correspondence, records, or reports regarding a "flyover" of Very High Fire Severity Hazard Zones involving Mayor Villaraigosa and Fire Department officials in July 2010;

- Grant agreements for any external funding source used to fund any part of the program (e.g., federal or state grants that pay LAFD salaries or for the tree contractor; such grants might include the federal Assistance to Firefighters Grant Program or the Urban Areas Security Initiative);
- Agreements (contracts) entered with non-City entities to implement the program;
- Reports provided by external contractors to LAFD documenting work performed as part of the
 program, including documentation (maps, surveys, or any other evidence) of whether each tree
 trimmed or removed as part of the program was on public or private property;
- Reports filed by LAFD personnel, including but not limited to Fire Inspector John Novella and Fire Inspector Gabriel Orona, documenting performance of tree trimming and tree canopy removal by external contractors for the program, including records of any removal or trimming of trees on private property and documentation that each owner was provided a Notice of Noncompliance pursuant to City brush clearance code and was allowed an opportunity to comply prior to such trimming or removal by the Fire Department taking place;
- Any environmental assessment of the tree canopy removal program prepared by the City (draft or final); and
- Any mitigation plan adopted for the tree canopy removal program, as has been referred to by the representative of International Environmental Corporation in conversation with me.

I would be grateful if digital copies of these documents can be provided in electronic format either by email or on a computer disk. If you can only provide hard copies, I will pick them up in person.

Thank you in advance for your cooperation and assistance in responding to this request. If you have any questions please do not hesitate to contact me.

Sincerely,

Traves Longcom

Travis Longcore, Ph.D. Santa Monica Mountains Conservancy Representative Bel Air-Beverly Crest Neighborhood Council

P.O. Box 24020 Los Angeles, CA 90024-0020 (310) 247-9719 tlongcore@babcnc.org

July 29, 2014

Los Angeles Fire Department Arson Investigation Section 1700 Stadium Way Los Angeles, CA 90012

To the Custodian of the Records:

On behalf of the Bel Air-Beverly Crest Neighborhood Council (BABCNC), I am contacting you to obtain copies of certain documents held by the Los Angeles Fire Department. BABCNC is certified by the City of Los Angeles to represent the City's hillside communities from Laurel Canyon to Sepulveda Boulevard and from Sunset Boulevard to Mulholland Drive. As a City entity, we are requesting documents from you to better understand and address community concerns about an ongoing project to remove tree canopy over streets in the Very High Fire Hazard Severity Zones in our territory and elsewhere. We also request these documents under the authority of the California Public Records Act.

As you know, we submitted a previous request for documents (attached), to which the Fire Department did not provide responsive documents on the basis that a "canopy project" did not exist, even though the Department and its representatives had referred to such a project on multiple occasions in conversation, public presentations, and writing. We are therefore submitting a clarified request to preclude the absurd claim by the Brush Clearance Unit that no such "canopy project" exists (as you conveyed to me by phone but were unwilling to put in writing). You only have to drive down the roads themselves to know that the project has been undertaken, whatever name that it is given, and in addition to the use of the term "canopy project" repeatedly by the LAFD itself. Furthermore, this project was described in Councilmember Koretz's August 26, 2011 newsletter, announcing that "LAFD Brush Clearance Unit will be addressing the overgrowth of the canopy on the vital Emergency Response Routes within the Hollywood Hills area" because the growth of trees is "causing a canopy affect [*sic*]" (see http://bit.ly/1s4n3bi). All of the subsequent tree removals and canopy reduction along boulevards in the BABCNC territory followed this initial effort and it was obviously the topic of our previous request to which the Brush Clearance Unit failed to respond.

BABCNC seeks information about all work done by the Brush Clearance Unit and its contractors within the territory of BABCNC from 2011 to present. We seek the following documents pertaining to all such activities:

 Agreements for any external funding source (e.g., federal grants) used to fund any part of the expenses associated with the Brush Clearance Unit, such grants might include, for example, the federal Assistance to Firefighters Grant Program or the Urban Areas Security Initiative;

- Agreements (contracts, including amendments) entered with all contractors that implemented work directed by the Brush Clearance Unit within the BABCNC territory from 2011 to present (e.g., International Environmental Corporation);
- Reports provided by external contractors to LAFD documenting work performed as part of any contract to do work within the BABCNC territory, including documentation (maps, surveys, or any other evidence) of whether any tree trimmed or removed was on public or private property;
- Reports and notes kept by LAFD personnel, including but not limited to Fire Inspector John Novella and Fire Inspector Gabriel Orona, for any tree (not brush) trimming or removal required by the Brush Clearance Unit **along public streets**, including records of any removal or trimming of trees on private property and documentation that each owner was provided a Notice of Noncompliance pursuant to City brush clearance code and was allowed an opportunity to comply prior to such trimming or removal by the Fire Department taking place; and
- Any mitigation plan adopted for the removal of trees along public streets by the Brush Clearance Unit (including informal compliance with the City's protected tree ordinance), as has been referred to by the representative of International Environmental Corporation (a contractor to the LAFD Brush Clearance Unit) in conversation with me.

I would be grateful if digital copies of these documents can be provided in electronic format either by email or on a computer disk. If you can only provide hard copies, I will pick them up in person. Please provide the requested information as soon as you can, but certainly within the 10-day period mandated for production of public records under the California Public Records Act.

Thank you in advance for your cooperation and assistance in responding to this request. If you have any questions please do not hesitate to contact me at (310) 247-9719.

Sincerely,

Traslog

Travis Longcore, Ph.D. Santa Monica Mountains Conservancy Representative Bel Air-Beverly Crest Neighborhood Council



Gabriel Orona <gabriel.orona@lacity.org>

CANOPY PROJECT REQUIREMENTS

2 messages

 Zabela Kharbertyan <zabela.kharbertyan@lacity.org>
 Thu, Nov 21, 2013 at 1:38 PM

 To: "Ann, Oakridge Landscape" <adwyer@oakridgelandscape.net>, Avalon Landscape <avalonls@aol.com>, Avalon Landscape lnc <robin@avalonlandscaping.com>, Brian Walsh Brush Clearance <hollywoodblvd@aol.com>, Eccono Tree Care <ecconotreecare@yahoo.com>, IEC Evelyn/IEC <emartinez@iectrees.com>, "Oakridge Landscape, Inc."

 <richard@oakridgelandscape.net>, Pan American Brush Clearance <eddie@panamericanbrushclearance.com>, Pan American Gustavo <gustavo@panamericanlandscaping.com>, "Pepo Weed Abatement, Inc."

 epoweedabatement@yahoo.com>, "Silent Fire, Inc." <silentfirewildflowers@gmail.com>, Sr Landscape

 <STOPFIRELA@gmail.com>, Thrifty Tree Service <tara@thriftytreeservice.com>, "Waste Unlimited, Inc."

 <wasteunlimited@hotmail.com>, Armando Nunez <armando.nunez@lacity.org>, Gabriel Orona

 <gabriel.orona@lacity.org>, Paul Terris aul.terris@lacity.org>, Anthony Valdez <anthony.valdez@lacity.org>, Robert Knight <robert.knight@lacity.org>

Enclosed are the forms necessary to submit before you can bid. You need to submit all the forms and also all the requirements. If they are not in prior to bid day, you will <u>not</u> be allowed to bid, no exceptions.

All the packages, including the ones for the Canopy Project, will be ready for pick up on Wednesday, November 27, 2013, to be bid on Thursday, December 5, 2013.

If you have any questions, please contact Inspector Orona at (818) 778-4906.

3 attachments

- Canopy Project Certificates and Licenses LH.doc
- Canopy Project LH.doc 188K
- LAFD Canopy Project 1 LH.doc
 187K

 Zabela Kharbertyan <zabela.kharbertyan@lacity.org>
 Mon, Dec 9, 2013 at 10:41 AM

 To: Avalon Landscape <avalonls@aol.com>, Avalon Landscape Inc <robin@avalonlandscaping.com>, Robert Knight

 <robert.knight@lacity.org>, Anthony Valdez <anthony.valdez@lacity.org>, Gabriel Orona

 <gabriel.orona@lacity.org>, Armando Nunez <armando.nunez@lacity.org>

Robin,

These are the Los Angeles Fire Department, Brush Clearance requirements that need to be met in order for any company to bid on the Canopy Project. You need to review and submit all items required.

If you have any questions, please contact Inspector Orona at (818) 778-4906.

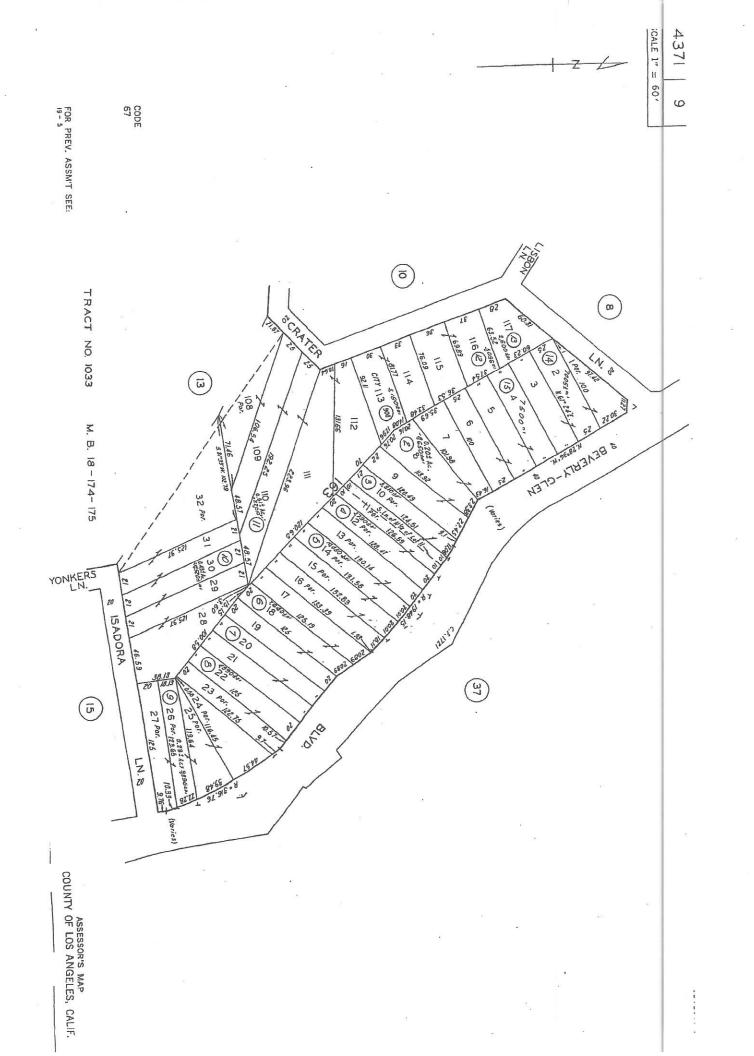
3 attachments

Canopy Project Certificates and Licenses LH.doc

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LAFD Representative:				Date:	

CANOPY								
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ADDITIONAL INSTRUCTIONS:								
ALL TREES, TREE CANOPIES AND VEGETATION /SHRUBS TO BE TRIMMED BACK TO CURBSIDE AND VERTICALLY TO THE SKY								
INSPECTOR TO BE NOTIFIED OF ANY DEVIATION FROM THIS WORK ORDER								
SEE ATTACHED MAP								

,



CANOPY

Los Angeles City Fire Department

BRUSH CLEARANCE BID

PACKAGE NUMBER

2013173043

The cost of clearance for each parcel must include the elimination, removal and legal disposal of all hazardous brush, grass, weeds, and rubbish from the subject parcels, in accordance with the Los Angeles Municipal Code Section 57.21.07 plus and specific items, which are identified on any bid documents concerning that parcel. PRICE APPROVAL YES NO INSP INITIAL Return bids to: Brush Clearance Unit, 6262 Van Nuys Blvd, Rm 451, Van Nuys, 91411 GO Date Map Book Page Parcel Date Contractor Compliance Final Work Work Price Per Signature Date Completed Started Parcel Inspector ORONA 02-22-14 62-24-14 02-10-14 1 4371-009-950 62,500 Additional 550.00 12,20000 2,50006 15,250 BENARLE GLA 121 10.00 UNISE 5 p.m. Work to be completed and called in by Approval For **Total Price** Payment For Package Signature of Authorized Bidder 1,750 <u>- e</u> Print Company Name Title: VICE ANESIdent Date:/ This bid must be signed to be accepted by the Los Angeles City Fire Department Data.



Re: LAFD pruning in Beverly Glen

Robert Knight <robert.knight@lacity.org>

Wed, Feb 5, 2014 at 2:03 PM

To: George Gonzalez <george.gonzalez@lacity.org>

Cc: Ron Lorenzen <ron.lorenzen@lacity.org>, Timothy Tyson <timothy.tyson@lacity.org>, Greg Monfette <greg.monfette@lacity.org>, Hector Banuelos <hector.banuelos@lacity.org>, Edward Jordan <ted.jordan@lacity.org>, Barbara Romero <barbara.romero@lacity.org>, Greg Good <greg.good@lacity.org>, Joseph Cruz <joseph.cruz@lacity.org>, Daniel Tamm <daniel.tamm@lacity.org>, Captain 180 Anthony Valdez <anthony.valdez@lacity.org>, "Insp. 173 Gabe Orona" <gabriel.orona@lacity.org>, Alberto Abarca <alberto.abarca@lacity.org>, John Vidovich <john.vidovich@lacity.org>, Donald Frazeur <donald.frazeur@lacity.org>

Mr. Gonzalez,

We have honored this request to cease any trimming of the protected species until we come to a solution. I understand that Mr. Tyson is now out on site reviewing the work that has already been completed. I also have been contacted by Mr. Daniel Tamm of the Mayor's office and Deputy City Attorney Janet Jackson regarding this matter. Therefore my schedule is open for the rest of this week and next week with the exception of Monday, 2/10/14.

Robert Knight, Captain II **Brush Clearance Unit** Los Angeles Fire Department (818) 778-4902 office (213) 276-5354 cell

On Wed, Feb 5, 2014 at 1:02 PM, George Gonzalez <george.gonzalez@lacity.org> wrote: Good afternoon Captain Knight,

As per our conversation of earlier today, the Urban Forestry Division is requesting the Fire Department stop the trimming and removals of Protected Trees as part of LAFD's brush clearance/canopy reduction program until further notice. Trees that fall under the Native Tree Protection Ordinance (please see attached, Article 6 SEC. 46.00, 46.01 & 46.02) requires inspection by the UFD and permits from the Board of Public Works. I understand that the LAFD's position is that the Fire Code exempts LAFD from obtaining these permits but we are not clear that this is the case.

This matter was brought to my attention by our City Attorney, Edward "Ted" Jordan who was informed by the Mayor's office, both are copied on this email as well as Board of Public Works Commissioner Barbara Romero.

Our Superintendent, Tim Tyson has set up a meeting with LAFD's consulting arborist and they will be meeting this afternoon to determine which Protected Trees were removed and if any long term harm was done to any other Protected Trees due to the brush clearance/canopy reduction program.

Please let me at your earliest convenience when we can meet to resolve this matter.

thank you

On Wed, Feb 5, 2014 at 8:54 AM, Robert Knight <robert.knight@lacity.org> wrote: Gentlemen,

Thank you for your prompt response. Just to let you know the Fire Department is operating under the authority of its Fire Code. Also, the Fire Department has been in contact with the Mayor's Office, and CD 5 and we have not received any direction from them to cease this operation. Mr. Gonzalez, please contact me directly if you receive any further info.

Robert Knight, Captain II **Brush Clearance Unit** Los Angeles Fire Department (818) 778-4902 office (21#) 276-5354 cell

On Wed, Feb 5, 2014 at 8:45 AM, George Gonzalez <george.gonzalez@lacity.org> wrote: Thanks Ron,

However I got an urgent email from our city Attorney, Ted Jordan who was contacted by the Mayor's office to stop the work until we can get further info on the impact to Protected species, i.e. Oaks.

I will be discussing this with Mr. Jordan this morning. Tim Tyson will be driving some of the streets later today to asses the impact the work is having on the Protected species. Then I can provide that info to the City Attorney. Please bare with us while we satisfy the request from the City Attorney and the Mayor's office to evaluate the impact to the Protected species.

Thank you

On Wed, Feb 5, 2014 at 8:31 AM, Ron Lorenzen <ron.lorenzen@lacity.org> wrote:

Hi George

Cpt Knight, Keith's brother, came by and spoke to me this morning regarding the pruning being performed by LAFD contractor to allow for apparatus access in Beverly Glen (his office is across the hall from me). He indicated there have been a few very vocal objections to their operations. He had a few questions that we discussed. As with DWP, LAFD has by law the right to take actions to alleviate their inability to access streets. Just as when DWP removes street trees, ie palms, LAFD

does not need to be permitted to perform their necessary functions.

I just wanted to give you a heads up in case you receive calls. If you do and you have any questions, you may speak with the captain who I have copied on this mail.

Ronald D. Lorenzen Acting Street Services Superintendent II **Bureau of Street Services** East/West Valley Area (818) 374-6848

Have a request? Contact Service Request at (800) 996-2489 or bss.boss@lacity.org

George Gonzalez Chief Forester 1149 S. Broadway 4th floor 90015 213-847-3077

George.Gonzalez@lacity.org

George Gonzalez Chief Forester 1149 S. Broadway 4th floor 90015 213-847-3077 George Gonzalez@lacity.org

George Gonzalez <george.gonzalez@lacity.org>

Wed, Feb 5, 2014 at 2:33 PM

To: Robert Knight <robert.knight@lacity.org> Cc: Ron Lorenzen <ron.lorenzen@lacity.org>, Timothy Tyson <timothy.tyson@lacity.org>, Greg Monfette <greg.monfette@lacity.org>, Hector Banuelos <hector.banuelos@lacity.org>, Edward Jordan <ted.jordan@lacity.org>, Barbara Romero <barbara.romero@lacity.org>, Greg Good <greg.good@lacity.org>, Joseph Cruz <joseph.cruz@lacity.org>, Daniel Tamm <daniel.tamm@lacity.org>, Captain 180 Anthony Valdez <anthony.valdez@lacity.org>, "Insp. 173 Gabe Orona" <gabriel.orona@lacity.org>, Alberto Abarca <alberto.abarca@lacity.org>, John Vidovich <john.vidovich@lacity.org>, Donald Frazeur <donald.frazeur@lacity.org>

Captain Knight,

can we meet at my office this Friday 2/7 after 1 PM? If this date/time works for you please bring any documents you feel exempts LAFD from obtaining permits to remove Protected trees.

Thank you [Quoted text hidden]

Robert Knight <robert.knight@lacity.org>

Wed, Feb 5, 2014 at 3:20 PM

Thu, Feb 6, 2014 at 8:57 AM

To: George Gonzalez <george.gonzalez@lacity.org> Cc: Alberto Abarca <alberto.abarca@lacity.org>, Captain 180 Anthony Valdez <anthony.valdez@lacity.org>, "Insp. 173 Gabe Orona" <gabriel.orona@lacity.org>

Got it, will see you then. Please confirm your address, location. [Quoted text hidden]

George Gonzalez <george.gonzalez@lacity.org> To: Robert Knight <robert.knight@lacity.org>

Cc: Alberto Abarca <alberto.abarca@lacity.org>, Captain 180 Anthony Valdez <anthony.valdez@lacity.org>, "Insp. 173 Gabe Orona" <gabriel.orona@lacity.org>, Greg Monfette <greg.monfette@lacity.org>, Timothy Tyson <timothy.tyson@lacity.org>

Good morning Captain Knight,

My address is 1149 S. Broadway 4th floor. Please feel free to contact me if you need additional information.

thank you [Quoted text hidden]

George Gonzalez <george.gonzalez@lacity.org> To: Robert Knight <robert.knight@lacity.org> Fri, Feb 7, 2014 at 3:51 PM

Cc: Ron Lorenzen <ron.lorenzen@lacity.org>, Timothy Tyson <timothy.tyson@lacity.org>, Greg Monfette

10/2014

City of Los Angeles Mail - Re: LAFD pruning in Beverly Glen

<greg.monfette@lacity.org>, Hector Banuelos <hector.banuelos@lacity.org>, Edward Jordan <ted.jordan@lacity.org>, Barbara Romero <barbara.romero@lacity.org>, Greg Good <greg.good@lacity.org>, Joseph Cruz <joseph.cruz@lacity.org>, Daniel Tamm <daniel.tamm@lacity.org>, Captain 180 Anthony Valdez <anthony.valdez@lacity.org>, "Insp. 173 Gabe Orona" <gabriel.orona@lacity.org>, Alberto Abarca <alberto.abarca@lacity.org>, John Vidovich <john.vidovich@lacity.org>, Donald Frazeur <donald.frazeur@lacity.org>, Kevin James <kevin.james@lacity.org>, Neeraj Bhatnagar <neeraj.bhatnagar@lacity.org>, Janet Jackson <janet.jackson@lacity.org>

Captain Knight,

I want to thank you, Inspector Orona and Mayor Garcetti's Policy Director, Neeraj Bhatnagar for meeting with me today.

I want to memorialize the content of our meeting today in this email and please feel free to make any corrections if you feel I am misinterpreting the content of our meeting.

You indicated to me that the LAFD has authority granted by Calfire to ensure safe passage of firefighting equipment in high fire areas of the state, the Santa Monica Mountains being one of those areas.

You also indicated that while LAFD has that authority you will comply with the requirements of the Native Tree Protection Ordinance (NTPO).

You have asked that the Urban Forestry Division work with your staff to provide an expedited permitting process so that the Public Safety work being performed by LAFD is not impeded by the permitting process.

I've assured you that we will facilitate issuance of permits as needed. Permits will be required if one of the four protected trees (Coast Live Oak, California Sycamore, California Black Walnut, California Bay Laurel) needs to be removed.

Permits are not required for pruning as long as the pruning work is done to the International Society of Arboricultural (ISA) standards.

You have indicated to me that the contractor LAFD has hired have Certified Arborists on staff and will prune to the ISA standards. Also that you will only trim trees that are low over the road to obtain the 14 foot clearance that is needed to safely move fire apparatus through the canyon roads that traverse the Santa Monica Mountains.

Permits will be required for any removals of the above mentioned trees and you have indicated that you believe there may only be one additional removal necessary. That removal is necessary because the tree's trunk is less than 14 feet over the road so trimming will not be effective.

Inspector Orona and/or your contractor will notify UFD in advance of the location of any future removals so the permitting process can begin.

Your contractor will provide us a list of locations where they will be working and inform us in advance of any potential tree removals.

the NTPO also has mitigation requirements of a minimum two-to-one replacement for any tree removed and we agreed that we would discuss discuss this further to ensure compliance with the ordinance.

I believe this covers the substantive issues that we discussed. If I missed sometime or you disagree with my summary of our meeting please feel free to let me know.

Thank you and I look forward to working with you and your staff.

Exhibit CI p.1

Report on Outreach Task Force meeting held at the Department of Neighborhood Empowerment Friday, January 16, 2015 at the DONE offices at 200 N. Spring Street Room 2005: Attached is 1) Action Items 2) Empower LA Outreach Plan 3) 2015 Outreach Plan

Exhibit CI p.2

OUTREACH AD HOC COMMITTEE

ACTION ITEMS

- Outreach Task Force Composition Shall be comprised of 21 members. The 7 B.O.N.C. commissioners to submit 3 names each from their region.
- 2. Task Force to:
 - a. Analyze current situation regarding outreach activities.
 - b. Define the term "Outreach" and its purpose.
 - c. Review and discuss mdel programs or best practice strategies.
 - d. Establish consensus on parameters of outreach that NCs must set forth ...
 - e. Confer with D.O.N.E. staff re: Best Practices and marketing strategies that proves successful in outreach.
- 3. Final Goal
 - a. Reaching out to areas for input on outreach practices: emails, survey, public meetings, etc.
 - b. Discussion of ideas from existing information through surveys, meetings, etc: website development, community partnership outreach, conducting outreach training.
 - c. Metric: Every NC should have written outreach plan. Outreach should be measured by level of improved community participation and engagement.

tochibit Cl P.3

PLEASE NOTE THIS WAS A DRAFT AND CHANGES WERE MADE ON THE ACTUAL SURVEY FOUND:

http://form.jotformpro.com/form/41355155678966

Empower LA Outreach Plan

Who is your Audience?

Though NC's should serve everyone in a community, who are your targets this year? The people who are not currently engaged at all? A group that was significantly affected last year due to community issues? Younger stakeholders?

What are your measurable goals to engage your audience?

Increase attendance at meetings. Produce more events? Online Metrics? etc.

Where do you plan on engaging your audience? Farmer's markets? Online-meetup groups or communities? Next Door? Schools?

When and how often will you reach out?

Weekly newsletter? Two events throughout the year? Daily Tweets?

Why this plan?

This is where you really ask, why is this our plan? Are they new ideas to solve an engagement problem, or is this the same thing done year after year because it works or perhaps because the council has no other ideas? What was learned from last year's attempts, and what is different now?

tophibit Cl p.4



NEIGHBORHOOD EMPOWERMENT

NEIGHBORHOOD COUNCIL 2015 SELECTIONS

Selection Procedures Stipulation Worksheet - Attachment

[Insert Name] NEIGHBORHOOD COUNCIL SELECTION OUTREACH PLAN

PLEASE PROVIDE INFORMATION below on how your Neighborhood Council will conduct Stakeholder Outreach for its Selection. The Department recommends incorporating Selection Outreach into your existing outreach methods and planned events as well as working with other Neighborhood Councils in your region to maximize outreach funds. 1). What is your Neighborhood Council's Selection Outreach BUDGET: \$_____ 2). Selection GOALS: # of Candidates: _____ # of Voters in the Selection: _____ 3). Selection PUBLICITY: How will your Neighborhood Council recruit candidates and publicize the selection? (please check all boxes that apply) • Digital/Online Campaign 🗆 Website 🗆 E-mail Database 🗆 E-Newsletter 🗆 Twitter 🗆 YouTube 🗆 Facebook Other: • Print Campaign 🗆 Newsletters 🗆 Flyers 🔲 Direct Mail 🗔 Street Banners 🗆 Postings 🗆 A-Frames 🛛 Other: Public Service Announcements □ Cable Channel 35 □ Radio Spots Media Campaign Other: • Canvassing Campaign 🛛 Council Meeting Announcements 🖓 Neighborhood Walks 🖓 Telephone Chain □ Other: • <u>Regional Campaign</u> D No D Yes, please explain:_____ 4). Which of these organizations will your Neighborhood Council enlist to help publicize the selection? (please check all that apply) □ Social Services/Food Banks □ Homeowners/Residential Associations \Box CPAB Local Parent-Teacher Associations □ Chamber of Commerce C Religious Institutions Community Based Organizations □ Historical Associations □ Local Library Other Organizations (Please describe):
______ 5). How will your Neighborhood Council incorporate Selection Outreach into your existing outreach events? 6). Other information:

Please attach any pertinent outreach materials. Thank you!

Exhibit C2 p.1 Report on Homeowner Associations CD5 Saturday, January 10, 2015 10:00 am Marcia Selz Councilman Paul Koretz 1. What are your top three most outstanding achievements as a member of the city council? answer: anti mansionization-Mike Bonin is tracking conditions ACE Los Encinos Mermaids - Lakeside 2. In 2015, what are your top thre goals for CD5? answer: Fire department hiring (3 new classes) Identifying problems Planning Environmental Appointment to Metropolitan Water District 3. In 2014 and in previous years, you have politicized land use decisions by overruling the Area Planning Commission. Will this change in 2015? There will be a possible 245 on Prosser - $3\frac{1}{2}$ foot fence 4. What are five things that you have done to reduce waste in your Council offices? Moved both district offices - pay less rent 5. What new technology solutions have you implemented to reduce expenses? Hiring more IT people Updated contact management

COALITION OF HOMEOWNER ASSOCIATIONS - COUNCIL DISTRICT 5 Saturday, January 10, 2015, 10:00 AM Location: 1 W Century Drive, Los Angeles, CA 90067

AGENDA

9:30 am: Refreshments, 10:00 am: Start time

- 1. Call to order
- 2. Need minutes
- 3. Introduction of Councilmember Paul Koretz
- 4. Issues and Questions:
 - ACE Los Encinos Munaidas
- Lakesik Crevence assured park.

Exhibit (2 p.2

- A. What are your top three <u>MOST outstanding</u> achievements as a member of City Council? (2 minutes)
 B. In 2015, what are your top three goals for CD 5? Briefly, what will you do to accomplish these goals?
- (3 minutes) Fire dopt hir ing (3 new classes) identifying problems-planning environmente L C. In 2014 and in previous years, you have politicized land use decisions by overruling the Area
- Planning Commission. This has made you and your office appear to be associated with cronyism and special interests. Will this practice change in 2015? Have you decided that you no longer and special interests. Will this practice change in 2013. Have you decided that you no longer override planning decisions in favor of contributors to your political campaigns?
 D. What are five things you have done to reduce waste in your Council offices?
 E. What new technology solutions have you implemented to reduce expenses? Wilshe as bein conclust.
 F. Now that Joan Pelico has gone on leave, who is your chief of staff?

- David Hirch.
- G. In Westwood, we have seen developers and Planning Department staff collude to circumvent community leaders and avoid restrictions of the Specific Plan.
 - I we should have a conversition !!
 - a) In 2015, what will you do to keep this from happening?

- b) What are you doing about making changes to the Westwood Design Review Board? Ron will replace cuelyone bey and term limits 2 HVP H. The Simms Case will now cause Community Leaders to just say 'no' and not negotiate with CANTER TVH La

 - developers. Could you please explain why you did not support the community in this matter? What will you do to ensure that more traffic lights are coordinated in CD 5? Then to chose his matter 901 Strada Vecchia is a Bel-Air megamansion by developer Mohamed Hadid. What have you done the
- J. to protect the neighboring homes from the impacts of this development? The theorem is the second way on the west way on the west way have you ignored the community below West Hollywood bounded by Orlando on the West,
- Willoughby on the North, Fairfax on the East and Beverly Blvd on the South? The development of the oversized McMansions is ruining the character of our neighborhoods. This entire community is primarily Spanish style homes built in the 1920s and early 1930s. What can you do to help us?
- L. Homeowners in Encino do not want a proposed cellular tower to be located on a private lot in a SFR neighborhood. The property owner will receive a monthly rental fee from Verizon for \$60-foot tower
- disguised as a pine tree. What will you do to prevent this bad precedent? Motor Avenue? When will the traffic models be available to the public?
- N. Please tell us three things that you did in 2014 to preserve the hillsides.
- O. What is your position on the 20,000 sq ft maximum on the Angelo Drive development? Will the 75,000+ sq ft project with a 500' ft surround swimming pool (1 of 4), be permitted on this unstable slope.
- P. On December 16, 2014, City Council approved a three-year contract to hire very, very expensive Land Use attorneys to defend the City against lawsuits, typically brought by HOA groups based on various procedural violations. This motion essentially uses taxpayer monies to pay these law firms to defend the City against taxpayers, that is, homeowners who are fighting to protect their neighborhoods. The motion also authorized the City Attorney to employ any outside firm without the need for Council approval. This smacks of cronyism in City Hall. Did you support this motion?
- Q. The frequency of these lawsuits has increased because the City has failed to adhere to the requirements of CEQA and the Brown Act. What will you do to ensure that LA City adheres to CEQA? Will you offer a motion requiring CEQA to be applied on large projects (TBD), since these need this environmental ordinance the most?

ma un will Manual leaders I. 10r St

puble

EXhibit CZ P.3

Land use entitlement approvals granted by the City require developers to defend and indemnify the City in the event of litigation.

1. Will you offer a motion to require the City to collect costs from developers and/or have developers fund a portion of the City Attorney's office staff to handle these cases internally? **NOTE:** The City has not kept track of outside law firm expenses that the developer should pay. In past years, the City did not, so developers did not pay anything. This is a scandal in and of itself.

2. In defending the city, these law firms will learn confidential information, e.g., the City's philosophy about settlement and other strategic issues. These law firms also represent developers. This knowledge will benefit their developer clients. What will you do regarding this conflict of interest?

- R. On the extremely busy Encino corner of Victory Blvd. and Balboa Blvd, development of a 6-story apartment complex with 187 dwelling units and 344 parking spaces is proposed. The developer wants four entitlements including a zone change from Public Facilities to RAS4-1L-high density housing, allowing up to 108 dwelling units per acre. LA DOT claims "no significant traffic impacts" will occur. This is bogus. The Encino Neighborhood Council's Planning and Land Use Committee will meet on Tuesday regarding this massive Balboa Park Terrace apartment project. Will you please send a knowledgeable deputy to speak against this high density project?
- S. Last May, you put forward a Motion to amend the Baseline Mansionization. City Planning has been unresponsive. This timeframe for amendments has passed. What are your next steps?
- T. What is the status of the 360 N. Stone Canyon Road project, where you reversed a Planning Commission decision regarding variances and asserted jurisdiction on behalf of developers Mark and Arman Gabay who intend to build a 42,409 square foot residence in Bel-Air? This smacks of special treatment for campaign contributors and friends!!!
- U. What are you doing to ensure the recording of the easement for the wildlife corridor at 1400 Linda Flora, which was a condition for the development of the property?
- V. Retaining walls in Bel Air exceed legal height limits, for example, 11201 Chalon and the neighboring property. What will you do to ensure the Retaining Wall Ordinance is enforced?
- W. The proposed development at Devon and Wilshire (Westwood) is asking for seven stories instead of the six-story limit according to the Wilshire-Westwood Scenic Corridor Specific Plan. Will you support the six-story height limit?
- X. What will you do to protect the public from large toy drones flying over neighborhoods?
- Y. What is the timeframe for the City to restore tree-trimming? Who is liable, the homeowner or the City, when tree branches (or an entire tree) on the parkway damages a car or injures a person?
- Z. It is common knowledge - and the basis of many lawsuits against the City - that EIR's are actually written BY companies hired and paid by the developer, and are based on studies that are commissioned and paid for, directly or indirectly, by the developer, thus guaranteeing a total lack of objectivity. These biased and bogus EIR's are rubber-stamped by the Planning Department without further investigation. This results in approvals of questionable projects. Then HOAs have to sue the City? What will you do to end this situation so that there will be fewer lawsuits against the City?
- AA. Councilman Bonin recently proposed that the City enforce the conditions in Conditional Use Permits, which are supposed to mitigate impacts of new construction projects on neighborhoods. What are the details of this proposal? Do you support it? What do YOU propose to do to ensure enforcement and collection of penalties in CD 5?
- BB. What are you doing to require developers in CD 5 to bear more of the infrastructure costs for the projects? These projects wear and stress the infrastructure, causing destruction of streets and water mains.
- CC. What are you going to do to make the DWP more accountable?
- DD. The Council Office seems unresponsive to implementing traffic-calming and diversion measures to reduce cut-through traffic. What will you do to make your office more responsive? What will you do to secure traffic mitigation measure for side streets that were not meant to be highly trafficked?
- 5. Next meeting: City Controller Ron Galperin, Saturday, March 7, 2015
- 6. Adjournment

City of Los Angeles Mail - Complaints Against the Bel Air-Beverly Crest Neighborhood Council (BABCNC)



2014 DEC 16 A 8: 30

Complaints Against the Bel Air-Beverly Crest Neighborhood Council (BABCNC)

1 message

Bruce Kuyper <bruce@kuyper.name> To: empowerla.complaints@lacity.org Cc: Thomas Soong <thomas.soong@lacity.org> Mon, Dec 15, 2014 at 7:11 PM

tothibit"D"

Dear Department of Neighborhood Empowerment,

I'm a 15-year resident and homeowner in Bel Air. I am therefore a stakeholder of the Bel Air-Beverly Crest Neighborhood Council ("BABCNC").

In accordance with Section 4 of Article VI of the Plan, and as directed by Ms. Monique Collins in an email on November 24, 2014, I hereby submit the following complaints against the BABCNC. (I originally submitted these complaints to Mr. Thomas Soong by email on October 3, 2014.)

A. <u>The BABCNC Board Violated Los Angeles Administrative Code Section 21.19 and Its Bylaws in Its</u> <u>September 17, 2014 Meeting.</u>

When the Board considered the motion on agenda item 11(f)(1), Case No. ZA-2014-2201-CUB (800 N Sepulveda Blvd), the President counted the votes (twice) by raised hands. The second and last vote that he counted was 7 votes in favor, 5 against, and 3 abstentions. (Audio Recording at 1:25:38. A copy of the audio recording is available for download from my Dropbox account at https://www.dropbox.com/s/ fjxvcd82zx9um5p/DS350038.wma?dl=0. Cathy Palmer can also send it to you, if you prefer, as she did for me.) The motion therefore should have passed. But the President then improperly entertained a motion and vote on an amendment to the motion by a board member who had voted against the original motion. When the vote on that motion was counted, the motion was deemed passed, and the President declared the original motion "moot." (Audio Recording at 1:28:45)

After the meeting, the President and other Board members, for the apparently first time, interpreted Bylaws section 7.4 to require a motion to pass by a majority of the members attending the meeting, not by a majority of those present. Those Board members admit that this interpretation treats abstentions (and others who don't vote either "yes," "no" or "abstain") as "no" votes, even though they were not cast as "no" votes. This entailed many violations of City's Administrative Code and the BABCNC's Bylaws.

Complaint #1: This vote violated Los Angeles Administrative Code section 21.19, which provides that a failure to vote (*i.e.*, an abstention) shall be deemed a "yes" vote:

In the event such member fails to affirmatively vote either "yes" or "no," that member will be deemed to have voted "yes," and the member's vote will be spread as such upon the record.

Complaint #2: This vote by hands also violated Los Angeles Administrative Code section 21.19's provision that all votes be taken by a call of the roll:

[A] member of a City board or commission or of a committee thereof, who is present when a question is put to that board, commission or committee shall vote on that question at the call of the roll thereon.

(emphasis added.)

<u>Complaint #3</u>: The Secretary requested a roll call vote after the President counted the votes on the original motion. But the President did not comply, as Bylaws section 7.4 requires:

Voting may be by show of hands except that any Member may request a vote by any other manner adopted pursuant to these Bylaws and consistent with the Brown Act.

Complaint #4: The vote of 7-5-3 was sufficient to pass the motion under BABCNC's Bylaws, since the "yes" votes outnumbered the "no" votes. After the meeting had adjourned and questions were raised about this impropriety, the President and certain other members of the Board justified the motion not passing by presenting an interpretation of the Bylaws that treats abstentions as "no" votes, because section 7.4 of the Bylaws states that "a majority vote of those Members present at a Meeting" are required. This interpretation includes abstentions as "Members present," so that a majority in the 7-5-3 vote required 8 votes in favor. But the Bylaws incorporate Robert's Rules (Bylaws section 12.1), which provide that abstentions are not counted. See RONR (11th ed.), p. 45, II. 14-19.

Furthermore, I searched all of the board minutes available on the BABCNC website and found no instances in which abstentions were counted as "no" votes. To the contrary, I found many instances where abstentions were not counted, where motions passed with more "yes" votes than "no" votes and where they would not have passed if abstentions had been counted as "no" votes. Thus, the Board has passed motions numerous times where the majority of those voting voted "yes" but were not a majority of those Board members present. Those instances are set forth at the end of this email, below. The Board does not appear to have ever acted to the contrary, so this recently proposed interpretation of its Bylaws to count abstentions as "no" votes has no foundation and is completely specious.

Complaint #5: After the vote on the original motion, an improper motion to continue and amend the motion that had just passed was permitted to be made and voted on. That was also improper. Section 11.4 of the Bylaws states that the Board may only reconsider and amend its action by a Motion for Reconsideration. Additionally, that section states that "[a] Motion for Reconsideration **can only be made by a Board Member who has previously voted on the prevailing side** of the original action." (emphasis added.) The second motion was made by Board Member Jamie Hall, who had voted against the original motion. Because he did not vote on the prevailing side of the original motion for Reconsideration of the original motion. The second motion was invalid, and is therefore void. The President's statement to the contrary after the vote on the invalid motion, that "the other motion becomes moot" (Audio Recording at 1:28:45), was therefore incorrect and improper.

B. The BABCNC Failed to Address My Grievances.

Complaint #6: The NC has not complied with its Bylaws by failing to accept my grievances that are set forth in this complaint, which I presented to the President on October 3. Section 11.3 of BABCNC's Bylaws, entitled "Grievance Resolution," provides that "[a]II grievances shall be submitted in writing to the Executive Director" But the President dismissed my grievances without addressing or attempting to resolve them.

C. The BABCNC Board's President Violated the BABCNC Bylaws by Not Treating Me with Dignity.

Complaint #7: Section 13.1 of the Bylaws states that it is the policy of the BABCNC "[t]o respect the dignity and expression of viewpoints of all individuals, groups, and organizations involved in this Council." But the President failed to treat me with dignity on 2 occasions so far. The first was when he accused me of "making an ass of [my]self" before the May 28, 2014 board meeting commenced, in front of several board members and other attendees. The second was by email on October 3, 2014. In response to my submission of my complaints regarding the vote at the September 17, 2014 board meeting, he told me, the entire board, Mr. Soong and Ms. Liu by email that that further emails from me would be "filed in the appropriate place."

As required by Section 4 of Article VI of the Plan, I respectfully request that you immediately undertake "[e]xhaustive efforts to remedy" my complaints.

Thank you very much.

Respectfully submitted,

Bruce

Bruce Kuyper

11805 Bellagio Rd

Los Angeles, CA 90049-2116

cell/iMessage/SMS 213-304-3150

home 310-889-9826

fax 424-652-2214

email/iMessage bruce@kuyper.name

Excerpts from BABCNC Board meeting minutes available on BABCNC's website showing that the BABCNC Board does not count abstentions as "Members present" or as "no" votes:

1.' September 25, 2013 minutes, page 3:

MOTION: *Larry Leisten* put forth the motion to increase funding for Empowerment, as they do not have the people power to do what is necessary. *Robert Ringler* seconded the motion. Discussion ensued. The question was called. There were 8 yeas, 7 nays, 2 abstentions and the motion passed.

The Board passed this motion on a vote of 8-7-2, where those voting "yes" were not a majority of those Board members present (there were 19 members present).

2. August 28, 2013 minutes, pages 7-8:

Motion #2 – 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. A vote was taken with 6 yeas; 5 nays. Then Larry said "no... you've got John..." (implied 7 yeas) and 3 abstentions. The motion passed. (SEE BELOW – This came up for a second vote below, due to lack of clarity on the vote count; however, that vote did not pass.)

The Board passed this motion on a vote of 7-5-3, where those voting "yes" were not a majority of those Board members present (there were 16 members present).

3. August 28, 2013 minutes, page 8:

• RE-VOTE FOR DWP MOTION #2: 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. There were 6 yeas, 6 nays and 3 abstentions. Gary Plotkin then broke the tie by voting against the motion, causing the motion to not pass.

The Board deemed this vote of 6-6-3 to be a tie, where those voting "yes" were not a majority of those Board members present (there were 16 members present).

4. August 22, 2012 minutes, page 2:

Approval of Minutes from Previous Meeting (Agenda Item #2)

□ Motion to approve the minutes from June 27, 2012. Cassandra Barrère made motion. Nickie Miner seconded. Discussion was held. 9 yeas; 7 nays; 6 abstentions. Motion passed.

The Board passed this motion on a vote of 9-7-6, where those voting "yes" were not a majority of those Board members present (there were 23 members present).

5. January 27, 2010 minutes, page 3:

Motion to approve the payment of up to \$5,000.00 for the mailing of a postcard to promote the At-large Elections and the upcoming Upper Stone Canyon Reservoir Town Hall meeting. Alan Fine made motion. Larry Leisten seconded. Discussion was held. 8 Yeas; 6 Nays; 2 Abstentions. **Motion passed**.

The Board passed this motion on a vote of 8-6-2, where those voting "yes" were not a majority of those Board members present (there were 21 members present).

6. November 19, 2008 minutes, page 2:

Motion to approve \$5,000 expenditure the Laurel Canyon/Mulholland Park Expansion Project. Carolyn Carradine made motion. Steve Twining seconded. Discussion was held. 8 Yea, 1 No, 7 Abstain. Motion passed.

The Board passed this motion on a vote of 8-1-7, where those voting "yes" were not a majority of those Board members present (there were 16 members present).

Bruce:

I believe that you are incorrect in your position and invite you to contact anyone that you wish. However, I will not tolerate your threats and I will not continue to respond to your phone calls or emails. You are free to contact anyone on our board, but do not send me any more emails as they will be filed in the appropriate place.

I caution you to review Roberts Rules of Order and speak to Travis who is well versed on the subject.

Gary A. Plotkín President

Bel-Air Beverly Crest Neighborhood Council Municipal Building 1645 Corinth Avenue, Room 103-4 Los Angeles, California 90025 Office: (310) 479-6247 Office Fax: (310) 479-0458 Mobile: (818) 515-0333 **gplotkin@babcnc.org**

From: Bruce Kuyper [mailto:bruce@kuyper.name]
Sent: Friday, October 3, 2014 2:40 PM
To: Gary A. Plotkin; 'Gary Plotkin'; Gary Plotkin
Cc: 'board'
Subject: RE: BABCNC September 17, 2014 Board Meeting Bylaws Violations Requiring Prompt Correction

Dear Gary,

Thank you for responding.

Unfortunately, "dealing with the vote at the next meeting" and not sending now a letter to the ZA

does not correct these violations of the Bylaws. To the contrary, it continues them by 1) implementing the invalid motion to continue the matter to the next meeting, and 2) failing to implement the valid motion that the Board passed over 2 weeks ago.

Because you have refused to promptly implement the valid motion and are instead implementing the invalid motion, you unfortunately leave me no choice other than to seek redress from DONE, BONC, and any necessary further higher-ups.

Sincerely,

Bruce

From: Gary A. Plotkin [mailto:GPlotkin@prllplaw.com]
Sent: October 3, 2014 10:16
To: Bruce Kuyper
Cc: board (board@babcnc.org)
Subject: RE: BABCNC September 17, 2014 Board Meeting Bylaws Violations Requiring Prompt Correction

Bruce:

We are aware of the issue and after discussing the matter we will be dealing with the vote at the next meeting. Show up if you want the answer.

Gary

From: Bruce Kuyper [mailto:bruce@kuyper.name]
Sent: Thursday, October 2, 2014 9:31 PM
To: 'Gary Plotkin'; Gary Plotkin; Gary A. Plotkin
Subject: BABCNC September 17, 2014 Board Meeting Bylaws Violations Requiring Prompt Correction

Dear Gary,

Thank you for having Cathy send to me last evening a copy of the audio recording of the September 17, 2014 meeting.

Upon listening to the recording, I learned that BABCNC's Bylaws were violated when the Board considered agenda item 11(f)(1), Case No. ZA-2014-2201-CUB (800 N Sepulveda Blvd). I respectfully request that you correct those violations and promptly send a letter to the ZA stating that the BABCNC opposes the application.

The audio recording shows that the Board passed a motion to oppose the application, as the PLU Committee had done. After you counted the votes (several times), you—the Chair--announced that the motion had passed by a majority vote of 7-5-3. (Audio Recording at 1:25:38; see BABCNC's Bylaws § 7.4 ("All actions subject to a vote of the Board shall be determined by a majority vote of those Members present at a Meeting in which a quorum has been attained")) As a result, the motion carried and a letter communicating BABCNC's opposition should be sent to the ZA forthwith.

After that motion passed, an improper motion to continue and amend the motion that had just been passed was permitted to be made and voted on. That was improper. Section 11.4 of the Bylaws states that the Board may only reconsider and amend its action by a Motion for Reconsideration. Additionally, that section states that "A Motion for Reconsideration can only be made by a Board Member who has previously voted on the prevailing side of the original action." (emphasis added.) The second motion was made by Jamie Hall, who voted against the first motion. Because he did not vote on the prevailing side of the first motion, Jamie could not and cannot make a Motion for Reconsideration of the motion that had validly passed. The second motion was invalid, and is therefore void. Your statement to the contrary after the vote on the invalid motion, that "the other motion becomes moot" (Audio Recording at 1:28:45), was of course incorrect for the same reasons.

Please confirm that you will correct this violation of the Bylaws, void the invalid motion, and implement the action of the Board on the valid motion by promptly submitting a letter to the ZA that the BABCNC opposes this application.

Thank you.

Respectfully submitted,

Bruce

P.S. The bylaws on BABCNC's website (<u>http://babcnc.org/about-us/bylaws/</u>, "Our most recent Bylaws (dated March 23, 2011)") are out-of-date. The current Bylaws are on DONE's webpage for BABCNC, and are available at <u>http://empowerla.org/wp-content/uploads/2012/07/BelAirBeverlyCrestNC-Bylaws.pdf</u>

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