



Motion to reconsider General Board minutes of 20 October 2011

Agenda Item: GB121511-2

Date: 15 December 2011

Proposed By: Doug Fitzsimmons

Full Proposal

Unfortunately, the notes (and the computer they were on) for the Oct. 2011 meeting were stolen. However, the minutes should reflect the following:

Preface

The minutes should explain that full vote counts for the meeting were unavailable due to theft of the recording computer. The vote grid at the end of the document should be deleted.

GB102011-6, Motion to support an EIR for Marina Del Rey

During discussion, the motion was amended to read:

The South Robertson Neighborhoods Council supports the need for comprehensive EIRs (or equivalent) that consider regional impacts on the City of Los Angeles and the cumulative regional impact of constructing new developments on LA County lands or lands in neighboring cities.

GB102011-7, Motion to support the Music Academy in the Glee Give A Note Contest

During discussion, item 1 of motion was amended to read:

Write a letter on SORO NC letterhead to support and promote the Music Academy's Glee Give A Note candidacy.

GB102011-10, GB102011-11, GB102011-13, GB102011-15

Motions were all approved by greater than 2/3 of the Board members present.

Proposed Motion

- I. To reconsider the General Board minutes of 20 October 2011, adopting the changes listed above.

Considerations

Committee review:
(highly recommended)

Votes For: 0

Against:

Amount previously allocated in Committee's working budget: \$
(applies to funding motions only)

Arguments for:

Arguments against:

The minutes should be as accurate as possible.

None.

Doug Fitzsimmons
President

Brian Kite
Vice-President

Terrence Gomes
Treasurer

Nick Burkhart
Secretary

**South Robertson
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For SORO NC to congratulate Herb Wesson on his Council Presidency

Agenda Item: GB121511-5

Date: 15 December, 2011

Proposed By: Doug Fitzsimmons

Full Proposal

That SORO NC should write a letter to formally congratulate Council Member Herb Wesson on his historic election as the first African American President of the Los Angeles City Council.

Proposed Motion

That SORO NC should write a letter to formally congratulate Council Member Herb Wesson on his historic election as the first African American President of the Los Angeles City Council.

Considerations

Committee review:
(highly recommended)

Votes For: 3

Against: 0

Amount previously allocated in Committee's working budget: \$
(applies to funding motions only)

Arguments for:

Herb Wesson deserves the congratulations

We like Herb Wesson and enjoy good working relationships with him

Arguments against:

Cost of stamp.

Cost of toner to print letter

Doug Fitzsimmons
President

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Terrence Gomes
Treasurer

Nick Burkhart
Secretary

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Council Member Herb Wesson
1819 S. Western Ave.
Los Angeles, CA 90006

15 December 2011

Dear Council Member Wesson,

SORO NC wishes to extend its heartfelt congratulations on your historic election to the Presidency of the Los Angeles City Council, unanimously approved by your colleagues in November.

We have always been proud to enjoy close relationships with you and your staff, and we look forward to watching you bring your dynamic brand of leadership to the City Council.

In your election as the Los Angeles City Council's first African American President, you join the remarkable company of fellow leaders who are providing hope and inspiration for a future of boundless possibility to so many African American youth. For that, we salute you.

We hope that under your governance, the Los Angeles City Council can adopt an opportunity-generating approach to bringing new business, development and employment to revitalize our City.

As you know, we have always been openly proud of your Ninja skills, and we look forward to watching you tackle the City's problems with the same gusto with which you tackled the Shaolin monk.

In great anticipation, and with friendship and admiration,

South Robertson Neighborhoods Council

Doug Fitzsimmons
President

Brian Kite
Vice-President

Terrence Gomes
Treasurer

Nick Burkhart
Secretary

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Motion to approve 2012 General Board meeting calendar

Agenda Item: GB121511-6

Date: 15 December 2011

Proposed By: Doug Fitzsimmons

Full Proposal

In an effort to allow full community and Board input into SORO NC's General Meeting dates, this motion seeks to establish an approved meeting calendar for 2012.

In the past, some stakeholders and Board members have expressed concern about meeting scheduling. The NC has endeavored to avoid conflicts with other events, holidays, and celebrations, but it hasn't always been possible. Opening the schedule to public discussion—while it still may not fully satisfy all parties—will ensure a more transparent process.

The following informational calendar includes the "regular date" (the customary third Thursday of each month) as well as notations on possible conflicts and alternate dates. In developing the list of potential conflicts, a best effort was made to survey U.S. Federal, Jewish, Christian, and Islamic celebrations. Any omissions are unintentional.

The Board may opt to adopt the regular calendar as it stands or modify it through amendments to this motion. Note that none of the normal dates fall on a Federal or State holiday.

Doug Fitzsimmons
President

Brian Kite
Vice-President

Terrence Gomes
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Nick Burkhart
Secretary

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Regular 2012 Date	Possible Conflict	Possible Alternate(s)
January 19		
February 16		
March 15		
April 19	Yom HaShoah	Wednesday, Apr 18 Thursday, Apr 26
May 17		
June 21	Nisfu Sha'ban	Wednesday, Jun 20
July 19	Ramadan <i>may</i> start at sunset	Wednesday, Jul 18
August 16		
September 20		





October 18		
November 15	Al-Hijra (Islamic New Year)	Friday, Nov 16
December 20		

Proposed Motion

- I. To adopt the 2011 SORO NC General Board meeting schedule ("normal dates") shown above.
- II. This motion does not supersede any aspect or procedure set forth in the NC bylaws, particularly Article VIII, Section 1, Item 2: Special Board Meetings.

Considerations

Committee review: Votes For: 3 Against: 0
(highly recommended)

Amount previously allocated in Committee's working budget: \$
(applies to funding motions only)

Arguments for:

Setting a yearly meeting calendar allows for community input into our schedule.

Meeting on a consistent date (i.e., the third Thursday of the month) may be more easily remembered by stakeholders.

Arguments against:

The dates may still need to be amended as emergencies arise or if we are unable to secure a meeting location on those dates (however unlikely).

Although this calendar sets the dates for regular meetings, special meetings may be need to be called that go beyond the schedule listed here.



NC Election Alternatives Survey

Agenda Item: GB121511-7

Date: December 15, 2011

Proposed By: Executive Committee

Full Proposal

The City Clerk was not provided funds in the City's 2011-2012 Budget to conduct the 2012 Neighborhood Council (NC) Elections, and NC Elections as administered by the City Clerk were postponed until 2014. There are 12 SORO NC Board Member terms that were scheduled to expire in 2012.

The City Clerk was instructed by the City Council to perform a study on alternative methods for conducting NC Elections. The purpose of this study will be to ascertain what each NC's preferences are for conducting NC elections, and to lay out all options for the City Council and Mayor to review.

To accurately reflect each NC's preference, the City Clerk has distributed the attached NC Election Alternatives Survey to each of the 95 NC Boards for completion.

In addition, the City Clerk has extended an opportunity to any and all NC stakeholders to submit their comments by completing an individual survey which is available on the City Clerk's website.

Additional materials and background information on this item may be found at:
<http://cityclerk.lacity.org/election/ncdocs/website.pdf>

The Board must vote on each of the five questions presented in the attached survey. Question 2 allows for multiple responses, so each choice will be voted on separately.

Proposed Motion

The South Robertson Neighborhoods Council authorizes the Vice President to submit a completed survey to the City Clerk with responses determined by a vote of the SORO NC Board.

Considerations

The Executive Committee discussed this item at their December 8, 2011 meeting and their recommended responses to the survey are below with a brief description of their discussion.

Committee review Question 1:

Yes: 0

No: 3

The Committee felt skipping the election sends the wrong message to our Stakeholders and delegitimizes the entire NC system. Postponing disenfranchises voters and while they acknowledge there are severe budget issues and the last NC election cost about \$1.1 million, a solution needs to be found and defunding NC elections should not be an option. There is an ordinance in place requiring NC elections be administered by the City Clerk. Not funding those elections

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demonstrates a lack of City Council commitment to the NC system.

Committee review Question 2:	Option 1	Option 2	Option 3
	3 YES	0 YES	3 YES

The first option seems reasonable. The second option is not feasible unless NC budget allotments are increased. The committee supports the third option, but some members were reluctant. Allowing a selection may make the NC seem more like a neighborhood club rather than an official entity created by the City charter. It was discussed that some of the NC's legitimacy comes from the duly conducted elections held by the City's City Clerk. It will also give the City Council an easy way out of a complex situation. On the other hand, the NC's job is to first serve and represent the Stakeholders and not having an election jeopardizes that trust.

Committee review Question 3:	1st	2nd	3rd
	B	D	E

The Committee focused on NC legitimacy and thought a City Clerk conducted election should rank first, followed by an IEA election supervised by the City Clerk (not DONE). For a third option the Committee opted for a hybrid of a Town Hall process supervised and certified by the City Clerk.

Committee review Question 4:	Internet Voting Elections with Neighborhood Voting Centers
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This option, if voter fraud issues can be managed, shows the most promise for participation in the future. The committee felt the other listed methods would also be acceptable.

Committee review Question 5:	Town Hall 3 Election:	Town Hall 0 Selection:
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The committee preferred an election process to a selection process, because the results would be less susceptible to public voting pressures and secret ballot elections are the current standard for California voting.



NEIGHBORHOOD COUNCIL (NC) ELECTION ALTERNATIVES SURVEY

INSTRUCTIONS

1. Please print clearly and legibly.
2. Please complete and sign the "Board Action and Approval" section at the end of this survey.
3. Please submit this survey to the City Clerk-Election Division by **JANUARY 6, 2012**.

POSSIBLE 2012-2013 NC ELECTIONS

1) Is your NC willing to postpone elections until 2014, as determined by the City's 2011-2012 Budget and Administrative Code restrictions placed on the City Clerk?

- Yes (Skip to Question 3)
 No (Please explain)

2) If your NC Board would like to hold a non-City Clerk election prior to 2014, what is your Board willing to consider in terms of cost of the election? Please check all that apply.

- Contribute a limited amount of funds toward the cost of the election (e.g., outreach)
 Cover the full cost of the election
 Utilize the Town Hall selection process and forgo the election process*

** According to the City Attorney's Office, an election requires a mandatory secret ballot whereas a selection only requires an open or public ballot.*

FUTURE NC ELECTIONS

3) Who would your NC Board prefer to administer your elections in the future? Please rank the options below in the order your NC would most prefer.

1st

2nd

3rd

- A)** Your NC (using a Town Hall Selection Process)
B) The Office of the City Clerk
C) The Department of Neighborhood Empowerment (DONE)
D) Independent Election Administrator*
**Supervised by the City Clerk or DONE.*
E) Hybrid administrator (Any combination of options. Please specify.)
F) Other:

4) Which method does your NC Board prefer for electing board members?

- At-Polls Elections
- Vote-By-Mail (VBM) Elections with Neighborhood Voting Centers (Pre-registration required)
- Internet Voting Elections with Neighborhood Voting Centers (Pre-registration required)
- Telephone Voting Elections with Neighborhood Voting Centers (Pre-registration required)
- Hybrid method (Any combination of options). Please specify

- Other:

5) As an alternative to the methods above, would your NC Board prefer a Town Hall Election or Town Hall Selection?*

- Town Hall Election (Mandatory secret ballot)
 - Town Hall Selection* (Open or public ballot)
- *Due to logistical restrictions, the City Clerk is unable to oversee the Town Hall "selection" method.*

6) Please include specific comments from your stakeholders or Board Members that you feel would be valuable as part of this survey:

BOARD ACTION AND APPROVAL INFORMATION (Required)

Neighborhood Council Name

Name of person completing this form

Title

Phone Number

Signature

Board Approval Date

RETURN THIS FORM BY FRIDAY, JANUARY 6, 2012, 5:00 P.M.

To: City of Los Angeles, City Clerk-Election Division
P.O. Box 54377, Los Angeles, CA 90054-0377

This survey may also be submitted via fax at (213) 978-0376 or by email to clerk.electionsnclacity.org.

For more information, please visit the City Clerk-Election Division website at <http://cityclerk.lacity.org/election/>.

For any questions regarding this form, contact the City Clerk-Election Division at (213) 978-0444.



Office of the City Clerk - Election Division

Description of Different Election Methods

TOWN HALL VOTING

A method whereby a selection or an election occurs in a town hall meeting style. Voting can be through a selection by a “show of hands” or a signed ballot, or by an election through a secret ballot. Both processes can occur at a regularly scheduled meeting or during a pre-set date, time and location.

This election method is also referred to as “same day election”.

<i>Potential Advantages</i>	<i>Potential Disadvantages</i>
<ul style="list-style-type: none"> • Grassroots driven and stakeholders may speak • “Meet and greet” candidates • Candidate debates • Potential increased turnout • Increased media exposure • Easy tally process • Customization of election • Cost effective 	<ul style="list-style-type: none"> • Language challenges • Potential for public confrontations • Potential for stakeholder intimidation and disenfranchisement • Length of process unknown • Potential lower turnout due to time constraints • Potential increase in election challenges • Probably unsuitable for large turnout elections • If process is interrupted, what happens next?

INDEPENDENT ELECTION ADMINISTRATORS (IEAs)

Elections conducted by an IEA (with City oversight), consists of contracting with an independent consultant who possess election experience and is tasked with overseeing the election processes and ensuring that the Neighborhood Councils (NC) is meeting the benchmarks set forth in the election timeline.

<i>Potential Advantages</i>	<i>Potential Disadvantages</i>
<ul style="list-style-type: none"> • More NC control • Less bureaucracy • Election schedule flexibility • More NC stakeholder participation • Opportunity for regional collaboration • Lower cost for elections due to increase in stakeholder volunteerism 	<ul style="list-style-type: none"> • Language challenges • Requires City staff costs to supervise IEAs • More NC time and resources required • Postponement/cancellation challenges • Potential perceived bias by stakeholders

VOTE-BY-MAIL (VBM) VOTING

VBM refers to ballots delivered by U.S. Mail to voters, and the return of a secure and secret ballot by mail to election officials. The addition of a Neighborhood Voting Centers (NVC) is an added option that would allow voters to drop off their ballots or cast a ballot in person. In such instances, a person would have to vote provisionally so an election administrator can verify that the person had not already voted by mail.

<i>Potential Advantages</i>	<i>Potential Disadvantages</i>
<ul style="list-style-type: none">• Increased language accessibility• Increased voter turnout due to convenience• Vote in private• No electioneering• No wait time• Weather conditions are not an issue• Extended voting time	<ul style="list-style-type: none">• Higher printing and postage costs• No or minimal pollworker assistance• Potential for mailing errors• Privacy concerns (i.e., signatures on return envelopes)• Possible ballot errors• Reliance on the post office

INTERNET AND TELEPHONE VOTING

Internet Voting is an election method whereby a voter uses a computer not under the physical control of an election administrator to cast a ballot via a secure internet connection. Telephone Voting is an election method whereby a voter uses a telephone to cast a ballot via an automated voting system. NVCs may be established to accommodate voters who do not have reliable access to a computer or telephone so that they may cast a paper ballot in person. In such instances, a person would have to vote provisionally so an election administrator can verify that the person had not already voted online or by phone.

<i>Potential Advantages</i>	<i>Potential Disadvantages</i>
<ul style="list-style-type: none">• Increased language accessibility• Easy to use and convenient• Flexible voting hours and locations• Environmentally sound (less paper waste)• Appealing to new voters• Fewer ballot errors• Avoid conflict at the polls on Election Day• Development of accurate stakeholder database	<ul style="list-style-type: none">• Higher start-up costs• Concerns over compromised security• Potential negative impacts on minorities and the elderly• Potential for voter confusion• Precedent setting; unknown impact on voter turnout



Neighborhood Council Elections Common Processes and Cost Variables

Please refer to the items listed below when considering what items will factor in to the total cost of your Neighborhood Council Election.

Common Processes:

1. Candidate Outreach
2. Candidate Processing and Verification
3. Developing Election Procedures
4. Election Certification
5. Establishing Election Timeline
6. Grievance Process
7. Stakeholder Outreach
8. Stakeholder Registration
9. Tally Process
10. Training
11. Translations

Cost Variables:

1. Ballot Types
2. Board Size
3. Election Administrator
4. Number of Printed Ballots
5. Opt In/Opt Out
6. Outreach
7. Permit/Facility Fees
8. Stakeholder Population per Neighborhood Council
9. Voter Turnout

If you have any questions regarding this matter, please contact the Neighborhood Council Election Unit at (213) 978-0444 or email us at clerk.electionsnc@lacity.org.

Office of the City Clerk - Election Division

2012 Neighborhood Council Elections

Frequently Asked Questions

What is the City Clerk's role in the Neighborhood Council (NC) Elections?

As a result of the Neighborhood Council Review Commission's (NCRC) recommendation that the City Clerk conduct NC elections, the City Clerk is responsible for administering all NC elections (See City Administrative Code Section 20.36).

Is there a reason NC elections are on even-numbered years?

Yes. Due to Charter mandate for the City Clerk to implement municipal elections in odd-numbered years, the City Clerk is limited to implementing NC elections in the even-numbered years.

Will there be NC Elections in 2012?

According to the 2011-2012 Budget, the City Attorney was instructed to amend the Administrative Code to postpone the 2012 NC Elections. The City Clerk was also directed to extend the terms of Board members until calendar year 2014 (See Exhibit H of Mayor's Budget).

This change does not preclude NC Boards from filling vacancies nor prevent newly-certified NCs from implementing a selection process (according to their approved bylaws) to elect an Interim Board. Additionally, should current boardmembers choose not to continue serving and vacate their seats, it is recommended that NCs fill their vacancies under the bylaws vacancy clause(s) that govern the respective NCs.

Any 2012 NC Election-related questions will be deferred to the Department of Neighborhood Empowerment (DONE) and the City Attorney.

Why did the City Clerk postpone NC Elections?

The City Clerk did not postpone the 2012 NC Elections. The City Clerk's 2011-2012 Budget request included funds to conduct the 2012 NC Elections, but was not provided the funds. In addition, NC elections, as administered by the City Clerk, were postponed until 2014 (See Council File 11-600 S23).

However, the City Clerk was instructed by the City Council to perform a study on alternative methods for conducting NC elections. The purpose of this study will be to ascertain what each NC's preferences are for conducting NC elections, and to lay out all options for the City Council and Mayor to review.

Why did the City Clerk conduct Regional Election Alternatives Meetings?

The City Clerk held the Regional Election Alternatives Meeting to provide all NC leaders and stakeholders an overview of the process that would be followed to perform a study of NCs' preferred alternative election methods for NC elections, along with which entity the NCs would prefer to implement their elections.

Office of the City Clerk - Election Division

2012 Neighborhood Council Elections

Frequently Asked Questions

How much will this (study) cost?

This study is part of the City Clerk's 2012 operations budget. No additional funds were provided to the City Clerk nor were any NC funds appropriated to complete the study.

What is the NC Election Alternatives Survey?

The purpose of this survey is to ascertain what each NC's preferred election method is and which should be the entity for conducting NC elections in the near and long-term future. The City Clerk encourages all NC boards to submit the surveys so that each NC's input is included.

The survey responses will then be compiled into the City Clerk's report on NC Election Alternative Methods to the Arts, Parks and Neighborhoods Committee, City Council and the Mayor's Office. The report will lay out all options for the City Council and Mayor to review.

When will you know the results of the surveys?

The NCs' Alternate Election Methods Report will be published by February 2012.

What is a hybrid method?

A hybrid election method is the combination of more than one election alternative method (e.g., telephone and internet voting).

Will NCs choose an election method per each NC or for all NCs Citywide?

NCs will be asked to select their preferred election method. To arrive at this preference, NC boardmembers can discuss and, as a board, vote on the election method most commonly agreed upon.

NCs are encouraged to discuss the Election Alternatives Survey in a publicly held meeting and reach board consensus as to the NCs' preferred election method.

How much does it cost to run an election?

Currently, the cost of NC elections depends largely on the complexity of the processes and scale of outreach. Upon review of the NC Election Alternatives Survey, City Council and the Mayor's office will give the City Clerk direction as to what methods to assess for costs and expenses associated with alternative election methods.

How much did the 2010 NC Elections cost?

The 89 individual NC elections conducted in 2010 cost \$1.1 million. This included a restricted VBM process for stakeholders who were not physically able to go to the polls due to a disability or due to religious restrictions.



Motion to encourage landscaping with indigenous plants for Phase II of the Exposition Line Rail Project.

Agenda Item: GB121511-8

Date: December 15, 2011

Proposed By: Larry Hess, Paula Waxman, Doug Fitzsimmons

Full Proposal

The agency responsible for planting the stations along the Exposition Line Light Rail Project used mostly drought tolerant plants but not native Southern California plants during Phase I of the project. We would like to encourage the use of a majority of native Southern California plants for Phase II.

Phase II will extend westward to Santa Monica from the Culver City Station along the old Pacific Electric Exposition right-of-way in SORO to 4th St. and Colorado Ave. in downtown Santa Monica. Residents living directly adjacent to the right of way will be most impacted.

Indigenous plants are drought tolerant, low maintenance, and provide an important but greatly diminished habitat which supports endangered indigenous wildlife (birds, insects, butterflies) and promotes a healthy preservation of our natural ecosystem. Such plantings also serve to promote environmental awareness and responsible landscaping choices by residents in the community.

Proposed Motion

That the South Robertson Neighborhoods Council submit a letter to the Government/Community Relations Manager of the Exposition Construction Authority encouraging the use of a majority of indigenous plants for all landscaping for Phase II of the Exposition Line Light Rail Project.

See attached letter.

Considerations

Committee review:
(highly recommended)

Votes For:

Against:

Amount previously allocated in Committee's working budget:
(applies to funding motions only)

Arguments for:

The City cannot ask its citizens to plant indigenous plants if it refuses to do so.

Planting indigenous plants benefits local wildlife

A form of this motion already passed by Palms and Westside Neighborhood Councils.

Arguments against:

Some California indigenous plants are prone to fire.

Doug Fitzsimmons
President

Brian Kite
Vice-President

Terrence Gomes
Treasurer

Nick Burkhart
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December 15, 2011

Gabriela G Collins
Government/Community Relations Manager
Exposition Construction Authority
707 Wilshire Blvd., 34th Fl.
Los Angeles, CA 90017

Re: Indigenous Plants at Expo Phase II Stations.

Dear Ms. Collins:

I am writing on behalf of the South Robertson Neighborhoods Council ("SORO NC") to comment on the following issues.

We were recently approached by the Westside Neighborhood Council and the Palms Neighborhood Council to join in their efforts to encourage indigenous plants be used in Phase II of the Exposition Line Light Rail Project. While we appreciate that drought tolerant plants were used along Phase I of the Expo Line, we would like to see more California Native plants installed in Phase II.

The use of indigenous plants supports indigenous wildlife and promotes a healthy preservation of our natural ecosystem. Such plantings also serve to promote environmental awareness and responsible landscaping choices by residents in the community. Some of SORO Residents along the Exposition right-of-way will be directly impacted by such plant choices.

On December 15th, 2011, The SORO NC Board passed a motion to encourage "the use of a majority of indigenous plants for all landscaping for Phase II of the Exposition Line Light Rail Project."

Please do not hesitate to contact me if you have any questions or comments about this letter.

Sincerely,

Doug Fitzsimmons
President

Brian Kite
Vice-President

Terrence Gomes
Treasurer

Nick Burkhart
Secretary

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Doug Fitzsimmons
President
South Robertson Neighborhoods Council





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October 14, 2011

Gabby Collins
Build Expo

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Jerry Asher
Barbara Broide
Drew D'Ascentis
Bob Guerin
Dick Harmetz
Charles Horwitz
Colleen Mason Heller
Michael McIntrye
Ron Stone
David (Ty) Vahedi

Dear Ms. Collins

I am writing on behalf of the Westside Neighborhood Council (WNC) representing approximately 80,000 stakeholders in the Rancho Park, Cheviot Hills and Century City area.

At the October 13, 2011 WNC Governing Board Meeting Charles Miller from the Palms Neighborhood Council (PNC) asked the WNC to join PNC in their efforts to landscape phase two of the Expo Line with California native plants.

The WNC stakeholders will be heavily impacted by the Expo Phase 2 Light Rail. The residents living adjacent to the ROW will be most impacted by your landscaping plan. We want to ensure that the landscaping will enhance the surrounding community and not become an eyesore when plants are not replaced.

Given constant budget restraints it will be difficult to maintain non-native drought-tolerant plants. Landscaping with California native plants requires less water, less use of energy and less plant replacement making it economically advantageous.

After Mr. Miller's presentation the WNC passed the following motion:

"The Westside Neighborhood Council moves to support the Palms Neighborhood Council request that indigenous and compatible plants be utilized for all landscaping for Phase Two of the Exposition Line light rail project."

We are requesting that Build Expo present the draft landscape plan before the WNC prior to any final decisions being made. We meet the second Thursday of each month. Please contact me two weeks before the meeting you wish to attend.

Sincerely,

Terri Tippit, Chair



Committee on
Transportation & Road Works
10008 National Blvd., #210
Los Angeles, CA 90034



September 20, 2011

Gabriela G. Collins
Government/Community Relations Manager
Exposition Construction Authority
707 Wilshire Blvd., 34th Floor
Los Angeles, CA 90017

RE: Indigenous Plants at Expo Phase Two Stations

Ms. Collins:

Per our conversation today, I am forwarding a copy of the following motion to you, passed unanimously by the Palms Neighborhood Council on September 7, 2011:

The Palms Neighborhood Council endorses and requests that indigenous plants be utilized by the Los Angeles MTA for all landscaping for phase two of the Exposition Line light rail project.

While we appreciate that drought-tolerant plants are currently planned for these stations, we feel it is imperative that MTA utilize this opportunity to exclusively use plantings native to Southern California (which would be drought tolerant naturally). Indigenous plants support indigenous wildlife and promote a healthy preservation of our natural ecosystem. Such plantings also serve to promote environmental awareness and responsible landscaping choices by others. While our motion applies to the entire phase two of the line, this issue is of particular importance to our stakeholders with respect to Palms Station. We believe this request can be accommodated without adding significant costs to the Expo Line project.

It is our desire that our wishes in this matter be made known to all who are involved or concerned. Your assistance in this process is appreciated, and if there are others we should contact directly, your help in identifying those parties would also be appreciated. Thank you for your time and consideration.

Sincerely,

Charles Miller
Overland Residential Representative
Chair, Transportation & Road Works Committee
Palms Neighborhood Council
310 204 4940
CharlesMiller@PalmsLA.org

Cc: Councilmember Bill Rosendahl
Councilmember Paul Koretz
Councilmember Herb Wesson
Mayor Antonio Villaraigosa
Dee Olomajeye, PNC President
Ken Alpern, CD-11 Transportation Committee Co-Chair
David Ewing, CD-11 Transportation Committee Co-Chair



Motion: To recommend LA Dept. of Recreation and Parks replace City Hall lawn with sustainable landscaping.

Agenda Item: GB121511-9

Date: December 15, 2011

Proposed By: Paula Waxman, Larry Hess, Doug Fitzsimmons

Full Proposal

Over two months, a group that has come to be called "Occupy LA" camped on the south lawn of City Hall. When the group was evicted recently, city officials determined that the lawn was destroyed, soil compacted, sprinkler heads broken, and one tree damaged beyond saving. When interviewed by the LA Times, the GM of the Department of Recreation and Parks, Jon Mukri, stated that the city "...may spend more than two months and up to \$400,000 to re-sod the lawn..."

Proposed Motion

The destruction of the lawn at Los Angeles City Hall presents the city with a unique opportunity to replace the lawn with landscaping that is more in keeping with the sustainability and conservation policies that are promoted by the Mayor and the City of Los Angeles. The South Robertson NC Green Team Committee requests that the SORONC Board issue the attached letter to the Los Angeles Department of Recreation and Parks recommending that, rather than replacing the lawn, the City move beyond outdated, impractical, costly designs, and implement a design that is both functional and sustainable and can serve as an inspiration to other cities and designers of public spaces.

Doug Fitzsimmons
President

Brian Kite
Vice-President

Terrence Gomes
Treasurer

Nick Burkhart
Secretary

Considerations

Committee review:
(highly recommended)

Votes For:

Against:

Amount previously allocated in Committee's working budget: \$ none
(applies to funding motions only)

Arguments for:

The City cannot ask its citizens to cease planting lawns if it refuses to do so.

High water needs and maintenance of traditional lawn is not cost effective.

Sustainable designs already exist.

Arguments against:

Some find indigenous, drought tolerant landscaping unattractive

There is no exact indigenous, or drought tolerant substitute for traditional lawn.

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Jon Kirk Mukri, General Manager of the LA Dept. of Recreation & Parks
221 N. Figueroa St. Suite 1550
Los Angeles, CA 90012

Telephone: (213) 202-2633

December 15, 2011

Re: Sustainable Landscaping at the Los Angeles City Hall

Dear Mr. Mukri:

The South Robertson Neighborhood Council endorses and requests that the lawn that was destroyed at City Hall be replaced with sustainable landscaping using plants indigenous to Southern California and following the guidelines of the [Low Impact Development Ordinance](#) to address the issues of storm water diversion and water capture. While keeping with the guidelines of [Project Restore](#), this civic open space should, wherever possible, utilize permeable hardscape and indigenous plants that are naturally drought tolerant. In addition, plants indigenous to Southern California will not require fertilizers, which will help in protecting our watershed.

While the City is urging homeowners and businesses to replace turf lawn with sustainable alternatives, it is imperative that the City take advantage of this opportunity to set an example by re-landscaping to conserve water and create a habitat that fosters the pollinators needed to support our ecosystem. Such landscaping will serve to promote environmental awareness and responsible landscaping choices by others in a highly visible setting and will ultimately save the city money in both water usage and maintenance.

Please make our wishes in this matter known to all who are involved or concerned. Your assistance in this process is appreciated. If there be others we should contact directly, your help in identifying those parties would also be appreciated. Thank you for your time and consideration.

Sincerely,

Cc: The Commissioners of the Los Angeles Department of Recreation and Parks

Barry A. Sanders, President
Lynn Alvarez, Vice President
W. Jerome Stanley, Member
Jill T. Werner, Member
Johnathan Williams, Member

Councilmember Bill Rosendahl

Councilmember Paul Koretz

Councilmember Herb Wesson

Mayor Antonio Villaraigosa

Doug Fitzsimmons
President

Brian Kite
Vice-President

Terrence Gomes
Treasurer

Nick Burkhart
Secretary

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Now, about L.A. City Hall's lawn

Occupy L.A. has killed the grass. A water-wise garden should take its place.

November 16, 2011 | By Emily Green

Whatever the accomplishments of Occupy L.A. when it finally decamps — or gets evicted — from around City Hall, one positive achievement is already clear: It has killed the lawn.

The Times' editorial board has harrumphed about the taxpayer expense of replacing one of downtown's "rare green spaces," and it worries that the "majestic figs" are at risk. Last week, the Department of Recreation and Parks sent an aggrieved letter to the mayor about signs nailed to trees, broken sprinkler heads and compacted soil. The nails and compacted soil are unfortunate. But really, Rec and Parks is missing the point. Occupy L.A. has given City Hall the chance to walk its talk.

For more than two years, the mayor and the City Council have been preaching water conservation. Yet since they instituted a citywide sprinkler ordinance in 2009, and even started paying single-family homes a buck a square foot to rip out lawns, by the Department of Water and Power's own estimate 54% of the water used by single-family homes still goes outside. The government is almost as profligate: 41% of its water is outdoor use. Much of this goes to lawns.

Los Angeles cannot be expected to improve these numbers unless the mayor and the City Council lead by example. Other cities, such as Austin, Texas, understand this. In 2004, Austin responded to chronic overuse of the local aquifer by surrounding its City Hall with native gardens irrigated by a rain-catchment system.

Meanwhile, Los Angeles has left a plan for re-landscaping City Hall with a similarly progressive garden stuck somewhere between the bureaus of sanitation and engineering. City officials will neither confirm nor deny the existence of the plan, but word in the landscape design community is that it is stalled because of lack of funds.

This insistence that we cling to a wasteful model because conservation is too expensive doesn't scan. Whatever hard times the city faces, the real deficit isn't money. It's skill. The inertia isn't budgetary. It's cultural.

Until Occupy L.A. smothered it last month, lawn remained around Los Angeles City Hall in part because that's what Rec and Parks knows how to tend. To have a garden that celebrates our Mediterranean climate the way Austin's salutes Texas prairie, Rec and Parks staff would need to learn how to weed instead of mow, mulch instead of blow and maintain drip irrigation instead of sprinklers.

Since the largely drought-tolerant sweeps of palo verde trees, succulents and desert palms went in near City Hall around police headquarters in 2009, lead landscape architect Scott Baker has become so demoralized by Rec and Parks maintenance that he sounds halfway between heartbroken and bitter. Asked what might be done around City Hall, he said, "I don't think that this city deserves any great green spaces until they can figure out ahead of time how to maintain it."

Thanks to Occupy L.A., Los Angeles will have the perfect place to learn. Stephen Billings, landscape architect behind the year-old gardens around the Valley Performing Arts Center in Northridge, managed the wide use of native trees and grasses only by working from inception with the facilities staff of Cal State Northridge. As Billings sees it, the teaching gardens around City Hall could be temporary until grounds staff were skilled enough to maintain a suitably stately model. "It's a new time," he said. "It's about learning. It's not about keeping up appearances."

The beauty of turning City Hall into a test garden is that its lessons could then be shared around the city. For example, if felling the non-native figs around City Hall is a non-starter for sentimental reasons, we should at least be irrigating the magnificent old trees with drip instead of lawn sprinklers — a move that would reduce trimming needs by slowing the trees' growth.

Even strategic use of turf could be preserved, though it should be the hardiest variety irrigated in the smartest ways requiring the least frequent grooming. Rather than lawn on the northeast side of City Hall (which has been wet enough in past years to grow mushrooms) and sweeping down the berm on the other flank, there should be hardy and fragrant natives that can survive with little water and no mowing or blowing.

This training ground for city gardeners would also have to be highly functional public space. How it should function for protesters, dog walkers, office workers, farmers markets and the like has been addressed by at least 10 failed plans by "some of the best urban thinkers," said Mark Rios, landscape architect of the four-block-long, multimillion-dollar Civic Park under construction across Spring Street from City Hall. Rios hopes that Civic Park will take pressure off City Hall's gardens to be all things to all people.

Melinda Taylor, designer of the 2003 garden at Walt Disney Concert Hall, thinks a new City Hall garden would need assembly spaces, shade, bike racks and clean toilets. Poignantly, her greatest emphasis was that it should be "jaw-droppingly lovely."

Whatever the functional and aesthetic choices, to fix City Hall Park, "funding must be identified," as Rec and Parks wrote to the mayor. Indeed, but instead of calculating the cost of re-sodding, we should be investing in a water-wise test garden. The perfect place to find funds would be in sharp increases for top-tier

water users — the horticultural equivalent of L.A.'s 1%.

It comes down to this: If homeowners must abandon gratuitous shows of lawn, City Hall should too. If homeowners must learn to tend and appreciate native plant gardens, so should City Hall — and Rec and Parks. When Occupy L.A. decamps, what's left behind won't be a pretty sight. But it could be the best thing that's happened in City Hall Park in a very long time.

Emily Green writes the Dry Garden for The Times. She is completing a book on water in the Great Basin Desert. Her website is chanceofrain.com.

latimes.com

Left behind: Occupiers' treasures become the city's trash

City crews begin to clean up after the two-month encampment outside Los Angeles City Hall. Possessions left behind in the nighttime eviction offer a glimpse into a community.

By David Zahniser and Nicole Santa Cruz
Los Angeles Times

December 1, 2011

There were vinyl albums by Etta James and the punk band X. There were cosmetic kits, one with seven kinds of nail polish. There were sleeping bags, luggage, cutlery, a small red guitar with a broken neck and a collection of Ernest Hemingway stories.

Hours after police launched a nighttime eviction of the Occupy L.A. encampment, Los Angeles City Hall's south lawn offered enough personal possessions to sustain a small community — except that no one was left to claim them.

City crews on Wednesday began the long and potentially expensive process of restoring the 1.7-acre park that served as ground zero for Occupy L.A., saying they expected to send 30 tons of refuse to the landfill. As they sorted through the belongings, most of which were hurriedly abandoned, they found much to astonish.

[PHOTOS: Left behind at Occupy L.A.](#)

Scattered in piles were mattresses and dining chairs, luggage and boom boxes, books and CDs, cellphones and electric razors — all surrounded by dozens of collapsed and empty tents.

"They weren't planning on going anywhere," said Leo Martinez, division manager of the Bureau of Sanitation. "They were here to stay."

By 8 a.m., street crews had erected concrete barriers and chain link fencing around the park. Two hours later, trash trucks were swallowing tent poles and consuming scores of sleeping bags and mounds of discarded clothing.

Surveying the terrain from the 1st Street steps, Councilman Herb Wesson said the abandoned possessions made the south lawn look like a landfill. Ed Johnson, his spokesman, compared the scene to Woodstock in

advertisement

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1969 — right after the festival ended. Councilman Dennis Zine, still irritated that the protest lasted 58 days, had a less romantic description: "a mess."

"Two months is way too long to occupy a park — way too long," Zine said after snapping pictures of an elaborate treehouse adorned with water jugs and a Hello Kitty pinata.

What that mess will cost to remove is uncertain. The price tag for Occupy L.A. is not expected until Friday at the earliest, although Mayor Antonio Villaraigosa warned that it could exceed \$1 million.

Jon Kirk Mukri, general manager for the Department of Recreation and Parks, said the city may spend more than two months and up to \$400,000 to re-sod the lawn, repair the irrigation system and plant new drought-tolerant landscaping. At least one tree will have to be removed.

"Every cent that's going to go into the park is coming from taxpayer dollars, and that could mean less programming when we get to springtime at our rec centers," he said.

City officials are also attempting to find a home for the plywood erected around a public fountain that became an instant palette for the protesters and gave way to a colorful mural that became a backdrop of Occupy L.A.

"The plan is to take care of it," said Olga Garay-English, executive director of the city's Department of Cultural Affairs.

On the north side of City Hall, protesters' possessions had been swept into the gutter: pillows, tennis balls, cigarette lighters and an Ashford & Simpson album from 1977 featuring the song "I Waited Too Long." On the south side were belongings both earnest and whimsical, a book containing 9-11 conspiracy theories sat on the sidewalk, a few feet from a copy of Mad Magazine.

Some materials were treated by cleanup crews as hazardous, like the crate of gallon-sized plastic jugs that a city worker said were filled with urine.

Anthony Sarmie, 24, of Lincoln Heights said that in the Los Angeles Police Department raid, he lost his wallet, his tent, his sleeping bag and his clothes. "It's a sensitive thing right now," he said. "I'm upset, and I'm hurt, and I'm let down."

As the crowd of looky-loos peered through the newly erected chain-link fence Wednesday, the vacant lawn — now mostly dirt — elicited a variety of reactions. Donna Spurgeon, 54, said she was in "utter shock" after seeing the makeshift mural.

"If you're here to protest, don't deface public property," said the Ojai resident.

Norman Schwartz, 76, was far more wistful, disappointed to find that there was "no longer this wonderful thing going on" outside City Hall.

"It was," he said, "just an empty, dirty park."

[FULL COVERAGE: Occupy Los Angeles](#)

david.zahniser@latimes.com



Motion to support small-lot development at 2008 Preuss

Agenda Item: GB121511-10

Date: 15 December 2011

Proposed By: Victor Mitry

Full Proposal

After review, the South Robertson Neighborhoods Council Land Use and Economic Development committee recommends supporting the proposed small-lot development at 2008 Preuss. More information about the development will be presented at the General Board meeting.

Proposed Motion

- I. To formally support the proposed small-lot development at 2008 Preuss Ave.

Considerations

Committee review:
(highly recommended)

Votes For:

Against:

Amount previously allocated in Committee's working budget: \$
(applies to funding motions only)

Arguments for:

not available

Arguments against:

not available

Doug Fitzsimmons
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Brian Kite
Vice-President

Terrence Gomes
Treasurer

Nick Burkhart
Secretary

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Motion to support Pressman Academy expansion with proposed mitigations

Agenda Item: GB121511-11

Date: 12-15-2011

Proposed By: Terrence Gomes

Full Proposal

After review, the South Robertson Neighborhoods Council Land Use and Economic Development committee recommends supporting the proposed Pressman Academy of Temple Beth Am expansion with mitigations to protect the interests of the immediate neighbors and the community at large.

The Temple Beth Am campus consists of the Temple and The Pressman Academy. The Academy, founded in 1986, houses an Early Childhood Center, a Solomon Schechter Day School, and the synagogue's Religious School in the Rena E. Ganzberg Education Center.

Temple Beth Am and Pressman Academy have submitted entitlement approvals to the City of Los Angeles to expand their campus by building a new two-story Early Childhood Center (ECC) on the adjacent properties of the campus at 1036, 1040 & 1046 S. Corning Street. The proposed facilities are needed to meet future enrollment demand. Due to current complaints from the community, especially the impacted residents on South Corning Street, the proposed plan includes a provision to increase on-site vehicular queuing, add additional parking spaces through the expansion of the current subterranean parking, and provide attractive landscaping to provide noise control.

The applicant is requesting a variance on the project.

1. A set-back variance
2. A fence height variance
3. A waiver to the street cut-out on the frontage of the Corning properties.

The impacted neighbors have concerns with the requested variances along with current traffic, noise, and safety issues. The neighbors and representatives of the applicant have met numerous times to understand the issues each faces. The last meeting between the two on Wednesday December 15, 2011 has created a dialog allowing the project to the General Board. Both parties will have presentation for the Board.

Proposed Motion

I. To formally support the proposed Pressman Academy expansion project with mitigation agreed to by Temple Beth Am, Pressman Academy, and the neighbors of the 1000 block of South Corning Street.

Doug Fitzsimmons
President

Brian Kite
Vice-President

Terrence Gomes
Treasurer

Nick Burkhart
Secretary

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Considerations

Committee review:
(highly recommended)

Votes For: 4

Against: 0

Amount previously allocated in Committee's working budget: \$ n/a
(applies to funding motions only)

Arguments for:

First argument in favor. Use these points to help frame the debate.

Second argument in favor. This bottom part is created with a table in Word. It's easier to use if you display Gridlines (under the Table menu in Word).

Arguments against:

First argument against the motion. Try to be fair.

Another argument against. Add more rows to the table if you have more arguments pro or con.



Motion to file a community impact statement supporting a temporary ban on medical marijuana dispensaries

Agenda Item: GB121511-12

Date: 15 December 2011

Proposed By: Doug Fitzsimmons

Full Proposal

Within a few weeks of each other in October, two new medical marijuana dispensaries opened on South Robertson. These new dispensaries are within two blocks of two existing dispensaries; all four are a block away from Shenandoah Elementary School. By Court decree, the City is all but powerless to stop them.

This is untenable. By any measure, excessive concentration of dispensaries in the South Robertson neighborhood threatens the viability of existing businesses and future business investment. Four liquor stores within the same distance would destabilize the business district and would not be allowed; indeed, even four Starbucks that close together would be a problem. Something must be done.

Legal status

Twice, the voters of California approved measures decriminalizing possession and cultivation of medical marijuana within certain parameters (the Compassionate Use Act (CUA) and the Medical Marijuana Program Act (MMPA)). Both acts sought to balance safe access to medicine with general public safety.

However, the Federal government continues to classify marijuana a Schedule I drug, which means it does not recognize any accepted medical uses. Interestingly, Marinol, a patented and expensive pill-based derivative of marijuana, is a Schedule III drug.

This motion does not question the medical benefits of marijuana and supports its reclassification from Schedule I.

Inability to regulate

As some dispensaries have proven, it is possible to operate responsibly and legally, in partnership with the business community. Unfortunately many do not, and efforts to-date at self-regulation within the medical marijuana community have failed. A large percentage make no effort to even pretend to operate as non-profit entities. Sadly, the current boom is not driven by a desire to improve patient access—one or two dispensaries in the area would do that—but rather by pure greed.

The City of Los Angeles passed an ordinance in January 2010 that, among other things, restricted dispensaries from opening within 1,000 feet of schools, parks, libraries and each other. However, a recent ruling (*Pack v. City of Long Beach*, 4 October 2011) by the 2nd District Court of Appeal effectively invalidated any city ordinance that creates a permitting process for collectives or otherwise explicitly authorizes them to exist, a decision largely based on marijuana's Schedule I status.

This creates a situation where the City has two options: allow an uncontrollable number of unregulated, unpermitted dispensaries or ban them altogether.

Calling a time out

The Appellate Court ruling in *Pack* conflicts with other rulings (including one in November by the 4th District Court) and a law passed in September by the State of

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California (AB 1300) that authorized cities to use criminal and civil penalties to regulate the establishment, location and operation of medical marijuana collectives. The hope is that the State Supreme Court will hear the *Pack* case and overturn it. However, a decision is not expected for a year or more—and the outcome is far from certain. For now, the balance between access and safety sought by the CUA and MMPA is lost.

Councilmember Huizar has therefore introduced a measure in City Council to ban all collectives until the City is able to regulate and control medical marijuana businesses. Patients could still cultivate and possess marijuana for personal use as provided for by the CUA and MMPA, but the storefronts would close. A draft copy is attached.

Some forward-thinking people within the Medical Marijuana community have expressed optimism that regulation is still possible, although how and whether it would stand up to lawsuits is unclear.

This motion supports Councilmember Huizar's proposal as a regrettable and hopefully temporary necessity. It also calls for the City Council to actively support the reclassification of marijuana to allow medical uses, which would resolve many of the legal issues behind the current situation. It holds out hope that some compromise can be found in the meantime, but recognizes that the City cannot continue in a state of uncertainty easily exploited by unscrupulous dispensary operators.

Proposed Motion

- I. The South Robertson Neighborhoods Council recognizes the benefits of medical marijuana for the seriously ill and the expressed desire of California voters to decriminalize possession and cultivation for medical purposes.
- II. The NC therefore urges the City of Los Angeles to pass a resolution asking that the Federal government re-examine the classification of marijuana to allow medical uses under the Controlled Substances Act.
- III. However, given the recent unacceptable and illegal proliferation and concentration of medical marijuana dispensaries in the South Robertson area and the California Division 3, 2nd Appellate Court's *Pack v. Long Beach* decision which prevents the City of Los Angeles from enforcing reasonable restrictions on dispensaries, the South Robertson Neighborhoods Council supports a city-wide ban on medical marijuana collectives until such time as the State Supreme Court restores the City's right to regulate and/or State or Municipal regulatory actions are adopted which a) impose reasonable restrictions on the number, location and operation of collectives with the goal of fostering responsible community partners, and b) are able to withstand sustained legal challenges.
- IV. The NC authorizes a community impact statement to this effect, as well as communication of the NC's position to governmental leaders and press.

Considerations

Committee review:
(highly recommended)

Votes For:

Against: 0

Amount previously allocated in Committee's working budget: \$
(applies to funding motions only)



Arguments for:

At stake here is the City's ability to regulate business. The concentration of dispensaries makes SORO NC a particularly heavily impacted zone and threatens to stifle economic development.

Arguments against:

A patient's well-being trumps concerns about neighborhood zoning. A ban would seriously impair safe access to treatment for a large number of patients, and potentially encourage illegal drug sales.

11-1737-51

NOV 23 2011

MOTION

Commencing in 2007, more than 850 medical marijuana businesses opened storefront shops and commercial growing operations in the City without any land use approval under the Los Angeles Municipal Code (LAMC). An unknown number of these businesses, estimated to exceed 300, currently operate in Los Angeles without land use authorization, which the LAMC limits to those uses expressly enumerated in the Code. New medical marijuana businesses continue to open on a daily basis, including many located within 600 feet of schools, which is prohibited by State law (California Health & Safety Code Section 11362.768).

California's Compassionate Use Act (CUA) and the Medical Marijuana Program Act (MMPA) seek to enable qualified patients and their primary caregivers to access safe supplies of medical marijuana, while prohibiting sales and ensuring public safety. Consistent with the letter and spirit of these State laws, the City Council enacted a comprehensive measure to cap, geographically distribute, register, and regulate the operations of medical marijuana collectives involving four or more members. The Medical Marijuana Ordinance (MMO), adopted in January 2010, added Article 5.1 to the LAMC; it was amended in January 2011 by the Temporary Urgency Medical Marijuana Ordinance (TUO). These regulations are the subject of more than 50 lawsuits filed against the City by more than 100 operators of medical marijuana businesses.

On October 4, 2011, the Second Appellate District of the Court of Appeal, whose decisions bind the City of Los Angeles, issued its ruling in the case of *Pack v. City of Long Beach*. That ruling calls into question the ability of a municipality to regulate collectives. According to the *Pack* court, cities may enact prohibitions that restrict and limit collectives, but may not enact affirmative regulations that permit or authorize collectives. Regulations that go beyond merely restricting are preempted by federal law because marijuana is banned for all purposes as a Schedule I drug under the federal Controlled Substances Act.

On October 14, 2011, in the *Americans For Safe Access v. City Of Los Angeles* cases challenging the City's MMO and TUO, Superior Court Judge Anthony J. Mohr denied the constitutional challenges and refused to enter a preliminary injunction against the City's TUO. Judge Mohr rejected the plaintiffs' claims that they have vested rights to operate in Los Angeles. However, Judge Mohr did not address federal preemption under *Pack*. He noted that *Pack* "could have a profound impact on the TUO" and left the law "unsettled." Rather than opine on *Pack*, he elected "to wait until *Pack* becomes final or until our Supreme Court decides to weigh on the federal preemption issue."

California's four United States Attorneys recently announced federal enforcement actions targeting commercial trafficking, sales, distribution, and cultivation by the State's burgeoning marijuana industry. Similarly, our neighborhoods continue to complain daily about the disruption and public safety issues presented by medical marijuana businesses operating in the City. Yet, implementation of the City's comprehensive medical marijuana regulatory effort, which balances public safety concerns with compassionate access for seriously ill patients, is thwarted by the *Pack* decision.

1.

2.

I THEREFORE MOVE that the Council request that the City Attorney prepare language to: (1) repeal the MMO and the TUO in light of *Pack*; (2) ban medical marijuana businesses in the City until the *Pack* decision is modified to grant us tools to affirmatively regulate and control medical marijuana businesses; (3) provide amicus support to the City of Long Beach petition for review of *Pack*, affirming the need for California Supreme Court finality regarding the scope of permissible local regulation; and (4) confirm the City's commitment to safe access consistent with State criminal immunities (as provided by the CUA and MMPA) through personal participation in medical marijuana cultivation by qualified patients and their primary caregivers, and not through storefront, mobile, commercial growing, or other dispensing operations, so long as the laws regarding local regulation remain unsettled.

I FURTHER MOVE that this Motion shall be referred to the Public Safety and Planning and Land Use Management Committees for action and return to Council at the earliest possible time.

PRESENTED BY: 
JOSE HUIZAR,
Councilmember, 14th District

SECONDED BY: 

NOV 23 2011

ORIGINAL



Fresh Fruit on Fridays for Shenandoah Street Elementary School - \$4,999.00

Agenda Item: GB121511-13

Date: December 15, 2011

Proposed By: Barry E. Levine

Full Proposal

Fresh Fruit on Friday provides a taste of some type of fresh produce. A short summary of it's nutritional value, the geography where it is grown, and something about the farmer is relayed over the intercom to all the students before the product is given out on the school yard. This is the third year for funding and the program is greatly appreciated by all at Shenandoah Street Elementary School.

The cost is \$4999 and is in the Education Committee budget.

Proposed Motion

South Robertson Neighborhoods Council will fund \$4999.00 for Fresh Fruit on Fridays at Shenandoah Street Elementary School. The program will run for twenty weeks beginning in the Spring of 2012.

Doug Fitzsimmons
President

Brian Kite
Vice-President

Terrence Gomes
Treasurer

Nick Burkhardt
Secretary

Considerations

Committee review: Votes For: 3 Against: 0
(highly recommended)

Amount previously allocated in Committee's working budget: \$5,000.
(applies to funding motions only)

Arguments for:

This is a good program to help fight childhood obesity in a community that is under served by other programs

This program educates students on good nutrition and healthy eating.

Arguments against:

It uses money that could be used elsewhere and for other good causes

It only serves one group within SORONC

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Fresh Fruit on Fridays for Shenandoah Street Elementary School - \$3000.00

Agenda Item: GB121511-14

Date: December 15, 2011

Proposed By: Barry E. Levine

Full Proposal

Fresh Fruit on Friday provides a taste of some type of fresh produce. A short summary of it's nutritional value, the geography where it is grown, and something about the farmer is relayed over the intercom to all the students before the product is given out on the school yard. This is the third year for funding and the program is greatly appreciated by all at Shenandoah Street Elementary School.

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Considerations

Committee review: Votes For: 3 Against: 0
(highly recommended)

Amount previously allocated in Committee's working budget: \$5,000.
(applies to funding motions only)

Arguments for:

This is a good program to help fight childhood obesity in a community that is under served by other programs

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Arguments against:

It uses money that could be used elsewhere and for other good causes

It only serves one group within SORONC

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Motion to Submit a Community Impact Statement RE: Proposed Sidewalk Repair Ordinance

Agenda Item: GB121511-15
Date: December 16, 2011
Proposed By: Michael Lynn

Full Proposal

The State of California Improvement Act of 1911 provides cities the authority to require property owners to effect repairs to sidewalks abutting their property (California Streets and Highways Code.) Should the property owner fail to effect such repairs, City forces are authorized to make the repairs and assess the property owner for the cost. However, Los Angeles Municipal Code (Section 62.104, Ordinance No. 146.040 effective July 3, 1974) exempts homeowners from the responsibility for sidewalk repairs caused by city owned trees and places responsibility for these repairs with the City's Department of Public Works.

The Los Angeles City Council and its committees have been formulating, debating and reviewing a proposal that would remove the "Tree Root Damage" Exemption from the *Los Angeles Municipal Code Section 62.104*, and possibly adding a "Point of Sale" and/or other plan to address sidewalk repairs. The issue could come out of committee and be brought before the City Council at any time.

A significant number of residents have expressed opposition to any such proposal that would transfer the sidewalk repair liability to the homeowner for several reasons (see "Arguments" attachment).

Therefore, the South Robertson Neighborhoods Council should formally represent its residents' views to City Council by submitting a Community Impact Statement (CIS), to be placed in the Ordinance Proposal's public file.

Proposed Motion

That the South Robertson Neighborhoods Council submits the attached CIS to the Los Angeles City Council, to be placed under File(s) # 05-1853, 05-1853-S1.

Considerations

Committee review:
(highly recommended)

Votes For: 3

Against: 0

Arguments for:

See "Arguments" attachment

Arguments against:

State law authorizes cities to make homeowners responsible for costs. At least sidewalk repairs could occur when houses are sold or remodeled.

Doug Fitzsimmons
President

Brian Kite
Vice-President

Terrence Gomes
Treasurer

Nick Burkhardt
Secretary

**South Robertson
Neighborhoods Council**

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SOUTH ROBERTSON NEIGHBORHOODS COUNCIL
Proposed Community Impact Statement
Sidewalk Repair Ordinance

The South Robertson Neighborhoods Council objects to the **currently proposed** ordinance that would amend Subsection (e) of Section 62.104 of the Los Angeles Municipal Code to repeal the Exception within this section that established City liability for repair of curbs, driveways and sidewalks due to tree root damage, for the following reasons:

1. The City does not allow adjoining property owners to remove the root cause of the sidewalk damage (the offending tree);
2. “Point of Sale” part of the Ordinance fails to promote immediate repairs;
3. Exception was originally instituted because the City considers sidewalks to be “public”.

Additional arguments:

4. The South Robertson Neighborhoods Council is desirous of promoting both tree-lined streets and safe sidewalks.
5. When the original Ordinance was adopted (authorized by The State of California Improvement Act of 1911), the City did not require homeowners to maintain trees on their property- the 1974 “Exemption” recognized this fact;
6. Of the damaged sidewalks in the City, it is estimated that approximately 80 percent of the damage is the result of parkway tree root growth.
7. Transfer of maintenance liability to the homeowner does not necessarily alleviate legal liability of the City;
8. The City has neglected repairs to the point where minor damage has significantly worsened- unfair to suddenly “dump” the problem on the homeowner;
9. In a poor economy, many homeowners may not be able to afford the repair, which can cost as much as \$10-20,000;
10. The “Point of Sale” plan has a major flaw. If the City does not have enough funds to fix the sidewalks now, how will they suddenly have the funds to fix the sidewalks *prior* to billing the Homeowner?
11. Council member Koretz has come out against the proposed ordinance; Council member Wesson has not taken a position;



Council File: 05-1853, 05-1853-S1

Community Impact Statement

As adopted by vote of the full SORO NC governing board

Yes:

No:

Abstain:

Recuse:

Date of vote:

16 December 2011

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Submitted by:

Name of approved SORO NC CIS submitter:

Doug Fitzsimmons

Brian Kite

Terrence Gomes

Nick Burkhart

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