



# General Board Meeting Minutes

Thursday, November 17, 2011, 7:00pm  
Hamilton Senior High School Cafeteria  
2955 S. Robertson Blvd., Los Angeles, CA 90034

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## I. Call to Order and Roll Call

SORO NC Board President Doug Fitzsimmons called the meeting to order at 7:04.

**Board Members Present:** Rachel Lester, Kimber Smith, Harold Bock, Bette Billet, Michael Lynn, Nick Burkhart, Armando Roman, Nahed Guirguis, Terrence Gomes, Brian Kite, Barry Levine, Troy Richardson, Marjan Safinia, Susan Burden, Victor Mitry, Doug Fitzsimmons, Erick Morales

**Board Members Absent:** Robyn Braun, Paula Waxman, Sam Jagger, Martin Epstein

**Guests:** Mario Gonzalez, Elizabeth Carlin, David Giron, Tamara Williams, Megan Nargle, Mayor Richard Bloom, Renee Nahum, Deni Mosser, Michele Wytko, Floyd Fouquette, Elizabeth Carlin, Harry Hiddeing, Dan May

## II. General Public Comment

Barry noted that a motion written by Council President Garcetti and Councilmember Rosendahl concerning corporate personhood will be considered by the City Council on December 6<sup>th</sup>.

Erick noted that Hamilton High's Leadership Institute is holding a canned food drive until Tuesday of next week. There is a collection barrel outside the humanities office. The school is also presenting a "A Chorus Line" from December 1<sup>st</sup> through December 9<sup>th</sup>.

## III. Community Briefing and Discussion

### a. Mayor Richard Bloom of Santa Monica

Mayor Bloom noted that he grew up on Whitworth Drive near La Cienega, so his personal connection to the area is strong. He was originally elected to the Santa Monica City Council in 1999, and has served three terms as Mayor. He also serves as the Chair of Santa Monica Bay Restoration Commission, and is a member of the Westside Cities Council of Governments. A main focus of his is transportation – today, he brought to Westside COG a proposal for a bike sharing program. Marj noted that it would be beneficial to set up a system of collaboration notifying LA neighborhood councils when projects from other municipalities might impact our area. Mayor Bloom noted that such a system would be beneficial. Doug asked about the bus advertising pilot program. Mayor Bloom responded by describing the specifics of the system; the ads will appear only on the street side of the buses, and ads will rotate every ten seconds. This program will allow Big Blue Bus to generate millions more in revenue; proceeds will fund improved service. Doug asked if any studies have been done concerning the safety. Mayor Bloom responded that the pilot project's purpose is to investigate whether any negative consequences exist. CHP is reviewing the pilot program. Victor asked whether the signs would be turned off when the buses run along the freeway; Mayor Bloom responded that he was unsure. Kimber noted that flashing billboards are distracting, and that this could lead to safety issues. Doug asked whether there was any chance of revenue being diverted to other city projects. Mayor Bloom responded that Big Blue Bus is a

**Doug Fitzsimmons**  
President

**Brian Kite**  
Vice-President

**Terrence Gomes**  
Treasurer

**Nick Burkhart**  
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discrete operation, and that this new revenue would be confined within the organization. The money will not be going into Santa Monica's general fund. Emphasis will be placed upon reconfiguring Big Blue Bus to tie into future transportation opportunities.

**b. Metro Deputy Program Manager Kathy McCune on the Metro ExpressLanes Demonstration Program**

For an example of highway express lanes, see the existing toll lanes on the 91 Freeway in Orange County. This project is funded partially by a \$210 million grant from the federal government; its total budget is \$274 million. Locations of the pilot program: 10 Freeway from downtown to the 605 Freeway, and the 110 Freeway from downtown to the 405 Freeway. Expansion of mass transit is also a priority within this program. Solo drivers can pay a toll to get into express lanes, using a FasTrak transponder. There also is a plan to add over 100 vanpools by the end of the one-year trial period. The goal is to provide a better experience to both transit users and motorists. Express lane corridors will travel at a minimum of 45mph. On the 110 Freeway – solo drivers will pay a FasTrak toll, and 2+ carpools are toll free. On the 10 Freeway – solo and 2-person carpool drivers will pay a toll, but 3-person carpools will be free (during peak hours). This program also provides additional flexibility to carpoolers, because a switch on the transponder allows people to switch from solo driving to carpool. Currently into the final design stages, and construction has started on both freeways. More information is available online at [www.metro.net/expresslanes](http://www.metro.net/expresslanes). Victor expressed concern about elderly drivers being confused by the system. Kathy McCune responded that there will be more signage than there is on similar lanes in Orange County, and that Metro will be accommodating of drivers at the beginning of the program. Doug inquired about revenue projections. Kathy responded that the revenue will amount to \$4 million for the first year; \$20 million in gross revenue per year is expected once the program is running more smoothly. Net proceeds have to be reinvested in the corridor from which they were generated.

### III. Old Business

**Confirmation of Board committee memberships and absence requests (GB111711-1)**

There were no new committee membership or absence requests for November 2011.

Note: Paula's absence this month was approved by the board last month.

**Draft Board Meeting Minutes of June 16, 2011 (Burkhart / GB111711-2).**

- Harold moved to approve the draft minutes, Bette seconded.
- **Vote: Requests approved by general consent.**

**Treasurer Report and vote to approve monthly expenses (Gomes / GB111711-3).**

Marj asked about a p-card purchase. Terry noted that the purchase will appear on the next month's report. Terry noted that a Neighborhood Purpose Grant reimbursement is being delayed within the city bureaucracy. Marj noted that 60 children would have been without a summer program had SoRo, Inc. not been able to reimburse.

- Bette moved to approve the report; Harold seconded.
- **Vote: Approved by general consent.**

**Nomination of Victor Mityr for Land Use Committee co-chair**

- Terry moved to add Victor as a co-chair; Nahed seconded.
- **Vote: Unanimous in favor of appointment.**



## IV. Community Reports

**LAPD Report.** Senior Lead Officer Mario Gonzalez: Areas around Pico Blvd have seen an increase in burglaries and thefts from vehicles. A gardener's truck was stolen in the Castle Heights neighborhood recently, and gardening equipment thefts are common also. Three cars were stolen off of National Blvd near the strip mall.

**Office of Councilmember Wesson.** Liz Carlin: The City of Los Angeles is updating its transportation plan, and the city is soliciting help in solving transportation problems at <http://ideas.la2b.org>. Crestview experienced street lighting outages as a result of wire theft. It is easy for thieves to cut copper wires; better locking technology is available, but is only installed from places where wires are stolen. If people working with wires are not driving city Street Lighting vehicles with "Exempt" license plates or wearing orange vests, then residents are advised to call 911. Update on the redevelopment of Vons at Fairfax and Pico: their teardown is being delayed, and will happen next year. Barry requested to go on record asking for Councilmember Wesson's support of the corporate personhood motion. Deni Mosser noted that copper wire theft does happen at night – a neighbor documented wire theft on David Avenue. Bette inquired about Councilmember Wesson's stance on neighborhood council elections in the next year.

**Office of Councilmember Koretz.** David Giron: Bureau of Street Lighting is suggesting that wire theft is happening more during the day, because street lights are turned off. David thanked Marj and Kimber for the recent town hall, which discussed the redevelopment of the Robertson Recreation Center. Barry requested to go on record asking for Councilmember Wesson's support of the corporate personhood motion.

**Office of the Mayor.** Doug: Several SORO NC members had a quick meeting earlier with Joe Hari concerning the mayor's Day of Service – the theme will be access to food, food safety, and hunger issues.

**Office of Senator Price.** No report.

**Robertson Recreation Center.** Tamara Williams: Thanked SORO NC and the office of Councilmember Koretz for town hall. Winter Extravaganza at the Robertson Recreation Center will take place between 1pm and 6pm on December 23<sup>rd</sup>.

## V. Committee Reports

**Executive.** No report.

**Land Use.** No report.

**Education.** No report.

**Green Team.** No report.

**Public Safety.** No report.

**Outreach.** No report.

**Ad-Hoc.** No report.

**Representatives.** No report.



## VI. New Business

### **Motion to charter a standing Transportation Committee (Fitzsimmons / GB111711-5).**

No discussion.

- Terry moved to approve the motion; Doug seconded.
- **Motion vote: Adopted by general consent.**

### **Motion to approve \$4999 for Fresh Fruit on Fridays for Shenandoah Elementary School (Levine / GB111711-6).**

Barry: For the Fresh Fruit on Fridays program, the Model Neighborhoods Program provides labor – they pick up fruits and vegetables from a local farmers' market, and a sample of the food is then provided to students at the end of a day. There is a strong educational component to this program, serving to teach students about the value and the origins of healthy foods. The school's principal loves the program, as do the students.

Bette: This is a wonderful program, but it only reaches a small percentage of the total elementary school students within SORO. Will this divert resources or attention from projects in other areas?

Victor: How often does this take place?

Barry: It runs from March until June, and then starts again from September to December. It takes place every Friday.

Marj: This is a wonderful program, but this is ten percent of our entire operating budget, for serving 45,000 people.

- Barry moved to vote; Sue seconded.
- **Vote: 5-Y, 7-N, 3-A, 0-R. Motion not approved.**

### **Motion to approve up to \$200 to co-sponsor Hamilton High's model congress trip to Penn Model Congress (Morales / GB111711-7).**

Erick: Palms NC provided \$200, and SORO NC

- **Motion withdrawn.**

### **Motion to request enforcement of medical marijuana ordinances (Fitzsimmons / GB111711-8).**

Doug: Recently, a number of new medical marijuana dispensaries have opened in the SORO NC area. We seem to have a number of clusters developing – two new dispensaries have opened within two-block radius of two existing dispensaries. All four are within 1000 feet of Shenandoah Elementary. Recent appellate court rulings are conflicted, further complicating the problem. Within the past several days, Councilmember Parks introduced a motion to use the "nuclear option" – if the cities cannot regulate the dispensaries, he suggests, the city must ban them completely. This is, according to City Attorney, the only real action that the city can take. It is hoped that the California Supreme Court will tackle this issue in the near future – but until then, we need action from the City Council.

Sue asked why the city isn't already beginning to crack down on the dispensaries if they aren't actually legal.

Troy inquired about which ordinances the motion encourages the city to enforce.

Doug responded that the city passed a limiting ordinance in 2007, but an appellate court has effectively tossed these limitations.

Armando asked which businesses are not operating in compliance with state law.

Doug and Terry responded that at least two of the businesses are not in compliance, as they are not operating as non-profits.

Doug noted that the one law the city does feel comfortable enforcing is a 600 foot distance mandate between a marijuana dispensary and a school or daycare facility. This rule is a state law.

Deni Mosser: A fourth district court decision solved two problems – with regard to Riverside, it is allowed to regulate dispensaries within zoning laws, and with regard to



Long Beach, it does not have the right to allow dispensaries to be in existence because of federal law. This was interpreted by an LA Times author as allowing regulation.

Doug: The issue with the Long Beach decision is that it effectively abolished the City of Los Angeles' ability to do a lottery to restrict the total number of dispensaries within the city.

Marj: The Riverside decision is neither here nor there, as the jurisdiction of the Riverside case does not encompass us here in Los Angeles. The Long Beach decision does, however, affect us directly.

Doug: The case law on this issue is completely unsettled. Northern California courts, for example, have completely different decisions and rules in place.

Deni: We will be seeing the proliferation of these facilities for the next several decades until this is resolved, unless this is settled.

Liz Carlin: The Long Beach case raises the issue of what happens if the City of Los Angeles does not regulate... and it also guts the best parts of our ordinances.

Bette asked what CD 10's position on medical marijuana use is more generally. Should pharmacies begin to distribute medical marijuana alongside other drugs?

Liz Carlin: The City of Los Angeles simply can't get involved with regulation of marijuana dispensaries or the minor cultivation of marijuana for medicinal uses. Additionally, the city does not have jurisdiction over the pharmaceutical industry.

Doug: The motion being presented by Councilmember Parks basically says that no marijuana can be sold within the City of Los Angeles.

David Giron: No institution would be able to legally sell cannabis within the city if Councilmember Parks' motion is enacted. If marijuana sales were banned, action would be as swift as swift can be within the city. Various court decisions have caused problems for the city as it tries to regulate.

Floyd: What is the neighborhood council's mission in addressing this?

Marj: SORO NC's mission is to protect the character of the neighborhood.

Floyd: Has the neighborhood council discussed this issue with the owners of commercial property? It might be a waste of time to fight city hall; working with commercial property owners directly may be more effective.

Floyd noted his personal opposition to dispensaries, as they complicate his desire to revitalize the area.

Harold: It is currently illegal for the city to regulate, so aren't we asking the city to do something that it can't do?

Floyd: It seems like a waste of time to kill marijuana sales first in order to find a legal way to manage it later on.

Marj: Regarding the proposed amendment, this is effectively the same state that we've been in for the last two years. No measurable progress has been made, and supporting this amendment simply says, "carry on".

Kimber (question to council offices): What sort of message from us would help the council offices to take more aggressive and concrete action? SORO NC's action should have a modicum of a chance to have an effect.

Liz Carlin: SORO NC should take a stance on a particular council file; this would actually be included in the briefings of all council members before they vote.

Brian: Taking a position on a specific motion is the most practical option.

David Giron: It is important to hear NC positions, as it would greatly help in Councilmember Koretz's decision-making.

Marj: What is the timeline for the consideration of the Parks motion?

Liz Carlin: It is unclear at this point in time. It might be considered in committee in December or January.

Marj: The majority of the dispensaries in SORO NC boundaries are within CD5. We have tried to speak with Councilmember Koretz about this, but he has not engaged in conversation with us on this issue. We would like to be taken more seriously.

Bette: We don't have jurisdiction over any issue; what this really involves is a stand on this issue.



Brian: I don't personally feel ready to vote on this, because I don't know what the rest of SORO NC wants. Perhaps we could consider tabling the motion until we hear from the public.

- Harold moved to table the motion, Troy seconded.
- **Vote: 13-Y, 3-N, 0-A, 0-R. Motion tabled.**

**Motion to fund up to \$350 for a SORO NC Town Hall on the medical marijuana issue (Safinia / GB111711-9).**

Marj proposed an amendment to revise total budget to \$400.

- Marj moved to amend, Brian seconded.
- **Amendment approved by general consent.**

Doug: There is a chance that this could be a town hall that would be held in cooperation with multiple NCs.

- Bette moved to vote; Marj seconded.
- **Vote: 13-Y, 0-N, 2-A, 0-R. Motion approved.**

## **VII. Adjournment**

The meeting was adjourned at 9:40 p.m.



## Current Committee Membership

Board members must attend at least 7 committee meetings within a 12 month period.

Note that Bylaws, Econ Revitalization, and Board Development meet infrequently. Those three ad hoc committees may only have 6 voting members.

Committee	Edu- cation	Green Team	Land Use	Out- reach	Public Safety	Finance	Exec	Bylaws	Econ Revital	Board Dev	Parks & Rec
Rachel Lester		█									
Kimber Smith				█		█					
Harold Bock	█				█						
Robyn Braun					█						
Bette Billet			█	█				█	█		
Michael Lynn					█	█					
Nick Burkhart					█	█	█		█	█	
Zone 8											
Paula Waxman	█	█				█					
Armando Roman											
Ben Bellet											
Nahed Guirguis											
Terry Gomes			█		█	█	█	█	█		
Brian Kite			█			█	█	█			█
Barry Levine	█	█		█		█			█		
Troy Richardson				█							
Marj Safinia			█	█		█			█		
Sam Jagger			█								
Martin Epstein		█									
Sue Burden			█								
Victor Mitry			█								
Organization 3											
Doug Fitzsimmons				█		█	█	█	█		█
School 1											
Erick Morales	█	█		█						█	



## Vote Tally

1: moved | 2: seconded | Y: yes | N: no | A: abstain | R: recuse | X: missed vote  
C: passed by general consent

Motion	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15
Rachel Lester	Y	Y	A	A											
Kimber Smith	Y	Y	N	Y											
Harold Bock	Y	1Y	X	X											
Robyn Braun															
Bette Billet	Y	Y	N	1Y											
Michael Lynn	Y	X	X	X											
Nick Burkhart	Y	Y	N	Y											
Zone 8															
Paula Waxman															
Armando Roman	Y	Y	N	Y											
Ben Bellet															
Nahed Guirguis	2Y	Y	A	Y											
Terry Gomes	1Y	Y	N	Y											
Brian Kite	Y	Y	Y	Y											
Barry Levine	Y	Y	1Y	Y											
Troy Richardson	Y	2Y	Y	Y											
Marj Safinia	Y	N	N	2Y											
Sam Jagger															
Martin Epstein															
Sue Burden	Y	Y	2Y	Y											
Victor Mitry	Y	Y	N	Y											
Organization 3															
Doug Fitzsimmons	Y	N	Y	Y											
School 1															
Erick Morales	Y	N	A	A											

### Votes taken

1. Appointment of Victor Mitry as Land Use Committee co-chair
2. Medical Marijuana motion
3. Fresh Fruit Program motion
4. Funding of Medical Marijuana ordinance town hall