



**Northwest San Pedro Neighborhood Council
August 10, 2009 Board and Stakeholder Meeting Minutes
Peck Park, 6:30pm**

1. **Call to Order:** President Dan Dixon called the meeting to order at 6:45pm
2. **Roll Call:** Board members in attendance were David Arvonio, Pete Burmeister, Dan Dixon, Craig Goldfarb, Mary Hamlin, John Mavar, Meryl Moilov, Diana Nave, Phil Nicolay, Ray Patricio, Barbara Schach, George Thompson and Laureen Vivian. The following board members were excused: John Geenwood, Gabriel Rivas, and Molly Abbatiello. A quorum was present. Approximately 25 stakeholders present.
3. **Approval of Minutes of the July 13, 2009 Meeting:** George Thompson made a motion to approve the minutes of the July 13, 2009, seconded by Phil Nicolay and approved unanimously by the board.
4. **Election of new Board member for education seat:** Pres. Dan Dixon commented on the vacant board seat in the Education category and called for nominations. **Diana Nave called for the appointment of Paula Mazzarino to the vacant board seat, seconded by George Thompson, and approved unanimously by the Board.** Paula Mazzarino has been a member of the San Pedro High School faculty for many years. She was an Assistance Principal in the past and is now in school based management. Mazzarino was sworn in and took her seat with the rest of the board members.
5. **Announcement of Youth Seat Process:** Meryl Moilov has served on the board in the youth seat for two years. The seat is now up for appointment again and there has been some interest from another candidates. It was announced that the application will be published on the website with a deadline and then the Education committee will be talking to prospective candidates and making their recommendation to the board at the September meeting.
6. **Youth Service Award Presentation.** Barbara Schach introduced Lexie Mander who was presented with a Youth Service Award of \$500. Ms. Mander has a 2.8 GPA at Harbor College and is majoring in history with a minor in math. She will be transferring to Dominguez Hills and hopes to become a teacher. She has been very active in community services.
7. **Peck Park Renovation and Recreation Improvement update:** Laureen Vivian introduced Mike Shull with Rec and Parks and Mark Mariscal, Superintendent of the Department of Rec and Parks.
 - a. Mark talked about how the City's Budget cuts are affecting the department with cuts in maintenance, hiring freezes, and water shortage creating brown grass. He talked about Hernandez Ranch which is part of Peck Park. The city will officially consider naming that area in the next month or so. Mariscal talked about the permit process at

the parks and provided a phone number for the Office of Public Safety 213-978-4670 (main dispatch) to report problems or have questions answered.

- b. Mike Shull is Superintendent of Planning and Construction for Rec and Parks, they oversee planning activities for parks in the city. He gave an update on the work at Averill Park and talked about smart irrigation systems to water properly. They have asked for modifications to the ordinance to help with water irrigation. They have reduced their water used by 28% with a goal of 33%. Peck Park Quimby funds have been used for the dugouts, seating areas, shade structures, ramps. Scoreboards will be provided soon at the baseball fields and air conditioning for the community center is also in the works. Averill Park is a challenge with the water issues there. Shull discussed alternatives for recirculation of water at Averill. The recommended alternative is to install two new pumps without modifying the stream bed. John Mavar asked if the Issues Committee of the NWSPNC could see the plans before the project is started. Diana Nave asked about drinking fountains at Peck Park. Mike commented that Prop K funds might be available in the future.

8. **Report from City Attorney's Office (Justin Houterman, Neighborhood Prosecutor).** Houterman talked about the role of the City Attorney's Office. They have two functions, the criminal side and the civil side. They have advisory roles to various agencies of the city. There are a total of 600 attorneys for the City of Los Angeles. As a neighborhood prosecutor he handles quality of life offenses, working closely with the councilwoman's office and the LAPD. Civil injunctions such as gang injunctions are generated out of the criminal side. They handle civil injunctions for property nuisances and also create task forces with LAPD and the council office in areas such as illegal vending, big rig trucks on residential streets, graffiti, code violation cases (building and safety) especially with vacant buildings, also blighted properties, as well as sex offender cases. The public can reach Mr. Houterman by email Justin.houterman@lacity.org or call him at: Office 310-726-7848; Main # 323-789-2701.

9. **Reports by Public Officials**

- a. **Bianca Villaneuva, Assemblywoman Bonnie Lowenthal's Office:** Commented that the budget has been passed and basically, the state is broke. She announced that the community can get on their email distribution list to get info from the assembly woman's office by visiting www.assembly.ca.gov/lowenthal. She also announced two upcoming town hall meetings on the topics of Cuts to HIV programs and cuts to Senior Citizen programs.
- b. **Council District 5:** Ana Dragin provided a report from the council woman's office:
 - i. Announced that Thursday morning the Planning department will give an update on Ponte Vista to the Planning Commission in Downtown LA.
 - ii. Hernandez Ranch, community meeting will be set up to talk about "officially" naming a portion of Peck Park the name Hernandez Ranch.
 - iii. Council woman will be at Central NC tomorrow night talking about KnollHill etc.
 - iv. Hot Pedro Nights, August 22nd, 5-9pm.
 - v. Gaffey Relinquishment, money has come from the state to fix up Gaffey. City now has full control over Gaffey. Road improvements are being planned.
 - vi. ATSAC, all intersections in San Pedro will be synchronized.
 - vii. Someone asked about the Stop sign at Meyler and Basin. Ana did not have an update.
- c. **Department of Neighborhood Empowerment (DONE).** No report.

10. **Public Comment on Non-Agenda Item:**

- a. **Soledad Garcia:** She apprised everyone that the DWP has put in a resolution without coming to the NC's. They gave us two days and even by-passed the city council. She talked about the problems with the ECAP (Energy Cost Adjustment). The DWP Committee is opposed to not having a cap. Announcement of a Forum at Metropolitan Water District, manufacturers of solar panels.
- b. **Noel Weiss:** Promoting Track and Field Youth League for District 15. (1st through 8th Grade). Also commented on the TOPA Act idea related to giving tenants the right to buy their building.
- c. **Chuck Hart:** New trees on Western are dying.

11. **Knoll Hill Update:** Craig Goldfarb talked about the letter of the Conceptual Plan Process for Knoll Hill. Also provided Janice Hahn's response to the Knoll Hills Steering Committee's letter. Anthony Pirozzi talked about the consensus plan for Knoll Hill, they have been meeting for a year. Based on the community input, they tried to put those ideas into the concept plan. The committee wanted a commitment from Janice because there is a question of trust relating to the land swap. Norma Fernandez from LANI talked about their role. The design will be finalized in September. Joann from the Port of LA also answered questions. There was an extensive discussion on the problems with the process and the plan.

12. **Secretary's Report:** Written report provided by Diana Nave.

13. **Port Committee:** Phil Nicolay gave information on the Motion Re: NOP/NOI APL Container Terminal. **A motion was brought forth from the committee to approve the 8 point letter. The board voted unanimously in favor of the motion.** Letter follows:

August 10, 2009

*U.S. Army Corps of Engineers, Los Angeles District
Regulatory Division, Ventura Field Office
ATTN: CESPL-RG-N-2009-00226-SDM
2151 Alessandro Drive, Suite 110
Ventura, CA 93001*

*Dr. Ralph Appy
Los Angeles Harbor Department
425 S. Palos Verdes Street
San Pedro, CA 90731*

Subject: Comments of the Northwest San Pedro Neighborhood Council Board to the Berth 302-306 (APL) Container Terminal Notice of Intent/Notice of Preparation (NOI/NOP)

Sirs:

We the elected Board of the Northwest San Pedro Neighborhood Council provided the comments below to the Berth 302-306 Container Terminal Draft Notice of Intent/Notice of Preparation (NOI/NOP).

Comments

1. *All aspects of the Project should meet and exceed the requirements of the San Pedro Bay*

Clean Air Action Plan, and No Net Increase Policy adopted by the Board of Harbor Commissioners. If the Project cannot meet and exceed the requirements, then the Port should make up the difference elsewhere in the Port.

2. *The DEIR/DEIS should address and evaluate truck traffic from the proposed project west of the 110 Freeway. Given the location of the Port of Los Angeles Distribution Center on North Gaffey Street at Westmont and the number of trucks that currently use the facility; we believe that the DEIR/DEIS should reflect traffic counts on North Gaffey from Channel Street to Westmont Street.*
3. *The addition and expansion of Berth 302-306 terminal facilities may add to the visual impact of utility poles and additional “cross-arms” on existing poles. This impact should be mitigated by putting all utilities underground. In addition to under grounding utilities along the boundary of the terminal landscaping should be placed along the perimeter of the facility to reduce the visual impacts.*
4. *The number and concentration of cranes within the proposed project area has reduced the aesthetics and visual resources of the surrounding area. This should be mitigated by adopting a crane painting program using a painting scheme designed to blend the cranes into the background. This could be adopted by way of Tariff provision. This is a limited cost item since the cranes have to be painted periodically anyway for maintenance.*
5. *That the DEIR/DIES and lease provisions for the Berth 302-306 container project should incorporate a specific schedule for truck fleet modernization.*
6. *If the actual last year baseline exceeds the estimates in the previous EIR, use the previous EIR as the baseline.*
7. *The health risk assessment should use all pulmonary and toxicity risks and not just cancer risks.*
8. *The project should include creating a green boundary between the project area and the community through landscaping, under grounding of all utilities and removal of bill boards. If this cannot be done near the Berth 302-302 terminal then the Port should look for other area’s within the Harbor District to improve the boundary.*

14. **Land Use and Planning Committee:** Diana Nave reviewed the written report from the committee. The following motions were also presented.

a. Motion of support for Valley Village NC appeal re: density bonus. Diana Nave gave background on this issue and made a motion to support the appeal letter. The motion was seconded by Gabriel Rivas and approved unanimously by the board. Wording of motion below:

**NORTHWEST SAN PEDRO NEIGHBORHOOD COUNCIL
MOTION RE SUPPORT OF VALLEY VILLAGE SB 1818 APPEAL**

The Board of the Northwest San Pedro Neighborhood Council supports the two appeals of the Valley Village stakeholders regarding the SB1818 development located at 11933 Magnolia Boulevard Valley Village [DIR-2008-1178-SPP] for the following reasons:

1) *The Planning Department did not require a review by Neighborhood Council Valley Village nor consider its input prior to approval. This does not comply with charter sections 907 and 910. As part of its discretionary authority, the Planning Department should incorporate reviews by the affected Neighborhood Council of all SB1818 applications.*

2) *The development of this project is not consistent with the prevailing character of the community and is dramatically at odds with adjoining properties. The Planning Department should uphold and negotiate vigorously to minimize transgressions of our General, Community and Specific Plans and properly meld the City's planning obligations under the California Government Code.*

3) *The City lacks the legally required quantifiable standards to adequately evaluate either the economic feasibility or the environmental (and health and safety) component of SB1818 projects. SB1818 projects should not be approved until such procedures, processes, and protocols are in place. The Planning Department should investigate whether the proposed affordable units could be provided with far less density and/or with different concessions that would not trample on the General, Community or Specific Plans and which would be acceptable to the Neighborhood Council.*

4) *The City has not complied with its obligation to update, annually, the capacity of its infrastructure so as to properly evaluate the impacts of projects brought before it. Approval of this and other developments creates a further strain on the infrastructure in the form of potential power outages, water rationing and rate hikes which must be borne by the current residents of Los Angeles at no risk to developers' profits.*

5) *The Planning Department failed to downzone the property as mandated by AB283.*

6) *The cumulative impacts of this project on the street, the infrastructure, traffic, and other CEQA concerns have not been adequately addressed or mitigated. For example, the project brings traffic congestion to the substandard surrounding and collector streets -- streets not even included in the "cumulative impact" investigations. Most of these streets do not have sidewalks or other infrastructure to protect the many bicyclists, children and pedestrians that use them. In fact, there are five schools within four blocks of the proposed development. Traffic mitigations are inadequate.*

7) *The excessive height and density of this project will, in the future, be improperly cited as a precedent for variances and exceptions, which by its very outsized presence enable opportunities for projects that are not presently entitled to density bonus and further deteriorating the character of the neighborhood. The City has completely failed to evaluate this growth inducing impact.*

Unanimously Approved, August 10, 2009

b. Motion re: Density Bonus and EIRs: Diana Nave explained and presented the motion, seconded by George Thompson and passed unanimously by the board. Wording of motion follows:

WHEREAS, the City has delegated SB 1818 decisions to various levels in the Planning Department and Planning Commission; and

WHEREAS, automatic density bonuses will make sound planning difficult, and will make it

hard to provide sufficient infrastructure capacity; and

WHEREAS, density bonuses are not included in environmental assessments for projects.

NOW THEREFORE BE IT RESOLVED, that the NWSPNC recommends that

- 1. All projects requiring a discretionary approval include the impacts that will be generated by using the maximum density bonus applicable to the project; and*
- 2. Any changes to a project such as [but not limited to] increasing floor to area ratio, decreasing side yard setbacks, increasing the number of floors, should be subject to review and input by Neighborhood Councils; and*
- 3. All Local Community Plans and Specific Plans should identify and account for the maximum density bonuses in their zoning calculations and designations so that all stakeholders can understand the true potential impacts of those Plans.*

- c. Motion to support Coastal San Pedro's request to oppose 7-11 development at 19th and Pacific.** Bruce Horton gave background on the issue. Diana Nave made a motion to support the zoning administrator's recommendation regarding the proposed 7-11 store at 19th Street and Pacific Avenue and enumerate the following two points: Not to allow the sale of beer and wine and to restrict hours to 7am-11pm. The motion was seconded by Craig Goldfarb. Fernando Villa, representing 7-11, spoke in favor of the 7-11 project. Laureen Vivian made comments and supports the motion. The motion passed with 1 no vote and 12 yes votes.

15. **Election Committee:** George Thompson announced that next years NWSPNC board election will be held on June 8, 2010. Diana Nave made a motion that the election be held at the following location: Peck Park Community Center from 2pm-8pm. The motion was seconded by Phil Nicolay and approved unanimously by the board.
16. **Treasurer's Report:** Due the time constraints, Craig Goldfarb made only brief comments on the council's finances.
17. **Board Retreat:** Dan Dixon announced that the Board Retreat will be held on August 29, 2009.
18. **Harbor Alliance of Neighborhood Councils:** Diana provided a short written report outlining current business of the HANC.
19. **Chair's Report.** Dan Dixon brought forth motions related to expenditures for the board retreat (\$1,000 for the retreat facilitator and up to \$750 for the retreat facility and food). However, the treasurer informed the board that motions were not necessary because these expenditures were in the approved budget.
20. Meeting adjourned at 8:53pm.

Respectfully submitted,

Kristina Smith
Administrative Asst to NWSPNC