

MAR VISTA COMMUNITY COUNCIL

Regular Meeting of the Board of Directors

Tuesday, February 12, 2013, at 7:00 PM

Mar Vista Recreation Center Auditorium

11430 Woodbine Street, Mar Vista, CA 90066

www.marvista.org

The audience is requested to fill out a "Speaker Card" to address the Board on any item of the Agenda prior to the Board taking action on an item. Comments from the public on Agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the Agenda that are within the Board's subject matter jurisdiction will be heard during the public comment period. Public comment is limited to two minutes per speaker, unless waived by the presiding officer of the Board. Mar Vista Community Council meetings will follow Rosenberg's Rules of Order, the latest edition. For more information, please visit the MVCC web site.

MINUTES

- 1. Call to Order and Welcome – Chair** (1 min.)
- 2. Presentation of the Flag and Pledge of Allegiance** (1 min)
- 3. Approval of Minutes** (public comment permitted) (2 min)
Bill Scheduling motioned to approve. Motion carried unanimously
- 4. Special presentation DWP Smart Meters (20 Min)**
Victoria Press introduced Marcello DePaulo, Program Manager who handed out materials then discussed Smart Meters and plans for the future.
- 5. Public Comment & Announcements** for items not on the agenda (max 2 min each)
Sarah Auerswald, Mar Vista Business Association – newly forming Thurs morning (Feb 14) 8:45 a.m. meeting at Coffee Connection
Tom Ponton – Caution to Board not to endorse candidates using official title
Noel Weiss – running for City Attorney
Brian Sellem – 11th District City Council Candidate
Alice Parks – Bake shop open on Grandview
? – Speaking on behalf Tina Hess 11th District City Council Candidate
- 6. Elected Officials and City Department Reports** (max 1 min. each)
 - a. Mar Vista Recreation Center – Jason Kitahara, Director
 - b. CD 11 - Bill Rosendahl, rep. by Len Nguyen Len.Nguyen@lacity.org , Field Deputy
 - c. CD 5 – Paul Koretz, rep. by David Giron David.Giron@lacity.org , Field Deputy
 - d. US 36 – Janice Hahn
 - e. CA Senate 28 – Ted Lieu, rep. by Robert Pullen-Miles Robert.Pullen-Miles@sen.ca.gov
 - f. CA Assembly 47 – Holly Mitchell
 - g. CA Assembly 62 – Steven Bradford
 - h. 2nd Dist. L. A. County Board Super.– Mark Ridley Thomas, rep. by Karly Katona Karly.Katona@bos.lacounty.gov,
 - i. Mayor of Los Angeles – Antonio Villaraigosa, rep. by
 - j. LAPD update
- 7. Officers and Liaison Reports** (Action items included with public comment permitted, 1 min per speaker)
 - a. **Chair**-Sharon Commins
 - b. **First Vice Chair**-Bill Koontz
 - c. **Second Vice Chair**-Yvette Molinaro
 - d. **Secretary**-Bill Duckett
 - e. **Treasurer**-William Scheduling: NOTE: All funding motions must conform to all Empower funding guidelines and must be funded and paid in fiscal year 2012-13 or they will expire. May 15, 2013 – last day to submit complete demand warrants and neighborhood purpose grants. Fund not utilized are swept back to the General Fund
 - i. **FUNDING MOTION: APPROVAL** of January 2013 US Bank Card Statement
John Kuchta motioned. Bill Koontz seconded. Motion carried unanimously
 - ii. **FUNDING MOTION: SPRING MVCC NEWSLETTER:** MVCC approves funding of up to \$5,500 for printing and distribution of the MVCC 8 page Spring Newsletter featuring the Green Garden Showcase event
Bill Scheduling motioned. Bill Koontz seconded. Motion carried unanimously.
 - f. **Mar Vista Bi Monthly LADOT/CD11/LAPD Traffic Committee Liaison** - Linda Guagliano
Last meeting Jan 16th. Next meeting March 20th (closed meeting). Requests by Saturday before.
 - g. **DWP MOU/LANCC Liaison**-Bill Koontz
Dr. Pickle(sp) upset because he feels DWP should be paying 9 cents for solar power not 17 cents.
Presentation at LANCC - Detailed analysis of how streets needing repaired get chosen.
 - h. **DWP Recycled Water Liaison**-Christopher McKinnon
Met Jan 17th (workshop #9). Can send links to read.
 - i. **Fall Festival Liaison**-Albert Olson

8. **Committee reports - Action items included** (public comment permitted, 1 min per speaker) ; items may be received and filed by consent if no discussion or public comment
- a. **Executive & Finance Committee**-Sharon Commins, Chair
 - i. **Mayors Budget Survey up and running**
 - b. **Planning and Land Use Management Committee**-Steve Wallace & Michael Millman, Co-Chairs
 - i. **Pursuant to MVCC Bylaws ARTICLE 8 SECTION 2 AGENDA SETTING: Petitioning the Board:** *An item may be placed on the agenda of a Board Meeting by a petition signed by not less than ten (10) Stakeholders. Such a petition shall be submitted to the Chair at least fourteen (14) calendar days prior to the scheduled meeting. Petitioners shall be permitted to make a presentation to the Board, regarding the petition, not to exceed 10 minutes. **Completed Petition and signatures submitted by Sherri Akers and received January 16, 2013.***

- 1. **POLICY MOTION: Council File 11-0262 [Rosendahl Alarcon Amending Motion 31B], Community Care Facilities Ordinance:** *We support City Councilman Bill Rosendahl's position that we feel that the Community Care Facility Ordinance as drafted is too broad and urge Council President Herb Wesson to hear the entire scope of public sentiment on this ordinance. We urge the Council to work with the community to address this in a way that serves all stakeholders in a manner that addresses ~~complaints~~ concerns of homeowners without painting all group homes as neighborhood nuisances. The MVCC intends to hold a community workshop to explore pros and cons of proposed resolutions and calls for the City Council to authorize, pursuant to section 908 of the charter, neighborhood councils to hold city-wide public hearings.*

Bill Scheduling moved we hear comment on both motions (8 b. i. 1. and 8 b. ii. 1) but vote separately. Motion carried unanimously.

Alisa Orduna, program officer with Untied Way presented the motion.

- Concerned that the ordinance as written would put many out of shared-living facilities.
- She likes the mainstreaming of these residents in the various programs to which they are committed.
- Group housing in not regulated by the state.

Gigi Szabo, Director of Housing with New Directions also speaking on behalf of motion.

- Women Veterans living in these homes.
- One is licensed.
- The unlicensed is not covered by any governing agency. Afraid CCFO would affect the closing of this home.
- Need for ordinance that defines nuisance property as not being well-managed group home.

Brooker Pearson,

- Commission voted twice to oppose this ordinance
- Opposed by every major organization

Ken Alpern – Feels that regulation is needed to make these group homes work well. Advocates sustainability. Feels that his motion (8 b. 1. ii.) is a way to avoid getting the City into legal chaos. The reality is there are nuisance homes. Concerned that the CCFO does not have the support of LAPD. His motion seeks this support.

Public Comment:

Sarah Auerwald – Group home much more affordable and a nice transition.

Carol Hile – Concerned with distinction between Sober Living, Drug and Alcohol Rehab, and homeless. Concerned with living arrangements (number of bathrooms, etc.). Concerned with financial gain of owner. Concerned with supervision. Concerned with benefits to neighbors. Wants to know what residents are paying for.

Christina Segler – Spoke on unrelated issue regarding a tree that needs to be removed (card was put in wrong stack).

Steve Wallace – No disputing the need for Community Care Facilities. Concerned with R1 remaining R1 or change the zoning. Considers group homes to be businesses. Parking is a huge concern, especially if there are no restrictions. Concerned with the effectiveness of Nuisance Abatement.

Gigi Szabo – Passed

Paul Dumont – Operates a group home. Concerned that CCFO will not address the problems. Residential Nuisance abatement is the way to go.

Susan Klos – Passed.

Sherri Akers – Family is personally affected. Sober living feels more like a community. Feels that both the CCFO and Ken’s motion would put her family member out on the street. Sharon Commins asked if Sherri would be comfortable with removing references to the Rosendahl petition.

Suzanne Benoit –

Noel Weiss – Council needs to develop the facts. Can be done with 908 hearings. Update community plans to accommodate changing views.

Jerry Hornof – Contacted Englander’s office to learn reasoning behind proposed ordinance. Feels that given more time and more public input the ordinance could achieve its original purpose. Worries about unintended outcomes regarding inclusion. Supports the striking of the reference to Rosendahl’s petition and suggested changing “complaints” to “concerns.”

Bryon Gordon – Member of a neighborhood board. Has fielded concerns from neighbors. Understands the value of Community Care Facilities. Is concerned with density.

Rob Kadota – The first motion is about process. Does not feel that he understands Ken’s motion. Feels that Sherri’s motion is a more reasoned approach.

Garry Elmendorf – Lives near a group home. Twenty-three people rotate in and out. Feels that they use an unequal amount of resources in the neighborhood. Interested in provision limiting concentration on the block.

Christopher McKinnon – Can support both motions. Was directly affected by neighborhood with group homes that were a nuisance.

Board Comment:

Bill Koontz – Concerned that not all people in group homes are good people. Also concerned with those making money from this venture and not regulated like any other business. Hesitates voting on anything that did not come through committee. Would like to make a substitute motion to refer both back to PLUM.

Public Comment on Substitute Motion:

Sherri Akers – Still wants motion to be voted on to at least send the message.

Jerry Hornof – Wants something to go to city to at least let them know that we are not happy with the ordinance. Bill Koontz feels we don’t have to say the same things again we said in October of 2010. Kate Anderson feels that the 2010 motion could be misinterpreted to be in support of ordinance and favors a workshop and therefore favors voting on Sherri’s motion. Ken Alpern feels that both motions are on the same page and in favor of moving forward with Sherri’s motion, minus the reference to the Rosendahl petition. Michael Millman wants a strong message sent from Mar Vista and therefore wants both referred back to PLUM marrying the most important sentiments of both.

Board Comment:

Alice Parks – Feels strongly about Community Care Facilities, but also wants to tighten rules to make sure that abuse doesn’t happen.

Melissa Stoller – Agrees regulation is needed. Wants to see Ken’s go back to PLUM and Sherri’s be voted on.

Yvette Molinaro – Asked Kate to clarify. Kate wants Sherri’s to be voted on and Ken’s back to committee w/the inclusion of a workshop. Also asked Michael to clarify (see above).

Val Davidson – Concerned about community outreach.

Bill Scheduling – Neither motion vetted.

Bill Duckett – Supports referring Ken’s motion back to PLUM and voting on Sherri’s motion. Reminded all that bringing a motion before the board via petition is just another way to bring a motion, equal to motions coming through the committee.

Mitchel Riche – Concerned with not being vetted.

Motion defeated. 1 Aye, 11 nays, 1 abstention (Bill Koontz)

Motion passed as amended. 12 Aye, 1 abstention (Bill Scheduling)

- ii. **Pursuant to MVCC Bylaws ARTICLE 8 SECTION 2 AGENDA SETTING:** *An item shall be placed on the agenda for the next meeting of the Board, upon the request of a Director. **Item requested and submitted by Zone 1 Director Ken Alpern, received February 6, 2013.***
 - 1. **POLICY MOTION: Council File 11-0262 [Rosendahl Alarcon Amending Motion 31B], Community Care Facilities Ordinance: Two-Part Motion: CCFO, Responsible CCFO for Responsible Community Care Facilities:**

- a.** *The Mar Vista Community Council (MVCC) supports the efforts of City Councilman Bill Rosendahl, City Councilman Paul Koretz and the rest of the City Council to create an enforceable, funded and responsible Community Care Facility Ordinance (CCFO) that is supported by the Los Angeles Police Department (LAPD) and is an environmentally- and legally-sustainable and consistent part of Los Angeles City planning policy.*
 - i.** *The MVCC finds that the CCFO as currently written is too broad and urges Council President Herb Wesson and the rest of the City Council to hear the entire scope of public sentiment on this ordinance. The MVCC urges the Council to work with the community to address this in a way that serves all stakeholders in a manner that:*
 - 1.** *Addresses legitimate concerns of homeowners with regard to overconcentration, government oversight, and other issues related to licensed or unlicensed group homes without painting all group homes as neighborhood nuisances, and that preserves single family residential character as defined in the City's General Plan Framework Element: a) Goal 3B: Preservation of the City's stable single-family residential neighborhoods, and b) Objective 3.5: Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.*
 - 2.** *Effectively enforces L.A. City Planning, LADOT, LADWP, Building and Safety, Zoning and other laws in order to*
 - 3.** *Ensure the safety, health and quality of life of those who live and work in, and who live and work adjacent to and in the neighborhoods of, any Community Care Facility.*
- b.** *The MVCC makes the following recommendations to the CCFO:*
 - i.** *Maintain and preserve the definitions of "Parolee - Probationer Home", "Single Housekeeping Unit", "Boarding or Rooming House" and of "Family" as listed in the January 3, 2013 Draft CCFO Ordinance*
 - ii.** *Preserve the prohibition on a one family dwelling located on a lot zoned RD being used as a boarding or rooming house, but specify with clarity and limits to any exception of this prohibition as listed in the January 3, 2013 Draft CCFO Ordinance*
 - iii.** *Preserve the conditional use permit requirement for a Parolee-Probationer Home in all zones [except A; RA; RE; RS Zone; R1; RU; RZ wherein such homes are not allowed], as listed in the January 3, 2013 Draft CCFO Ordinance*
 - iv.** *Maintain and preserve the Parking Requirement, Public Benefit, and Performance Standards as listed in the January 3, 2013 Draft CCFO Ordinance*
 - v.** *The City's zoning authorities shall have appropriate enforcement resources for all licensed and unlicensed Community Care Facilities with nuisance, parking, infrastructure overutilization and zoning problems, and that all landlords of Community Care Facilities will be required to appropriately and sustainably pay into a dedicated fund to ensure all funding, manpower and other resources to perform such enforcement.*
 - vi.** *Provide a phase-in period of one year coupled with reduced [or waived] fee for that year for the Directors Determination specified in SEC. 12.22. EXCEPTIONS, A. USE #27, REASONABLE ACCOMMODATION to provide a path to legitimacy for existing unlicensed group homes which do not adhere to the definitions specified above in Recommendation 1 but serve protected populations as defined by the Americans with Disabilities Act.*
 - vii.** *Include the recommendations of LAPD Chief Charlie Beck in a letter dated 8/14/2012, such as:*
 - 1.** *The recognition that the following facilities are at "High Risk" for becoming a nuisance: Alcoholism or Drug Abuse Recovery or Treatment Facility; Community Care Facility, Parolee-Probationer Home; and Boarding or Rooming House.*
 - 2.** *Standardized licensing for-High Risk Facilities to include being bonded, State licensed, insured, and granted a Business license from the City Office of Finance.*
 - 3.** *The City Department of Planning to maintain a database to manage/track licensed High Risk Facilities that receive government payments for residents, which would provide valuable information to public safety entities to find and prevent abusive facilities.*

4. *The City Department of Planning to define the maximum saturation as one High Risk Facility per square mile (with approximately 468 square miles in the City of Los Angeles, this would potentially allow for 468 facilities), or some other maximum saturation limit supported by the LAPD.*
5. *The City Planning Department to reserve the right to deny the permit of a High Risk Facility if it would be detrimental to the community, such as historically high crime trends, proximity to revitalization areas, daycare facilities, R1 or R2 zones, school Safe Passage Zones, or any other unique quality of life factor.*
6. *High Risk Facilities to be restricted from operating within 1000 feet from a liquor store, motel, school, recycling center, marijuana dispensaries, or to the restrictions listed in 12.70 LAMC-Adult Entertainment Zoning.*
7. *The Department of Building & Safety to establish a standardized visitation policy for all High Risk Facilities that regulates visitation and thwarts overcrowding, subleasing, or squatting.*
8. *Each High Risk Facility to be required to obtain a Conditional Use Permit (CUP) that identifies specific conditions to protect the community from criminal behavior and secondary impacts.*
9. *High Risk Facilities to maintain identification records of residents, similar to 41.49 LAMC-Hotel Registers and Room Rentals, and that Peace Officers as defined in 25755(b) B&P have unencumbered access to inspect such records.*
10. *All staff and residents at High Risk Facilities be required to sign an acknowledgement of the search conditions, conditions of the CUP, no alcohol or illegal drugs policy, and a clause indicating that any violation will result in immediate eviction proceedings.*

Motion to refer back to PLUM
 Motion carried unanimously

c. Santa Monica Airport Committee – Bill Koontz & Yvette Molinaro, Co-Chairs

- i. **Policy Motion:** *Los Angeles Action Regarding Santa Monica Airport: Whereas Los Angeles City Council District 11 (CD 11) borders Santa Monica Airport (SMO) to the south and to the east, including an almost sixteen acre portion of the east end of SMO within the City of Los Angeles CD 11; and, Whereas the CD 11 neighborhoods of Mar Vista, Venice, and other West Los Angeles neighborhoods, as well as the Council District 5 (CD5) neighborhoods of Rancho Park, Cheviot Hills, and other West Los Angeles neighborhoods within CD5 are all uniquely impacted by nuisances, and serious safety/public health concerns created by SMO operations; and, Whereas changes to the operations at SMO by the City of Santa Monica and the Federal Aviation Administration (FAA), since 1984, include: 1) No curfew on landings that approach almost without exception only over Los Angeles CD5 and CD11 neighborhoods; 2) Santa Monica's "Fly Neighborly Program" that advises visual flights to fly over Venice in Los Angeles thus avoiding Santa Monica; 3) A 1990 change to the Instrument Flight westerly departure route that moved takeoffs from over Santa Monica to over Venice resulting in the need to coordinate with LAX flight patterns, prolonged idle/hold times at SMO greatly increasing air pollution to the downwind Los Angeles area, all these having the effect of greatly increasing the extreme negative effects on the above mentioned Los Angeles neighborhoods, Therefore be it resolved that the Mar Vista Community Council (MVCC) requests that the City Council of the City of Los Angeles take all necessary steps, including opening a council file directing the City Attorney to research all potential actions that may be taken, including but not limited to legal action, to protect the public health of Los Angeles residents against extreme environmental, safety, and all other disproportionate impacts from SMO operations. Be it further resolved that the MVCC recommends, in order to assure that Los Angeles' interests are given fair and appropriate attention, the City of Los Angeles request official Los Angeles CD 11 and CD5 representation at all meetings with the City of Santa Monica that pertain to the future uses of SMO; including SMO staff meetings with the FAA.*

Bill Scheduling's comment/inquiry made at the January meeting of the MVCC BOD regarding whether any portion of SMO is in Los Angeles has been withdrawn as he is now convinced the a portion of SMO is in Los Angeles.

Motion by Bill Koontz to move this up the agenda. Motion carried unanimously.
 Martin Ruben presented the motion. This motion is going before 4 NCs.
 Point of uncertainty about the portion of the airport that still belongs to Los Angeles.

Motion carried unanimously.

- d. **Transportation & Infrastructure Committee** – Ken Alpern & Mitchell Rishe, Co-Chairs
- i. **POLICY MOTION:** *The Mar Vista Community Council condemns the unfair LA City practice of issuing citations to parked cars at non-functioning parking meters and parking centers. The Mar Vista Community Council further requests that the LA City Council rescind this unfair law and direct LADOT to place new stickers on parking meters advising motorists how to easily notify LADOT of any malfunctioning meter.*
Motion by Bill Koontz to move this up the agenda. Motion carried unanimously.

Ken Alpern presented the motion.

Motion carried unanimously.
 - ii. **POLICY MOTION:** *The Mar Vista Community Council strongly supports immediate and early notification and inclusion by neighborhood councils ~~as to the~~ at the beginning of planning of any new revenue raising measures by the City of Los Angeles for any construction and/or maintenance of any transportation/infrastructure new and/or existing projects and systems.*
Motion by Bill Koontz to move this up the agenda. Motion carried unanimously.

Motion as amended. Motion carried unanimously.
- e. **Education, Arts and Culture Committee** – Amy Lawrence and Albert Olson, Co-Chair
- i. *On behalf of the Mar Vista community, the Mar Vista Community Council would like to recognize the recent achievement of Ms. Jackie Bonilla, a teacher at Clover Avenue Elementary School, in winning the annual Milken Educator Award. This prestigious award, given to 40 teachers nationwide by the Milken Family Foundation, praised Ms. Bonilla as "A model leader in and outside the classroom", and identified her unique approach to classroom learning as a "success-based environment in which the fundamentals are taught in a hands-on, interdisciplinary manner". We would like to thank Ms. Bonilla for her commitment to excellence in the teaching of our children, and for her leadership in education for our community.*
Motion by Bill Koontz to move this up the agenda. Motion carried unanimously.

Sharon C. presented motion.

Motion carried unanimously.
- f. **Green Committee** – Sherri Akers, Melissa Stoller, & Jeanne Kuntz, Co-Chairs
 - g. **Community Outreach Committee** – Kate Anderson & John Kuchta, Co-Chairs
 - h. **Historic FS 62 Ad Hoc Committee** – Rachel Swanger & Roy Persinko, Co-Chairs
 - i. **Recreation Open Space Enhancement Committee** – Jerry Hornof & Tom Ponton, Co-Chairs
 - j. **Volunteer Program**-Sandra Casillas, Val Davidson, Co-Chairs
 - k. **Safety and Security Committee** – Rob Kadota & Bill Koontz, Co-Chairs
 - l. **Ad Hoc Website Team**-John Kuchta, Chair
9. **Zone Director Reports** (Possible motions; Public comment permitted)
10. **Unfinished Business** - Action items held over from previous meeting (Public comment permitted)
11. **New Business** -(Public comment permitted)
12. **Grievances**, if any, received
13. **Future agenda items**
14. **Adjournment** (9:30 PM)