

**WESTSIDE NEIGHBORHOOD COUNCIL  
MEETING MINUTES**

**Thursday, August 12, 2010 7:00pm  
Westside Pavilion 10800 W. Pico Blvd.  
Meeting Room A (3<sup>rd</sup> Floor behind the Food Court)**

1.) Meeting is called to order at 7:12 PM.

In Attendance:

Lisa Morocco ( 2), Michael McIntyr (3),  
Steve Spector (4), Letty Bugarin (5),  
Jerry Asher (6), Barbara Broide (7),  
Terri Tippit (8), Drew DeAscentis (9),  
Dick Harmetz (10), Mary Kusnic (11),  
Colleen Heller (12), Robert E. Guerin (13),  
Ron Stone (14), Charles Horwitz (15),  
Stacy Antler (16), David Ty Vahedi (17)\*

(J Asher left @ 8:15 & L Bugarin & Ty Vahedi @ 9:40PM

Also attending:

Jay Greenstein, CD 5  
Officer Rashid, Officer Mario Gonzales, LAPD

1.) Call to Order

Terri Tippit, Chair states there is a quorum - with  
16 \* member seats represented.

2.) Minutes of the July 8, 2010 Meeting:

Minutes were discussed – Barbara spoke about Steve’s comments and asked to reconsider the EXPO motion and the discussion of Trammell Crowe funds; with Steve noting he was agreeable with minutes as presented. He added that the minutes were clear in stating the WNC is awaiting a determination from the City Attorney. Terri briefly commented on Neighbors For Smart Rail, noting she had abstained from the previous vote and also stating that a member can remove themselves and put the alternate on to vote should there be a concern over a potential conflict. Steve stated that Jane Usher determined that one can vote if it is past 500 ft or in case of a non profit or HOA, where there is no personal gain.

Lisa requested to clarify the general budget was prepared for DONE.

“Motion to approve the July 2010 Minutes, with Lisa’s change;”  
Motion by Lisa; Second by Jerry.

Minutes were approved 11 – 0 – 5 (Seats 7,3,14,12,16).

3. Public Forum

Officer Rashid noted that crime was down in the area and commented on the Lock It or Loose It campaign. Dick commented on the Fortune Teller sign on Beverly Glen and Colleen discussed the status of marijuana clinics. Barbara noted complaints and problems dealing with the Masonic Lodge; Drew noted speeding on Westwood Blvd.; John Mackel said there was tagging problem in Cheviot Hills. Officer Mario said the park gate was open and there were not problems at present. Ron noted rules are not

enforced with individuals living in their RV's (Prosser & Santa Monica Blvd.) and Teri spoke of complaints on the food trucks. John Mackel introduced himself noting that he had volunteered to serve on the funding committee. Letty stated that EXPO is holding a community meeting here on September 23, 2010, Community Room A, 6 – 7 PM.

4. Review of Agenda (ITEMS BELOW MAY NOT BE HEARD IN THE ORDER LISTED)

5. Agenda Items:

New Business:

A) Board election for Seat 12 Representative

Chair, Terri stated: Stacy Antler had recently moved out of the Seat 12 area but still lives within the WNC boundaries. She will still be Funding and Public Safety chair as she will be an alternate. As per WNC Bylaws, the seat vacancy is on the WNC agenda as an agenda item and in the non agenda section below the agenda items. Business Seat 2 and Residential Seat 12 are vacant. She noted that if you wish to be considered for the seat visit the WNC website for more details. Terri added that this information was also on the last two agendas in the same section, which is not required by the WNC Bylaws.

Stacy Antler acknowledged her years of service as the WNC's Representative for Seat 12. She said she is looking forward to continuing as the alternate for Seat 16 and her work with the Funding Committee.

Colleen Mason Heller introduced herself and spoke of her 25 years of service in the community. She stated she is a member of the Cheviot Hills HOA and presented a list of 100 signatures of constituents supporting her for Seat 12 representative on the WNC.

Motion by Stacy, " That Colleen Mason Heller be elected to serve as the Seat 12 representative on the WNC;"

Second by, Ty.

In Favor – Unanimous

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(Reference: Article III Section 7 of our Bylaws:

Sec. 7. If a seat on the Governing Board is vacant for any reason, the vacancy may be filled by the Governing Board in accordance with the following procedure: Notice of the vacancy, and of a proposed vote by the Governing Board to approve a candidate to fill the vacancy, shall be placed on the agenda of a Board meeting and be posted for the public and distributed to the Board in the same manner that all agenda items are set and posted. At that meeting, the Board may fill the vacancy by majority vote of those voting. Any Stakeholder who is eligible for that seat may apply by notifying the Chair or the Recording Secretary in writing. Nominations to fill the vacancy may be made by the candidates themselves, by Board members, by Board alternates, or by any member of any constituency represented by the vacant seat. In electing the replacement Board member, the Board shall consider any expressions of support or opposition, whether written or oral, from members of the constituency represented by the seat. [Amended May 12, 2005] )

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B) Lester Probst, Megan Matlock, Survey LA, 200 Spring Street, 213 978 - 1191:  
Update presentation

Mr. Probst presented an overview of Survey LA stating that this is a three year project and that the information would be used for tourism and preservation purposes. He said the project started in April, 2010 and that West LA is part of the first year survey. He added that this information is valuable in identifying culturally significant properties – provided that the information gets into the survey. Barbara said the WNC should

promote this effort and Annette noted the Morton Bay fig tree. Mr. Probst stated that any suggestions should be emailed to Ken Burnstein.

(Agenda item 5.B rescheduled from last month. Survey LA did a prior presentation to the WNC Board and wanted to give us an update on their project.)

- C) Detective Sean Williams, LAPD Fraud Unit, 1663 Butler, 310 444 – 0701, 30683@lapd.lacity.org:
  - Presentation on Identity Theft

Detective Williams stated that the key to preventing identity theft is to be pro-active. He suggested that everyone be diligent and check their credit reports regularly and routinely review bank statements. Detective Williams explained that the information used in identity theft can be extracted from everyday transactions including medical records, paying bills, credit card applications, credit card skimmers - gas pumps, restaurants, retailers and mail. He also spoke of Elder Abuse Fraud as a growing issue.

Stacy suggested also protecting your credit report with a 4 digit pin number.

- D) Barbara Broide:
  - Support Move LA 30/10 Transit Funding Plan Motion (<http://moveLA.org/petition.html>)

Barbara provided background and discussed the 30/10 Transit Plan which will create jobs and is projected to save money. Marilyn stated that costs should not be the major consideration to rush projects through; Annette stated the goal is faster timing and Colleen clarified this only deals with projects that are federally funded and added that EXPO is not. Reference information is contained herein.\*

Motion by Barbara: "That the WNC endorse and support the 30/10 Plan, which is federally funded, to finish major Los Angeles region projects in advance,"  
Second by Ty.

In Favor – 12 Oppose – 1 (Seat 3b) Abstain – 2 (Seat 12 and 16)

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(Reference Information on the LA 30/10 Transit Funding Plan:\*

Whereas The Los Angeles region faces severe unemployment and severe congestion in our transportation system, congestion that inhibits our economy; Whereas, Our nation and our county needs the thousands of jobs and the environmental benefits that come from the development of a sustainable transportation system with a robust, modern public transit system; Whereas, In November, 2008, LA County voters spoke with a clear voice about their priorities when they approved Measure R, a 1/2 cent sales tax that will raise nearly \$40 billion for local transportation over 30 years; Whereas, Nearly 70% of Measure R funds will go for transit projects and programs including 12 transit projects such as the Wilshire subway and multiple light rail and bus rapid transit projects. Measure R includes 25% for transit operating costs; Whereas, The timing of these projects is driven overwhelmingly by the timing of cash flow, not by planning, environmental review, or construction requirements or timelines; Whereas, Our community and our nation should not have to wait 30 years for these projects to be completed, not when jobs, traffic congestion relief and clean air are needed now; Whereas, With the help of the federal government in the form of grants, low interest loans, and interest rate subsidies on private loans, and other mechanisms, these 12 transit projects can be completed in 10 years; Whereas, This proposed "30/10 Plan" would accelerate the delivery of these 12 Measure R transit projects from their current 30-year schedule to 10 years; Whereas, The "30/10 Plan" projects are part of a regional consensus approved by voters in Measure R. They were unanimously adopted by the Los Angeles County Metropolitan Transportation Authority's Board of Directors as part of its 2009 Long Range Transportation Plan; Whereas, The "30/10 Plan" seeks federal government support for LA Metro's federal program in the form of New Start grants, low interest loans and interest rate subsidies on private loans; Whereas, With strong federal partnership as envisioned in the "30/10 Plan" the 12 Measure R transit projects can be developed much more quickly saving as much as \$4 billion in avoided cost escalation; Whereas, The "30/10 Plan" will create over 160,000 construction jobs over the next decade and at least 2,800 permanent jobs operating and maintaining an expanded transit system, jobs that can support a family; Whereas, The 30/10 projects will run on clean natural gas and electricity. They will remove over 500,000 pounds of air pollution and greenhouse gases from the Los Angeles air basin; Therefore, We the undersigned organizations and individuals strongly support the LA Metro "30-10

Plan", commend Mayor Villaraigosa for initiating and championing the 30-10 Plan, and urge Senators Boxer and Feinstein and all of the Los Angeles County Congressional delegation to join in strongly supporting the "30-10 Plan".

Therefore, We urge the President of the United States, Congress and the agencies of the federal government to vigorously support the "30/10 Plan" and create mechanisms for its implementation that might serve as models for national infrastructure development.)

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E) Lisa Morocco:

- Motion to oppose Ordinance CF 05-1853-S1 that would transfer liability and responsibility to the property owner for repair of curbs, driveways and sidewalks and transfer of liability for slip and fall accidents on the sidewalk to the adjoining property owner.

Motion by Lisa, " That the WNC oppose Ordinance CF 05 – 1853 – S1;"

Second by Ty.

In favor – 15 Unanimous

(Reference : For more information go to:

<http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=05-1853-S1>)

Whereas nearly half of all sidewalks in the City of Los Angeles are in need of repair, and these sidewalks cause injury to those who walk on the sidewalks and subjects the city to liability, and Whereas the City of Los Angeles is facing a serious budget shortfall, and Whereas, an Ordinance has been drafted (CF 05-1853-S1) that would Amend Subsection (e) of Section 62.104 of the LAMC to transfer liability and responsibility to property owners for repair of curbs, driveways and sidewalks due to tree root damage; and Whereas the City does not allow the adjoining property owners to remove the root cause of the sidewalk damage, i.e. the offending trees, and Whereas the Pacific Palisades Community Council is desirous of promoting both tree-lined streets and safe sidewalks; Now Therefore Be It Resolved that the Pacific Palisades Community Council :

1. Opposes the proposed ordinance as it is currently written.
2. Opposes any transfer of liability for slip and fall accidents on the sidewalk to the adjoining property owner.
3. Requests that there be adequate time for review and comment by Neighborhood and Community Councils)

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Take Me Out To The Movies The Sequel (October 9, 2010)

Approval of \$2000 for supplies for the outreach event

Lisa and Charles spoke on the success of the Take Me Out to the Movies 2009 and summarized the costs. They added special thanks to Colleen Heller and Charles Horwitz for donating extra dollars to the event.

Lisa and Charles noted that the event was successful on many levels. They cited money was raised for the schools a new dialog began between the public and private schools in the WNC area. The Pico Businesses were supported them with the Swag Bag and that we brought attention and donations to School on Wheels and we made good outreach for the WNC to the community.

Lisa outlined "Take Me Out to the Movies - The Sequel"; she noted the event will be held on Saturday, October 9<sup>th</sup> at the Landmark Theaters. She said this year, the theme of our event is animals and we have decided our featured non profits will be organizations that support pet rescue. They include the Lange Foundation, German Shepherd Rescue, Friends of Animals and Best Friends. These worthy groups are in the WNC boundaries. We hope this event puts a spotlight on the urgent need for pet adoptions and exposes our stakeholders to volunteer opportunities in their community. Lisa and Charles added that also present will be School on Wheels. They stated we will be inviting our Councilman, as he is a big animal supporter, and we are making arrangements to have a "celebrity pet" make an appearance before the start of the movies.

As in the past Lisa said, we hope to get many donated items to raffle off before the show and Charles and I will be addressing the crowd about the WNC and its mission.

Lisa asked for help from the WNC board in gathering raffle items, as volunteers and they would like each board member to sell 10 tickets.

Lisa presented the proposed budget for Take Me Out to the Movies - The Sequel

Rental of Movies 2@\$250	\$500
Ticket Printing	\$200
Landmark Rental Fee	\$400
Posters/Flyers	\$300
Food	\$600
<b>Total</b>	<b>\$2,000</b>

Motion by Lisa, "Move to approve \$2000. for supplies for the Take Me Out to the Movies the Sequel outreach/school fundraiser event;"  
Second by Charles.

In Favor - Unanimous

- Take Me Home Days - Westside Pavilion  
August 14, 28 and September 11, 25 - 1PM - 4PM)

Approval of \$100 for a banner for event co-sponsored with animal shelter to adopt animals to be held at the Westside Pavilion

Motion by Lisa, " That the WNC approve up to \$200. to raise adoption awareness as a co-sponsor with Macerich for 'Take Me Home Days' on August 14 and 28 and September 11 and 25 at the Westside Pavilion;"  
Second by Stacy.

In Favor – Unanimous

F) Steve Spector:  
· Support for Neighborhood Council Bylaws Template Language with conditions

Motion by Steve, " I hereby move that WNC support the BONC Bylaw Reform Policy Proposal as  
Outlined in Terri's 8/7/10 e-mail message to the WNC board members, but with the changes suggested by Terri Tippit and Jay Handel as summarized on the attached;"  
Second by Stacy.

In Favor – Unanimous

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Reference on the proposed BONC Bylaw Reform Policy Proposal:

Terri stated that she is on the Westside Regional Alliance Committee sub committee that reviewed the proposal and stated that the WRAC members are 11 NC and 3 Community Councils on the Westside in Council Districts 5 and 11. The BONC Bylaw Review Committee will suggest the changes listed below to WRAC at the next meeting.

She explained this is NOT a template that every NC must fill in as in the example they provide. For example if the NC describes its boundaries in the bylaws, how many seats and what is require to represent the seat, they do not need to use the wire frame. WNC Bylaws address these issues and will not have to change unless we choose to change it.

Terri cited the following:

There was a question during the last election about Factual Basis Stakeholder. The CITY COUNCIL determined who is a Factual basis Stakeholder, not DONE. DONE can't change the definition, NCs can't change the definition only the CITY COUNCIL can change it.

A Factual Basis Stakeholder: Any person who can affirm an interest or stake in any action on which a local council might allow a vote. They do not have to live or work in the community.

For example, someone who lives in Santa Monica but shops at the Westside Pavilion can vote for the seat that represents WP, a person who's child attends Westwood Charter can vote for the residential seat in that area regardless of where they live (remember our school rep seat is selected not elected).

This was a huge concern of several NCs during our April elections that felt people who did not live or work in their NC now could be on their board. There are still some challenges that have not been resolved. We only had one seat that had more than one candidate. It was confusing to the candidates to know who could vote for them and who could not.

Suggestion 4 below addresses this issue.

We have addressed Grievance in our bylaws however other NCs have not. I agree it should be policy rather than ea NC deciding how they want to address grievance issues. We did receive an inquiry after our last meeting that lead me ask Bong Kwan (manager of DONE) if there was a complaint/grievance against the WNC should I send it directly to him. He said it first must go before the NC grievance committee. The only complaint we have had in the past was George from Palms NC. That was resolved without going calling for a Grievance Committee meeting.

The following are the suggested changes to the proposal:

- 1) General Comment: The bylaws proposed should only be enacted in part where a particular NC has not addressed, or not sufficiently addressed an issue mandated in the bylaws.  
The purpose would be to have a template available to guide NC's as to how to fill in an area that is missing or insufficient in their existing bylaws.
- 2) Section 9 page 10: It is our belief that this is not a bylaws issue. and should be eliminated. The Outreach Committee does this and should remain a committee.
- 3) Article VI section 1, page 15: We believe that while the city clerk is currently the agency that runs the NC elections, that BONC should issue a policy removing the City Clerk from that position, and allowing the city to add \$10,000.00 to the annual budget of each NC during an election year for the NC to spend solely on the elections outreach.
- 4) Section 5 is our belief that all bylaws should be amended to have 1 seat on each NC as a factual basis seat. Factual basis stakeholders can only vote for that seat.
- 5) Section 7, article 6, section 2-Training: This should be a BONC issued policy. The paragraph should read: Training: Se BONC policy XXXX-2010 dated xx/x/xxxx.
- 6) Article VIII: This should be a BONC issued policy. The paragraph should read: Training: See BONC policy XXXX-2010 dated xx/x/xxxx. (See policy below)

#### Policy Issues

##### Board member orientation and ethics training

That BONC take an action item to adopt a policy whereby ALL neighborhood council members must take mandatory ethics and new board member orientation training within 60 days from the date they are seated. Failure to do so will result in the funding for the neighborhood council to be suspended until the board achieves 100% compliance.

Suspension shall be ordered by the authoritative body, BONC if allowed, or DONE, as a policy issue.

##### Grievance Policy

##### Formally Grievance and Complaint

BONC shall adopt a policy whereby the entire neighborhood council system shall have a formal grievance/complaint system as follows:

Each city planning area shall be used as a base to determine which neighborhood councils shall be included in the local grievance council.

Each planning area NC's shall elect 7 members to their grievance/complaint council.

Three of the 7 shall hear grievances/complaints as scheduled by BONC/DONE.

When a grievance/complaint is filed with BONC/DONE, the council shall be requested to hear the grievance/complaint. (NO member of the 3 member hearing panel shall be selected to hear a grievance/complaint of their own council.)

The three member panel shall hear the grievance/complaint and have 30 days to write a report, possibly including a determination of the case. Said determination shall be sent to BONC/DONE for adjudication. A copy shall be sent to the applicant as well. The applicant can accept the determination, or appeal it to BONC/DONE. The adjudicating body shall have the options to affirm, deny and/or change the hearing panels determination and order enforcement.

If it is determined by the City Attorney that BONC has the authority to be the authoritative body with enforcement power, then it makes sense to move forward with BONC as the commission of authority, similar to that of the Police Commission. (The grievance policy above is based on the policy of the LAPD Commission hearing examiners procedures)

If, in the case that the City Attorney denies BONC the right to be the authoritative commission, then it is urged for BONC to pass the above as a policy, directing DONE to implement it and giving DONE the power and authority to act as above.

It is a critical time for the NC system.

The city has left the system in limbo, even prior to the budget crisis.

There is no way this system can survive if there is no authoritative powers to ensure compliance with the laws, rules and regulations, which to date, are to a great degree, unenforceable.

And for the record, this grievance policy is a citywide policy.

All by-laws should have a line added stating:

Grievances:

Grievances shall be handled within the guidelines as set forth in the BONC policy dated \_\_\_\_\_.

I would urge you to move forward with the above at your next available BONC meeting, and hopefully have city attorney decisions as to the legality of BONC implementing the above with BONC as the authoritative board.

Should there be no decision by the next meeting, I would urge BONC to adopt the above as policy unless and until the C.A. gives BONC the approval to change it.

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G) Dick Harmetz:

Motion to approve funding for Palms Library request. (Budget Line Item)

Dick presented the following Palms – Rancho Park Branch - Library funding request for Equipment and Materials:

#### Collection Development

Funds for purchasing Books, DVDs, CDs, and other circulating material (children, teens, and adults) \$1387.50

Demco

- “Explorer Political Globe” P14199600 \$43.99
  - “Monaco Hanging Bag Shelf Conversion Kit” P16300910 \$49.99
  - “Garden Wall Hangings” P12126620 \$147.99
  - Multimedia Display Rack P141-0604 \$ 615.00
- Total (before taxes/shipping) = \$856.97

Brodart

- “Bug Collection Cushions”
    - Bumblebee 28 953 001 \$120.00
    - Ladybug 28 954 001 \$120.00
    - Caterpillar 28 947 001 \$127.00
  - “Gorilla 6-Wheel Steel Book Trucks” 3 flat shelves, black 63 264 004  
\$444 each x 4 = \$1776
- Total (before taxes/shipping) = \$2143

Grand Total = \$4387.47 (plus taxes/shipping)

Motion by Dick, “That the WNC approves funding as itemized herein for Palms – Rancho Park Branch - Library request;”

Second by Lisa.

In Favor - Unanimous

#### 6. Committee Updates and Reports:

##### 1.) Chair’s Report, Terri Tippit

Chair, Terri Tippit provided an overview of how the WNC votes are recorded.

She announced that the next WRAC Quarterly Meeting will be on October 21, 2010.

She also reported that unless otherwise notified of a time sensitive issue, there would not be a WNC meeting in September.

##### 2.) Treasurer’s Report, Lisa Morocco

Lisa stated that Riddick and Shlomo had been paid. She also stated that Chrystalis would be cleaning Pico from Patricia to the 405

## CD5 Update, Jay Greenstein

Jay gave a brief update on CD5 activities. He stated that Councilmember Paul Koretz and CD 5 does not have any formal position on the Century Plaza Project and that he would be seeking community input on the project..

Motion to Adjourn: Stacy

Second By: Steve

Meeting Adjourned 9:55 PM

Reviewed and Approved By Recording Secretary