

Greater Wilshire Neighborhood Council



Greater Wilshire Neighborhood Council General Meeting

November 12, 2008

Approved by the Board
January 14, 2009

MINUTES

Call to Order

A duly noticed meeting of the Board of Directors of the Greater Wilshire Neighborhood Council ("GWNC") was held on Wednesday, November 12, 2008, at the Ebell of Los Angeles, 743 South Lucerne Blvd. President Charles Dougherty called the meeting to order at 7:16 p.m.

Roll Call

The Secretary, Elizabeth Fuller, called the roll. Board of Directors members in attendance at the roll call were: Jared Abrams, Mary Rajswing (alt. Patti Carroll), Moon Chung, Charles Dougherty, Elizabeth Fuller, Jane Gilman, Rudy Gintel, John Gresham, Alison Hannon, Margaret Hudson, Michael Genewick (alt. Alex Jones-Moreno), Martha Schuur, and Owen Smith. Directors Charles Bergson and James Wolf joined the meeting later. Directors Yigal Arens, Sam Cunningham, Clinton Oie, Shar Penfold, Russell Sherman and Jane Usher were absent and not represented by an alternate.

The Secretary stated that a quorum was present.

Reading of the Minutes

The Secretary presented the Minutes of the previous meeting, which had been distributed to Directors by e-mail and posted on the Council's *greaterwilshire.org* web site. Additional copies were distributed at the meeting. The secretary asked if anyone had any changes or additions to suggest. Director Mary Rajswing requested that "Lucerne Ave." be changed to "Lucerne Blvd." on page 1, and that "the Federal Building" be changed to "a federal building" on p. 11. The minutes were approved as amended.

Treasurer's Report

Since former Treasurer Russell Sherman has resigned his position and not yet been replaced, President Charles Dougherty presented a new version of our 2008-2009

budget [*see Appendix A*]. He explained that DONE's guidelines have changed, requiring us to deliver a more detailed line-item budget than we used to.

[Director James Wolf joined the meeting at 7:20 p.m.]

Director John Gresham asked if we can employ a temporary accountant to take over Treasurer duties until we can find a new volunteer. Mr. Dougherty said yes. Director Elizabeth Fuller pointed out the line item for this in the budget, as well as funds we've designated for office space, an assistant, and the specific community improvement projects we've voted to fund in the last few months. She said creating the line-item budget was actually a good exercise, since it was the first time we've added up all the items we've voted to fund. It also shows that we have only another \$20,000 left in this category. Director Owen Smith moved that we adopt the budget as written. Director John Gresham seconded the motion. It was approved unanimously.

President's Report

President Charles Dougherty congratulated the Wilshire Park neighborhood on the recent approval of its Historic Preservation Overlay Zone (HPOZ) status, and introduced Director John Gresham, the Wilshire Park representative. Mr. Gresham said the HPOZ effort started about five years ago, because of various land use "misunderstandings" (tear-downs, illegal building projects, etc.) in the neighborhood.

[Director Charles Bergson joined the meeting at 7:25 p.m.]

Mr. Gresham thanked resident Robby O'Donnell and others from the neighborhood and the City for their roles in the HPOZ research and application process, saying they made it through all the necessary hearings with only the most minimal objections. The most difficult part of the process, he said, is the required architectural survey, which often costs more than \$100,000. After doing a bit of initial fundraising, however, Ms. O'Donnell mounted a huge outreach effort (which was extremely well received by neighbors), and was able to complete the process without costly consultants. In fact, the project was so successful that it is now being lauded as a prototype for other neighborhoods to follow. Mr. Gresham noted that three of the four corners of the Wilshire and Crenshaw intersection are now in HPOZs, and the fourth (Windsor Village) will follow soon.

Mr. Gresham introduced Ms. O'Donnell, who said they were able to complete the architectural survey "almost free" because so many people were eager to contribute information and funding. In fact, they sent out only one fundraising letter, and the average donation was \$200 from each of the respondents. There was no public fundraising, except for a neighborhood tour conducted by the West Adams Historical Association.

Next, President Dougherty introduced Jared Abrams, the new Board Member representing Larchmont Village, and his alternate, Charles D'Atri. Owen Smith moved

that the new members be seated. Director Margy Hudson seconded the motion. It passed unanimously.

Mr. Dougherty reported that we are moving ahead, as required, with forming a committee to investigate the grievance filed against the GWNC a couple of months ago. He said we have confirmed our committee members and they will schedule a first meeting soon.

Finally, Mr. Dougherty called for reports from the two Board Members who volunteered to represent us at the Mayor's Budget Day and Congress of Neighborhoods in October. But Director Shar Penfold was absent, and Director Charles Bergson said he had been unable to attend the event.

Ad Hoc Outreach Committee

Director Margy Hudson reported that our logo and website design project is on hold until our funding is restored. It will resume when we can pay our designer for the work she has already completed.

Ms. Hudson said our January guest speaker will be City Council Member Wendy Greuel, who chairs the Council's Transportation Committee. We are also considering booking candidates for the upcoming City Attorney and City Controller elections as future guests.

SurveyLA Project

Director Margy Hudson explained that SurveyLA is a city-wide survey of historic Los Angeles structures, funded by a grant from the Getty Conservation Institute. She said we have formed a new committee to work on the project in the Greater Wilshire area, and the committee met a week ago to start discussing how to proceed. (The recent demolitions of potentially historic buildings on Wilshire Blvd., she said, have really highlighted the need for this project in our area.) She said we now have a description of SurveyLA on our website, with a contact address and invitation for stakeholders to submit their nominations for the survey. People can call us at (424) 901-1409 or e-mail surveyla@greaterwilshire.org with information, suggestions or photos.

Director of Animal Welfare

DAW Lee Goldberg was not present, so there was no report.

DWP Oversight

DWP Oversight Representative Jack Humphreville reported that the idea for a rate-payers' advocate came up about a year ago, and on September 25, Nick Patsouras (then President of the DWP Board of Commissioners) indicated his interest in the idea, and an Ad Hoc committee was established. On October 21, the Committee did not

recommend the Rate Payers' Advocate, but on Monday of this week, City Council Member Jose Huizar called for one. This is a positive development, said Mr. Humphreville, but the issue must still proceed through the City Council and its committees before it becomes a reality.

Mr. Humphreville also reported that a Green Energy/Good Jobs Initiative was passed by the City Council on Friday and will be on election ballots in March. But while we all want to build more solar energy in the City, he said, this measure "really stinks," lacking both careful analysis and due process. He said the DWP Committee supports alternative energy, but not lack of process...or the fact that all the work would be done through the DWP – resulting in higher rates and overhead.

Director Margy Hudson thanked Mr. Humphreville for his hard work. Director Jane Gilman asked him about the current status of the proposed Ratepayers' Advocate. He said the issue will be heard in the Energy and Environmental Subcommittee, which isn't ideal, but better than nothing.

Director John Gresham asked why Tom La Bonge backed down on these issues, and Mr. Humphreville said Mr. La Bonge has a good relationship with the DWP, which paid for the new water system at Griffith Park.

LA Team Mentoring

Colleen Le Compte, the stakeholder who asked to present this information, was not present, so there was no report.

Ad Hoc Land Use and Zoning Committee

Committee chair James Wolf reported that the six items in this category were all reviewed at last night's meeting of the Ad Hoc Land Use and Zoning Committee.

Yummy Foods (180 S. La Brea) – Yummy Foods has applied for a Conditional Use Permit to sell a full line of alcoholic beverages for off-site consumption at 180 S. La Brea, the current site of the Sonora Café. A representative for the Yummy owners, along with about 20 stakeholders (all opposed to the CUP) attended last night's meeting.

Marcos Velayos, representing the Yummy owners, requested that discussion of this item be postponed until our next meeting, saying he didn't have enough notice before either last night's or tonight's meetings. He said he'd to have the Yummy Foods owners here (they weren't available tonight), and that he'd like to present all the details of their proposal and discuss the community's concerns. Also, there are no pressing time constraints requiring it to be dealt with tonight, since the Zoning Administration hearing – originally scheduled for Nov. 3 – has been postponed.

In brief, according to Mr. Velayos, Yummy wants to build a high-quality neighborhood grocery store, similar to New York or European markets where people can

stock up on fresh foods for the next day or two without having to drive to a large grocery store. Although they are asking for a CUP to sell alcohol, alcohol sales will be “incidental” to the overall business. Mr. Velayos said Yummy opened a store in West Hollywood in 2002, which has made significant improvements to its site. That store, however, will be closing when the new one opens, and they plan to build a better storefront at this location and create a truly pedestrian-friendly business.

At the same time, however, he said the new store won't be very much like the West Hollywood store – and that it's based instead on a new Yummy Foods store that will be opening soon in Playa Vista, a master-planned community that “hand picked Yummy” to be part of a new commercial area. He invited neighborhood stakeholders to go see that store, saying much “inaccurate” information has been disseminated about the new La Brea store. He said it will not be a liquor store or a “7-11,” and that he definitely does want to come back to another meeting with more information and to discuss things further with neighbors.

Stakeholder Stanley Treitel, who lives at 145 S. Highland, said he walks to temple at 155 S. La Brea every day, and walks by the proposed Yummy location “almost daily.” He said he can't see selling alcohol from 6 a.m. to midnight, as is being requested. He also noted that this is a largely Orthodox neighborhood, with lots of foot traffic, and there's a school just up the block from the location, as well as three synagogues within 500 feet, so the proposed use doesn't sit well with the neighbors.

Stakeholder Judith DeWitt, who has lived at 2nd and Orange for 15 years, said the neighbors are “vehemently opposed” to Yummy's plans. She said they already have a 24-hour Ralphs grocery store and a 9 am.-to-9 p.m. Trader Joe's in the neighborhood. Those stores both sell a full line of alcoholic beverages, so they don't need a third liquor outlet in a one-block radius. She said there are lots of families and children in the neighborhood, and that 2nd and Sycamore has already become a popular hangout for vagrants, with increasing crime. She said another liquor store will just bring more of the same and requested that the GWNC board make a motion to oppose the CUP and write a letter to the City Council and Zoning Administration expressing that opposition.

Mark Werts, Jr., whose father owns the American Rag store on the same block as the proposed Yummy location, read a letter from his father, which said La Brea Ave. has been transformed into an upscale, thriving retail area thanks to many years of hard work by local merchants. In the letter, Mr. Werts, Sr. said the neighborhood where his San Francisco store is located underwent a similar renaissance, but when a BevMo store moved into his building, his business went down 30% and problems with vagrants and shoplifting increased dramatically. After reading the letter, Mr. Werts, Jr. said he worked for Yummy Foods when he was in college and can verify that it is mostly a delivery company, and that alcohol does represent a big part of its overall sales.

Robert Chernow, representing the Fairfax Neighborhood Association, to the west of the proposed Yummy Foods location, said his association has been working hard for years to deal with problems caused by other neighborhood businesses – like Trader Joe's

and 7-11 – that sell alcohol. He said those businesses have attracted vagrants, murderers and rapists. Also, he said, there have been many complaints about Trader Joes' violating its CUP with noisy, late-night unloading of trucks in the alley behind adjacent homes. And, finally, the current tenant of 180 S. La Brea – the Sonora Café – does not want to leave the location, and has been an excellent neighbor for many years. Unfortunately, he said the landlords are raising the rent from \$7,500 per month to \$30,000, and the Sonora just can't pay that much.

Mr. Chernob said he tried to contact Yummy Foods months ago with his concerns, but they wouldn't talk to him. He also said he and his neighbors were ready for the scheduled zoning hearing on November 3, but then Yummy cancelled it. He said that if they were prepared for that hearing and are now complaining they did not have time to prepare for this meeting, they are only trying to stall the process. He further noted that Yummy has not cancelled its hearing with the state department of Alcoholic Beverage Control, which is scheduled for November 23. He said there are lots of letters on file opposing this application, and passed around pictures of the West Hollywood store, which has no identifying signage except for a "Liquor" sign on the roof. He also complained that Yummy's delivery vehicles take all the parking at the West Hollywood location, even at expired meters on the street, and they consider frequent parking tickets simply part of the cost of doing business.

Finally, he noted that the Ralphs store is less than 100 feet away, so neighbors don't have to drive long distances to a grocery store. Also, he reiterated that there are schools and synagogues nearby and asked that the GWNC board take action on the matter tonight – because the Sonora Café would like to continue its negotiations with the landlord, and won't have time if we don't move now to stop the Yummy application.

Randy Skinner, of 113 N. La Brea, said he agrees with all that's been said so far: we don't need this business and it will increase crime in the area.

Mark Yellen – who lives near 2nd and Orange – thanked the Land Use Committee for hearing the issue at its meeting last night and said there was lots of input provided – all of it against the CUP application. Mr. Yellen said the zoning hearings were originally scheduled before the Neighborhood Council meeting, and asked why Yummy didn't reach out to the community before those dates were set. He said the ABC hearing is still scheduled for Nov. 23, however, and asked that the GWNC board amend the motion passed last night by the Land Use Committee and simply support the community's opposition to the project. He showed a photo of delivery vehicles at the West Hollywood location, and said the store really is a "delivery service center," with at least 200 linear feet of shelf space for alcohol. He also showed a floor plan for the proposed store, with similar space for liquor. Finally, he said customer and delivery vehicles would be cutting through the alley behind the store, and also driving east on 2nd Street to get to Highland, and both of those paths are already too congested to absorb the extra traffic.

Director Jared Abrams asked if Yummy Foods is similar to Pink Dot, and Mr. Yellen said he believes it is.

Wayne Sachs, representing the owners of the building that is home to American Rag, said that at last night's LUC meeting, Mr. Werts said he might have to move his American Rag store if Yummy moves in, which would be a big problem for his clients. He, too, asked for a motion opposing the CUP application, saying we have all the information we need about the store, from the application itself. He said the only reason to delay a decision would be the "fairness argument," but that's not reasonable. The CUP application was filed months ago, he said, and Yummy was presumably ready for the Nov. 3 zoning hearing (which was cancelled on very short notice), so they should be prepared to present all their information tonight.

On the subject of "misinformation," Mr. Sachs said he has asked Mr. Velayos for information about the project, but it has not been provided, and he thinks Yummy has instructed him not to convey information to the community. He said many neighbors spent a long time preparing for the zoning hearing and this meeting, so the GWNC would be fair to take a position now and not wait until a future meeting. He asked that we send a letter to the Zoning administration opposing the application, but say that if Yummy does manage to sway the community in the future, we would reconsider our position.

Mr. Sachs said he, too, visited the West Hollywood Yummy store and found that 20-25% of the shelf space, and 25-35% of the total store, was dedicated to alcohol sales. He also said he saw no fresh produce, so it's definitely not the store Mr. Velayos is describing. Also, he said, it's difficult to believe the store could afford the \$30,000 monthly rent without significant alcohol sales. Finally, he said the neighborhood around the proposed location is "upscale" – with a monthly art walk and other amenities – and all of that would be threatened by vagrants, increased use of alcohol and drugs near the property and increased traffic problems. He said he and his clients will "aggressively oppose" the Yummy application, and it is appropriate for the Neighborhood Council to oppose it now, not a few months from now -- there should be a firm decision tonight.

Dr. Hillary Wendroff – who has lived near Orange and 2nd for 35 years – said she also does not want the Yummy Foods store for all the reasons others have stated. She said there are also problems with the recycling facility at Ralph's, and she and her neighbors do want the Sonora Café to stay. She asked that we vote "absolutely no" on the CUP.

Mary Protean – who has lived at 1st and Sycamore for 20 years – said it is a family friendly neighborhood, unique to Los Angeles. She said this decision "should be a no-brainer," and that the Yummy Foods business would be out of context with the rest of the neighborhood and is not needed. That corner would turn into an ideal pit stop for fast liquor pickups, and there would be problems with cars racing through the neighborhood when children are playing. She asked the GWNC to please prevent these problems from happening.

Michael Sauer – who has lived in the neighborhood for 38 years – said today, as usual, he saw many large trucks making deliveries to Lamps Plus and Ralphs, right across the street from the proposed Yummy location. The Yummy store would only bring more

truck traffic to an area already congested area. He said he has submitted a letter stating his opposition, which the GWNC has on file.

Susie Henzie, another neighborhood resident, said she, too, agrees with all that has been said opposing the Yummy application, and that she wrote three letters, which she hopes have been received.

Lorenzo Manzanares, who lives on 2nd Street, said the area bordered by Beverly, 3rd Street, La Brea and Highland already has horrendous traffic and does not need more. He said the Sonora Café has been a terrific neighbor, and noted that Café Verona, kitty-corner from the Sonora, submitted a CUP application for extended hours and a full liquor license, but was denied.

GWNC Secretary Elizabeth Fuller held up the file of complaint letters and other materials submitted by neighbors opposing the CUP application. She said it's the thickest such file we've ever collected...and all of the correspondence and other materials have been in opposition to the project.

Mr. Wolf said most of the materials were submitted at our Ad Hoc Land Use Committee meeting last night, where there was a large turnout of stakeholders wanting to speak on the issue. He also clarified, for those who didn't know, that Yummy's zoning hearing, originally scheduled for Nov. 3, was cancelled at the request of neighbors and the GWNC (which wanted to be able to weigh in on the matter before the hearing), not the applicant. He said the Land Use Committee, after hearing stakeholders' testimony unanimously passed the following resolution:

"We recommend to the GWNC Board that, based on comments heard at our Nov. 11 meeting, we draft a letter to the City Zoning Administration and City Council offices opposing the CUP. We will hold the letter on file until our January meeting, with the understanding that there will be NO official actions taken or zoning hearings scheduled until our next meeting. We also request that the Applicant will make an effort between now and our next meeting to conduct a well-noticed meeting with community neighbors and all neighboring business owners along La Brea Ave. regarding Yummy Foods' specific plans for the site. If any zoning hearings are scheduled, or official actions taken, before our January meeting, we will immediately send our letter of opposition to the Zoning Administration and City Council. If there are no hearings or actions before January, and if Yummy does conduct the requested community meeting, we will revisit the discussion and re-vote the issue at our January meeting."

Director Mike Genewick moved that the GWNC Board accept the recommendation. Director Owen Smith seconded it.

President Charles Dougherty opened the motion for discussion, and Mr. Smith said if – as stakeholders have claimed - Yummy's CUP application states the store would not be close to schools or synagogues, it is "deficient." He asked how we can remedy the

discrepancy, and Mr. Wolf said we can't; we can only support or oppose the motion on the floor. We can, however, include reasons for our opposition, and the deficient application might be one of them.

Director Charles Bergson said the motion isn't clear – are we voting to oppose or revisit the CUP application? Mr. Wolf said the Land Use Committee wanted some additional information about Yummy's proposal, but won't have the opportunity to reconsider the matter until January. Also, no community outreach has been done. He said the Committee wanted to be in the position to send a letter if no outreach is done soon, but also wanted the opportunity to gain more information than we have now.

Mr. Smith asked how many liquor stores we need on one area and said there is no need to postpone our action.

Director Martha Schuur said she also doesn't see why we'd want to wait.

Director John Gresham said our intent is to encourage Yummy to engage the community, and we're not sure we'd have time to respond if we act now and they do follow through with their community engagement. He suggested we strike two sentences from the motion, which would allow us to send a letter immediately with the understanding that we might reconsider our action at our next meeting. The amended motion would read:

“We recommend that the GWNC Board, based on comments heard at our November 11 meeting, draft a letter to the City Zoning Administration and City Council offices opposing the CUP. We request that the Applicant will make an effort between now and our next meeting to conduct a well-noticed meeting with community neighbors and all neighboring business owners along La Brea Ave. regarding Yummy Foods' specific plans for the site. If there are no hearings or actions before January and if Yummy does conduct the requested community meeting, we will revisit the discussion and re-vote on the issue at our January meeting.”

Director Jane Gilman said the date should be changed to Nov. 12, and Director Elizabeth Fuller suggested that the entire first sentence could be struck for brevity.

Mr. Smith asked what might change between now and January, and Mr. Bergson said Yummy could hold their promised community meetings. But Mr. Smith said Yummy had misrepresented facts on its application and we don't need another liquor outlet in the neighborhood, neither of which will change between now and then.

Alternate Director Mary Rajswing said the neighborhood groups have done everything right in presenting their opposition to the application, and yet we're considering giving Yummy Foods another shot, which it doesn't deserve. She also noted said the Sonora Café consistently contributes to community events and has been a very good neighbor.

Director Jane Gilman said that under the new version of the resolution we would still send a letter immediately.

Mr. Gresham noted that the amended motion had not yet been seconded.

Director Rudy Gintel suggested that the last sentence could be struck as well, because we can always reconsider any action we take. We don't need to state that option in our motion.

Mr. Dougherty asked if that modification would be OK with Mr. Gresham, and he said it would.

Mr. Gintel said we do want to require that Yummy do more outreach, but the request doesn't conflict with our current opposition to the project.

Alternate Director Mike Genewick said the problem is that we don't have hard data in front of us from the actual CUP application. Ms. Fuller said we do have a copy of the application on file. Mr. Wolf said, however, that the project never did appear on the Planning Department's Early Notification Reports.

Mr. Abrams said it seems simple that we do have enough liquor outlets in the area and we don't need more.

Director Owen Smith proposed an alternate motion:

"The GWNC Board shall send a letter to the Zoning Administration, the City Council and the Department of Alcoholic Beverage Control opposing the Application of Yummy Foods LLC for a CUP for alcoholic beverage sales. The Board will reconsider the matter if local stakeholders support the application."

Director Martha Schuur seconded the motion. Mr. Gresham and Mr. Gintel withdrew their previous motion.

Mr. Gintel suggested we strike the second sentence of this motion, so that it would read:

"The GWNC Board shall send a letter to the Zoning Administration, the City Council and the Department of Alcoholic Beverage Control opposing the Application of Yummy Foods LLC for a CUP for alcoholic beverage sales."

The amended version was moved and seconded.

President Dougherty called for a roll call vote.

Directors Abrams, Rajswing, Chung, Dougherty, Fuller, Gilman, Gintel, Gresham, Hannon, Hudson, Schuur, Smith and Wolf voted in favor. Directors Genewick and Bergson were opposed. By a vote of 13 to 2, the motion was approved.

Mr. Gresham stated for the record that this vote does not preclude Yummy from making another, more detailed, presentation to us in the future, as they have asked to do.

Church at 4270 W. 6th St. -- Land Use Committee Chair James Wolf said this issue was discussed at the recent meeting of the Park Mile Specific Plan Review Board, which gave suggestions to the project representatives. The representatives said they would come back – to both that group and the GWNC – at a future date with more information.

Cuvée Wine Lounge – Land Use Committee Chair James Wolf said the project's owner and representative presented this item to the Land Use Committee last night. The proposed business would be an upscale wine lounge, and its developers are currently working through some specific issues, including a parking plan and the required wine/food ratio. They will come back to us at a future date, when their plans for these items are more firmly in place. No action is required from the GWNC at this point.

Director John Gresham said the applicants clearly have been working with the community in their development plans.

Director Jane Gilman asked if either the church project (above) or the wine lounge are coming up for any city hearings in the near future.

Mr. Wolf said there are no hearings scheduled on either one yet, but the developers of both projects are engaging in a dialogue with us to win our support.

Director Charles Bergson asked how the wine lounge differs from Yummy Foods – didn't we say in that vote that there is already enough liquor in this area?

Director Elizabeth Fuller said the difference is that Yummy Foods would be selling liquor for off-site consumption, but the wine lounge would be serving it in a restaurant setting for on-site consumption (more like the current Sonora Café).

Mr. Wolf also noted that wine prices at the Cuvée lounge would start at about \$85 a bottle. The state requires that at least 50% of the business' sales be from food, which will be hard to achieve with such high wine prices...but that's what the developers are working on at the moment.

Wilshire/Rimpau Condos – Mr. Wolf said this is another project in the Park Mile Specific Plan area. It is currently a vacant lot (used for Christmas tree sales during holiday season), and developers are proposing a 14-unit condominium project for the site. The applicant has had discussions with the community and the neighbors are concerned

about it. The item was on the agenda for the PMSP Review Board recently, but the applicants withdrew it to reconsider the project.

Director Margy Hudson said that a year ago, there were discussions about putting a Ronald McDonald House on this site and the neighbors “went crazy.” She asked if this project was going more smoothly, but Mr. Wolf said it’s too early to tell.

Director Owen Smith said that at the recent meeting of the Hancock Park Homeowners’ Association, Tom La Bonge’s Planning Director, Renee Weitzer, reported that the developers were trying to accommodate neighbors’ concerns by increasing setbacks for the building.

La Brea Coalition Lawsuit – Stakeholder Lucille Saunders, who also represents the Melrose Neighborhood Association, said she is seeking the GWNC’s support for a lawsuit her group – the La Brea Coalition – has filed against the city. Ms. Saunders said the City’s General Plan mandates an annual audit of city infrastructure, which is to be used as the basis for approving development projects. But the audits have not been done since 1998, and developments are being still being approved.

Ms. Saunders said 10 neighborhood associations have joined the suit as plaintiffs and others are expressing interest in signing on as well. She said she knows that Neighborhood Councils – as city-sponsored organizations – cannot join the suit, but she distributed a draft of a motion she said several Councils have passed, supporting the goals of the suit by requesting that a City Council File be opened on the infrastructure audit issue. She said the lawsuit seeks only transparency and accountability before developments are approved, and that the city be required to “follow the law.” She said the suit is not asking for any sort of financial award, only that the required annual reviews be done. “It’s about checks and balances” rather than taking the word of developers’ consultants that projects will create “no significant impacts,” as stated so often in the Environmental Impact Reports they’re hired to prepare.

Director Jane Gilman said that when City Planning Director Gail Goldberg spoke to the GWNC a few months ago, she admitted that revisions to the city’s plans were behind schedule, but said it was because of limited funding.

Ms. Saunders said revisions of the plans is a different issue. Director Elizabeth Fuller said the lawsuit in question isn’t about revising the General Plan, it’s about enforcing a requirement set forth in the current plan.

Director Margy Hudson said such audits would require input from every department in the City.

Alternate Director Mary Rajswing said they city must make a conscious decision each year not to do the audits. Ms. Saunders said her group has asked about that, but didn’t get an answer from the City. The City has, however, responded to the lawsuit, saying the audits are not an issue.

Ms. Rajswing asked how the City can get by without doing the audits if the requirement is in the General Plan...unless the audits aren't really necessary. Ms. Saunders said they can't really know whether the audits are necessary without doing the audits.

Alternate Director Mike Genewick said development decisions are made every day based on the status of our infrastructure...and asked how good decisions can be made if we don't have current infrastructure information.

Director John Gresham said decisions being made without the necessary infrastructure knowledge is exactly what leads to the "cumulative effects" problems we've seen recently in some of our neighborhoods. Just because the zoning allows something doesn't mean the current infrastructure can support it.

Ms. Hudson stated again that the GWNC is not allowed to join the lawsuit. But Mr. Gresham said we're only being asked to ask the City Council to open a file on the infrastructure audit issue. We can strike the part of Ms. Saunders' proposed motion that refers directly to the lawsuit.

Ms. Hudson asked if other Neighborhood Councils have done this, and Ms. Saunders said they're still in the process of approaching individual Councils, but several, including Venice, Northwest San Pedro, South Carthay, Mar Vista, LANC, and Valley Village have passed such a motion.

Mr. Gresham moved that Ms. Saunders' proposed motion be adopted, with one sentence (referring directly to the lawsuit) removed. The new version of the motion would be:

*WHEREAS, the City's General Plan requires an **Annual Growth and Infrastructure Review** to "document what has actually happened to the City's population levels, housing construction, employment levels, and the availability of public infrastructure and public services " and that report will be "...used to facilitate ... environmental review for subsequent programs and projects in accordance with CEQA." ; [Growth Monitoring section of the General Plan originally adopted on December 11, 1996 and Re-adopted on August 8, 2001 (CPC 94-0354 GPF CF 95-2259 CF 01-1162); and*

WHEREAS, the Annual Report provides that "If growth has occurred faster than projected, a revised environmental analysis will be prepared and appropriate changes to the Community Plan and zoning will be recommended. These Plan and zoning changes, and any related moratoria or interim control ordinances, shall be submitted to the City Planning Commission, the Mayor, and the City Council, as specified in the Los Angeles Municipal Code (LAMC)."; and

WHEREAS, the City has not updated its Annual Growth and Infrastructure Review report since 1998, even though the City has experienced a great deal of growth and new construction since 1998; and

WHEREAS, a lawsuit has been filed seeking an order from the Superior Court to compel the City to obey its General Plan and require preparation of an annual report' and

WHEREAS, Neighborhood Councils have the power to ask the City to create a Council file on the subject;

NOW THEREFORE, be it resolved that the Governing Board of the Greater Wilshire Neighborhood Council hereby requests that the City Council create a Council File relating to the preparation of an annual infrastructure analysis and plan in conformance with the General Plan requirement, and seek a moratorium on zone changes, conditional use permits, specific plan changes, etc. until the analyses are completed; and

FURTHERMORE, the Greater Wilshire Neighborhood Council requests that Neighborhood Councils be consulted in the preparation of relevant Community Plan and other updates for their local area.

Director Rudy Gintel seconded the motion.

Director Charles Bergson asked if this needs to be on the agenda before we can vote on it. Director James Wolf said it is item # 11E on the agenda.

The motion carried with 14 votes in favor and one abstention (Bergson).

Medical Marijuana Dispensaries -- Director Elizabeth Fuller reported that on Wednesday, October 1, a medical marijuana dispensary at 812 S. La Brea was robbed, and a 25-year-old security guard at the business was shot and killed. Two gunmen were quickly arrested at the scene of the crime, but a third escaped into her neighborhood, resulting in a six-hour police search. She said this was the second shooting at the facility in the last six months, and that it was particularly scary for the neighborhood because it occurred at 3:30 in the afternoon, when neighborhood streets were full of people, including kids walking home from John Burroughs Middle School (some of them had to be escorted by police to their homes). Wilshire Crest Elementary School was also full of kids in its after school programs, and the school was put on lockdown for three hours, during which no one could go in or out. Also, the third gunman was never caught, but his gun and other items from the robbery were found a week later, stashed on the porch of a neighborhood home where a six-year-old lives.

Ms. Fuller said she began researching marijuana dispensaries after the incident and learned there are three in her neighborhood (at 812 S. La Brea, 901 S. La Brea and 1111 S. La Brea), all within 1,000 feet of Wilshire Crest School. She also said she learned that there are currently no City-mandated controls on the businesses, and that they're not required to have any sort of license or Conditional Use Permit. The dispensaries are mostly cash and carry (they can't take credit cards because their product is illegal in most states), so they have large amounts of both cash and marijuana on hand, making them easy targets for crime. Because of the increased crime associated with the dispensaries, the City Council passed a one-year Interim Control Ordinance in 2007, putting a moratorium on the opening of any new dispensaries while more permanent control measures could be drafted. The ICO was renewed for six months in September of this year. In the meantime, the City Council has drafted a proposed control ordinance, which would, among other things, require the businesses to obtain some sort of permit, and mandate that no dispensaries be located within 1,000 feet of schools, places of worship, libraries, certified child care facilities or other marijuana dispensaries.

Ms. Fuller said the ordinance is currently being considered by the City Council's PLUM committee and the City Attorney's office, but no public hearings have been scheduled so far...so there's no action we can take at this point. She said that when a hearing is scheduled, however, this issue will come up again, and we will be able to consider an action at that time.

President Charles Dougherty noted that the dispensaries are currently illegal under federal law, but are legal under California law. Ms. Fuller said the proposed ordinance is very careful not to address the legality of the dispensaries – it assumes they are legal, and just establishes policies for safer operation.

Public Comment

Stakeholder Karen Gilman, from the Larchmont Village Neighborhood Association, said a petition has been filed to re-open the Larchmont nightclub. In the past, noisy patrons from the club caused problems in the neighborhood late at night. Today, she said, vandals are a problem at the empty club, but re-opening it would just take the matter "back to square 1." She said there will be a public hearing on the morning of Tuesday, December 9, and she will communicate more details to the Larchmont Chronicle and other interested parties.

Finally, Ms Gilman said she appreciates the thorough reports from the Land Use Committee tonight. President Charles Dougherty echoed that praise and offered kudos to Mr. Wolf for his stewardship.

Board Member Comments

Director Margy Hudson announced the Great Shakeout earthquake drill, which will take place tomorrow, November 13, across the state. The event will simulate response to a 7.8 earthquake.

Ms. Hudson also reminded people of Metro's community meetings on a Bus Rapid Transit (BRT) project along Wilshire Blvd., the first of which was held tonight at the same time as our GWNC meeting.

Secretary Elizabeth Fuller announced that nine Directors are currently without Alternates for their seats, which could jeopardize our ability to achieve a quorum at future meetings. She asked everyone who does not currently have an alternate to look around for potential candidates to fill the position.

Alternate Director Mary Rajswing announced plans for a new park at Olympic and Arlington, and said community meetings on potential park designs and features would be held soon. She said the Country Club Park Neighborhood Association, Koreatown Youth Conservation Corps, the Community Redevelopment Association and other groups are working on the project. Director Margy Hudson recommended that the people involved look into the availability of Proposition K funds.

Announcements and Adjournment

President Dougherty announced that the next meeting of the GWNC will be held on Wednesday, January 14, 2009.

The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Elizabeth Fuller
Secretary

APPENDIX A – GWNC Revised Line-Item Budget, as distributed November 12, 2008

GREATER WILSHIRE NEIGHBORHOOD COUNCIL
 2008-2009 Budget

FUNDS

Source	Amount
Yearly Allocation	50,000
Rollover	104,245.53
<u>Total</u>	154,245.53

EXPENSES

100 - Operations	Amount
Board Meeting Location (Wilshire Ebell)	2,000
Office (future – still looking)	12,000
Phone System	1,000
Office Supplies	2,000
Photocopies (agendas, minutes, flyers, etc.)	2,500
Temp. Accountant	5,000
Committee Meeting Facilities	2,500
Office Assistant (to be hired after office found)	5,000
Other	1,000
<u>Sub Total</u>	33,000

200 – Outreach	Amount
Advertising	12,000
Website & Logo Design	6,000
Business Cards	150

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Other	8,850
<u>Sub Total</u>	27,000

300 - Community Improvement	Amount
Larchmont Planning	20,000
Million Trees/Hwd. Beaut. Team	2,000
Frances Blend Sensory Garden (at the Frances Blend School for the Visually Impaired)	15,000
Robert Burns Park Improvements	20,000
Green Islands Median Project	15,000
Lou Ehlers Cadillac Landmark Application	1,500
Other (yet to be assigned)	20,500
<u>Sub Total</u>	94,000

GRAND TOTAL	154,000
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