



**Minutes of the 149th Meeting of the
Palms Neighborhood Council (PNC) and its Representative Assembly
General Meeting, Wednesday, March 2, 2016
IMAN Center, 3376 Motor Avenue, Palms, California**

PNC (and all other) Meeting Minutes are a summary; Minutes were not, are not and are never meant to be an exact, verbatim, word-for-word transcript or comprehensive record of what was said at a Meeting. Exceptions: Motions/Resolutions (as stated at the Meeting, which take precedence over versions written on the Agenda, if different); quotes (words that have quotation marks ("")) at the beginning and ending of a word or words); and other wording from the Agenda such as the first paragraph(s) of some Items. Items are listed in and match the same order as on the Agenda.

I. WELCOMING REMARKS

Call to Order (Stewart)

President Marisa Stewart welcomed everyone and called the Meeting to order at 7:15 p.m. She explained procedures and that "we will treat one another with respect."

II. ADMINISTRATIVE ITEMS

A. Roll Call (Nguyen)

Secretary Len Nguyen called the roll. Seven of the 10 Board Members were present at the beginning of the Meeting: Willie Bell, Nick Greif, Eduardo Mendoza, Len Nguyen, Paulina Quaranta, Cat Stevens and Marisa Stewart. Faye Johnson and Eli Lipmen arrived later. One Board Member was absent: Dr. Wayne Byrd (excused). The PNC quorum (the minimum number of Board Members needing to be present to take binding votes on Agendized Items) is seven (see <http://empowerla.org/wp-content/uploads/2012/07/Palms-NC-Bylaws.pdf>), so the Board could take such votes. Ten of the 13 Board Seats were filled (by election or appointment). Three Board Seats were vacant (Vice-President, Resident 2 and Business 2). [To apply, see <http://PalmsLA.org>.] Also attending: 12 Stakeholders and guests.

B. MOTION: Approve Minutes from 2/3/16 Assembly meeting

MOTION (by Mr. Nguyen, seconded by Mr. Greif): The Palms Neighborhood Council approves the Minutes of its February 3, 2016 General Assembly Meeting as amended.

The following correction was made: page four, Item VI. E. 1: “**AMENDMENT to the FUNDING MOTION** (by Mr. Mendoza, seconded by Mr. Nguyen)” should be “**AMENDMENT to the FUNDING MOTION** (by Mr. Greif, seconded by Dr. Byrd).”

MOTION PASSED with zero opposed or abstained.

III. PUBLIC COMMENT ON NON-AGENDA ITEMS

There were no comments at this time.

IV. COMMUNITY/GOVERNMENT REPORTS & ANNOUNCEMENTS (Representatives from government offices, police and community based organizations)

A. L.A. City Council District 5 Deputy Joseph Galloway

Joseph Galloway, Field Deputy for L.A. City District Five Councilman Paul Koretz (323.866.1828; Joseph.Galloway@LACity.org; <http://CD5.LACity.org>), reported that he is working on Venice Blvd. resurfacing with the City’s Public Works Dept. and Bureau of Street Services. Irene St. between National and Motor will be resurfaced. There are two new parklets on Motor Ave. Small business help is available at Pace Business Development Center (<http://PaceLABdc.org>). The proposed City Charter School at the northeast corner of Motor and National would have 860 students; there will be another traffic study and a Town Hall Meeting with the PNC. The School may file a Conditional Use Permit application “before the end of the month.” Post Office trucks “damaged the alley pretty badly” behind it and expected homeowners to fix it. CD5 is drafting a letter to U.S. 33rd District of California Congresswoman Karen Bass (323.965.1422; www.KarenBass.House.gov) telling the Post Office to fix the alley. The estimate is \$100,000 to resurface the alley. He met with the City Recreation and Parks Dept., advising them that the PNC wants a Native Landscape Garden in Woodbine Park.

Board Member Eli Lipmen arrived at this time (7:35), making eight Board Members present (the PNC quorum is seven).

Mr. Galloway encouraged input about Garden designs. He encouraged emailing 311@LACity.org to get City services. Report homeless encampments as “illegal dumping” so that the City Bureau of Sanitation, not the Bureau of Street Services, will clean it; copy the email to him.

Scott Malsin, Representative for State 54th District Assemblyman Sebastian Ridley-Thomas (310-342-1070; Scott.Malsin@asm.ca.gov; <http://democrats.assembly.ca.gov/members/a54>), reported that the Assemblyman authored legislation for the City to take over maintenance of Venice Blvd. from the State; to allow candidates to post statements on the Internet; and about juvenile justice.

Board Member Faye Johnson arrived at this time (7:43), making nine Board Members present (the PNC quorum is seven).

Ms. Stewart announced that the Assemblyman will attend the next PNC Board Meeting. Mr. Malsin encouraged reporting homeless encampments on freeway underpasses to him for Caltrans action.

B. LAPD Senior Lead Officer Juan Ceja

Juan Ceja, LAPD Pacific Division Senior Lead Officer (310-482-6334; 32929@LAPD.LACity.org; http://www.LAPDOnline.org/pacific_community_police_station), was not present and there was no report.

C. Other Government Departments/Agencies

No other representatives were present and there were no reports.

V. PRESIDENT'S REPORT – Update

Ms. Stewart described outreach about Green Committee positions and that six people expressed interest. She described their backgrounds and explained that the Bylaws say that at least two Board Members must be on each Committee. Stakeholder Kalani Whittington noted that the previous entire Committee resigned, including now-former Chair Charles Miller. Ms. Stewart and Ms. Quaranta offered versions of what recently happened with the Committee.

A. MOTION: Appoint Marisa Stewart (Co-chair), Len Nguyen (Co-chair), Debra Breeding, Gail Floyd, Allison Moore to PNC Green Committee

MOTION to TABLE (by Mr. Lipmen, seconded by Mr. Nguyen).

MOTION to TABLE PASSED with eight in favor; one opposed (Stewart).

B. MOTION: Allocate up to \$600 for PNC table display banner
[*This Agenda Item was addressed after Item #VI. C.*]

FUNDING MOTION (by Ms. Stewart, seconded by Mr. Greif): The Palms Neighborhood Council will allocate up to \$600 for PNC table display banner.

DISCUSSION: Ms. Stewart passed around a quote.

Board Members Nick Greif and Faye Johnson stepped out at this time, making seven Board Members present (the PNC quorum is seven).

FUNDING MOTION PASSED by a roll call vote of the seven eligible voters present with six in favor (“Yes” or “Aye”) (Bell, Mendoza, Nguyen, Quaranta, Stevens and Stewart); zero opposed; one abstained (Lipmen).

Board Members Nick Greif and Faye Johnson returned at this time, making nine Board Members present (the PNC quorum is seven).

C. Community announcements

Ms. Stewart announced upcoming events.

VI. COMMITTEE REPORTS

A. Transportation and Safety (Bell) – Update; next meeting on Monday, March 28, 7:00 p.m. (4th Monday)

Mr. Bell reported that the Committee met last Monday. The Metro Expo Line opens May 20th and will be free that day.

B. Planning and Land Use (Anderberg) – Update; next meeting on Monday, March 21, 7:00 p.m. (3rd Monday)

1. MOTION: [see the below Motion].

MOTION (by Mr. Greif, seconded by Ms. Quaranta): The Palms Neighborhood Council approves a new CUB at 9620 Venice Blvd. to permit on-site sales and consumption of beer and wine only and off-site sales and consumption of a full line of alcohol; and a Zone Variance to reduce code required parking for the change of use to match what is existing on-site.

DISCUSSION: Mr. Greif explained that the site is next to “the Cardiff parking structure” and used to be a furniture showroom. He and Mr. Lipmen explained the Committee’s support. Applicant John Stanley and representative Ariana distributed copies of details, a map and photo, renderings and a site plan, and spoke. Operating hours would be Mondays-Saturdays 10:00 a.m.-12:00 a.m. and Sundays 10:00 a.m.-10:00 p.m. They would close the curb cut and have bike parking in front. He is “open to feedback” and “listening intently to customers.” There will be non-alcoholic drinks but no live entertainment.

MOTION PASSED by a hand vote of the nine eligible voters present with seven in favor (“Yes” or “Aye”) (Greif, Johnson, Lipmen, Nguyen, Quaranta, Stevens and Stewart); one opposed (“No” or “Nay”) (Bell); one abstained (Mendoza).

Mr. Greif added that a letter will be issued by the PNC.

2. MOTION: Whereas, the City of Los Angeles has imposed land use conditions in Conditional Use Beverage (CUB) permits for decades to protect public health, safety and welfare by mitigating potential impacts due to the sale or service of alcohol, as recommended by the LAPD, Council Offices, neighborhood councils, community councils, and local residents; and Whereas, the Department of City Planning suddenly reversed this decades-long practice in 2012, on the advice of the City Attorney’s Office, with no public notice, no public process, no public hearings, and no direction from the City Council, which is charged with policy-making authority; and Whereas, Zoning Administrators now unilaterally and without notice use the Plan Approval Process to remove previously-imposed conditions designed to

avoid or mitigate actual or potential land use impacts adverse to public health, safety and welfare; and

Whereas, municipalities throughout the State of California have and continue to impose land use conditions to mitigate adverse impacts that may otherwise arise from the sale or service of alcohol, including the Cities of Santa Monica, West Hollywood, Palmdale, Lancaster, Huntington Park, Montebello, Orange, San Bernardino, Pinole, Ventura, San Buenaventura, Santa Cruz, Hayward, Walnut Creek, Watsonville, and the County of Los Angeles, among others; and Whereas, the City's current practice undermines the ability of the City and local communities to protect against potential land use impacts that are adverse to public health, safety and welfare, including but not limited to potential nuisances, by restricting the imposition of conditions on, among other things, hours of sale of alcohol, happy hours, container sizes, types of alcohol sold, and other similar rules and regulations, despite the efficacy of such conditions in avoiding or mitigating potential adverse impacts arising from the sale or service of alcohol; and

Whereas, California courts have repeatedly affirmed that municipalities have broad police powers to impose land use conditions that protect against potentially adverse impacts on public health, safety and welfare arising from the sale or service of alcohol; and

Whereas, the California Department of Alcoholic Beverage Control (ABC) has not advised the City that the imposition of such land use conditions interferes with ABC's enforcement of State law; and

Whereas, implementation of this new policy not only impairs the ability of the LAPD, Council Offices, and communities to protect public health, safety and welfare, but also interferes with the ability of CUB applicants to garner support for their projects by negotiating for the imposition of mutually agreed-upon conditions, as had been done for decades before the current practice was imposed, which forces communities to oppose projects they could otherwise support with proper conditions:

Now, therefore, be it Resolved that the Palms Neighborhood Council calls upon the City Council to adopt a policy to: (1.) Authorize the imposition of land use conditions that protect public health, safety and welfare by mitigating potential adverse impacts from the sale or service of alcohol, consistent with the practice of other jurisdictions statewide as well as the City's decades-long practice prior to 2012; (2.) Maintain and enforce previously-imposed CUB conditions on the sale or service of alcohol; and (3.) Prohibit the removal of previously-imposed conditions outside the public processes mandated under the City Charter and Zoning Code.

MOTION to TABLE to the next Board Meeting (by Mr. Lipmen, seconded by Mr. Greif).

MOTION to TABLE PASSED; zero opposed or abstained.

C. Green – Update; next meeting on Wednesday, March 9, 7:00 p.m. (2nd Wednesday)

Ms. Stewart reported that 1,000 people were emailed about Green Committee vacancies but that no Board Members responded. She described work to be done. Ms. Stevens requested that material she considers offensive about her and her partner not be posted on the Internet. Stakeholder Fred Stewart said that “everything on” his website “is true.” Ms. Quaranta said that Committee Members resigned because of “a hostile working environment.” Mr. Greif wanted to be able to read potential appointees’ biographies and have them present before voting. Ms. Johnson said “it should not be personal, it should be business . . . we can agree to disagree.” Mr. Bell said “the Committee needs to go on”; if not, funding might be lost. Ms. Stewart noted that the Green Committee “is a standing Committee.” Mr. Lipmen read from the Bylaws that a Committee can be disbanded.

Ms. Stewart requested and it was agreed to TABLE this Item to get information from the City Attorney.

D. Outreach (Stewart/Nguyen) – Update; next meeting on Thursday, March 10, 7:00 p.m. (2nd Thursday)

1. MOTION: Allocate up to \$2755.55 for over street banner

Ms. Stewart requested and it was agreed to TABLE this Item.

E. Election (Mendoza) – Update

Mr. Mendoza described PNC Election outreach and recruitment work.

1. MOTION: Allocate \$100 for the Call for Candidates Election Postcard graphic design. The Call for Candidates 6.5” x 9” postcard is designed to invite people who live in the Palms neighborhood to become a Candidate in the council. It is double sided with English on one side and Spanish on the other. Includes Every Door Direct Mail (EDDM) mailer imprint. Direct mail is an important part of any political campaign, as such this direct-mail piece serve as an express connection to voters that delivers a clean, concise and controlled message. Costs include design layout, editing, art, service. Funds to be paid to Graphic designer Jim Tabrizi, 1316 S. Barrington Ave. Suite ¼, Los Angeles, CA 90025.

FUNDING MOTION (by Mr. Mendoza, seconded by Ms. Stewart): The Palms Neighborhood Council will allocate \$100 for the Call for Candidates Election Postcard graphic design. Funds to be paid to Graphic designer Jim Tabrizi, 1316 S. Barrington Ave. Suite ¼, Los Angeles, CA 90025.

FUNDING MOTION PASSED unanimously by a hand vote of the nine eligible voters present with all nine in favor (“Yes” or “Aye”) (Bell, Greif, Johnson, Lipmen, Mendoza, Nguyen, Quaranta, Stevens and Stewart); zero opposed; zero abstained.

2. MOTION: [see the below Motion].

Mr. Mendoza explained that “this company was the cheapest.”

FUNDING MOTION (by Mr. Mendoza, seconded by Ms. Stewart): The Palms Neighborhood Council will allocate \$5,058.60 for the Call for Candidates Election Postcard mailer printing presort, bundle, delivery, and postage. Costs include for the printing, presort, bundle, delivery, and postage for the quantity of 15,000 items. Funds to be paid to Phantom Lithography, 11279 Santa Monica Boulevard, Los Angeles, CA 90025.

MOTION to CALL FOR THE QUESTION (by Ms. Stewart). Zero opposed.

FUNDING MOTION PASSED unanimously by a hand vote of the nine eligible voters present with all nine in favor (“Yes” or “Aye”) (Bell, Greif, Johnson, Lipmen, Mendoza, Nguyen, Quaranta, Stevens and Stewart); zero opposed; zero abstained.

3. MOTION: [see the below Motion].

FUNDING MOTION (by Mr. Mendoza, seconded by Mr. Greif): The Palms Neighborhood Council will allocate up to \$650 for 3,500 election color flyers, including graphic design services.

MOTION to CALL FOR THE QUESTION (by Ms. Stewart). Zero opposed.

FUNDING MOTION PASSED unanimously by a hand vote of the nine eligible voters present with all nine in favor (“Yes” or “Aye”) (Bell, Greif, Johnson, Lipmen, Mendoza, Nguyen, Quaranta, Stevens and Stewart); zero opposed; zero abstained.

4. MOTION: Allocate up to \$500 for food at election related outreach events.

Mr. Mendoza explained the need.

FUNDING MOTION (by Mr. Mendoza, seconded by Ms. Stewart): The Palms Neighborhood Council will allocate up to \$500 for food at election related outreach events.

MOTION to CALL FOR THE QUESTION (by Ms. Stewart). Zero opposed.

FUNDING MOTION PASSED unanimously by a hand vote of the nine eligible voters present with all nine in favor (“Yes” or “Aye”) (Bell, Greif, Johnson, Lipmen, Mendoza, Nguyen, Quaranta, Stevens and Stewart); zero opposed; zero abstained.

VII. EXECUTIVE OFFICER REPORTS

A. Treasurer (Greif) – Update

MOTION: Approve Treasurer’s Report & Monthly Expenditure Report

Mr. Greif distributed copies of and reviewed the February 2016 PNC “Monthly Expenditure Report,” the “[PNC] FY 15-16 Budget Adopted on 7-1-15,” the “[PNC] Balance Sheet for FY 2015-16 Prepared as of 3/1/2016,” the “[PNC] Statement of Expenditures for FY 2015-16 Prepared as of 3/1/2016” and a list of “Purchases by Line Item” so far this Fiscal Year. Two expenses totaling \$622.07 were made. So far this Fiscal Year, around \$9,900 has been spent and around \$2,000 encumbered; around \$25,000 remains.

FUNDING MOTION (by Mr. Greif, seconded by Mr. Nguyen): The Palms Neighborhood Council approves its Monthly Expenditure Report for February 2016.

FUNDING MOTION PASSED unanimously by a hand vote of the nine eligible voters present with all nine in favor (“Yes” or “Aye”) (Bell, Greif, Johnson, Lipmen, Mendoza, Nguyen, Quaranta, Stevens and Stewart); zero opposed; zero abstained.

B. Secretary (Nguyen) – Update

Mr. Nguyen did not report.

C. Community Organization Rep. (Byrd) – Update

Dr. Byrd was not present and there was no report.

VIII. AREA REPRESENTATIVE REPORTS

A. Business Rep. 1 (Mendoza)

B. Business Rep. 3 (Johnson)

C. Residential Rep. A (Bell)

D. Residential Rep. B (Stevens)

E. Residential Rep. C (Lipmen)

F. Residential Rep. D (Quaranta)

No Area Representative reports were made at this time.

IX. ADJOURNMENT

Ms. Stewart declared and it was agreed to **ADJOURN** the Meeting at 9:36 p.m. This General Meeting was immediately followed by a Special Meeting.

Minutes written by DL, possibly edited by PNC. *The first paragraph of some Items, Motions/Resolutions and other wording may have been directly copied from the Agenda.* The PNC Minutes page is <http://palmsla.org/about/pnc-meeting-minutes>.