

HARBOR ALLIANCE of NEIGHBORHOOD COUNCILS



Central San Pedro Harbor City – Coastal San Pedro – Harbor City
Harbor Gateway North – Harbor Gateway South – Northwest San Pedro – Wilmington

Our mission is to strengthen the voice of the Harbor Area neighborhood councils by uniting to establish positions on relevant issues and promoting these positions to influence government

Kaiser Permanente Conference Center

25965 Normandie Ave.

Wednesday, October 4, 2017 – 6:30 pm

AGENDA

1. **Welcome and Introductions** – Chair, Coastal, (Harbor City notes)
2. **Approval of Minutes** – Approval of September 6, 2017 meeting minutes
3. **Public Comment on non-agenda items**
4. **Presentation:** Councilmember David Ryu, Chair of the Health, Education and Neighborhood Council Committee
5. **Mayor's Office Update** – Manny Lopez, Harbor Area Representative
6. **Council District 15 Update** – Jacob Haik, Deputy Chief of Staff
7. **BONC Update** – Harbor Area Commissioner, Ray Regalado
8. **DONE Update** – Octaviano Rios, Neighborhood Council Advocate, Department of Neighborhood Empowerment (DONE)
9. **Neighborhood Council Budget Advocates Update** – Budget Rep, Danielle Sandoval
10. **Discussion of Appeal Fee Increase for NCs to file a CIS CF09-0969** – Lu Watson
– see attached draft CIS and examples of CISs filed by other NCs
11. **Website Update** – Doug Epperhart
12. **Public Comment**
13. **Sharing: Issues not on agenda** – Concerns, Questions, Announcements
14. **Adjournment** The next meeting is November 1, 2017, Harbor City will chair and Harbor Gateway North is responsible for notes.

Item #10 CIS:

“proposed” CIS
{Against, unless Amended}

CF 09-0969:

Summary: _____ Neighborhood Council opposes any significant increase in appeal fees for planning and land use appeals filed by non-applicants. “Full cost recovery” is an attack on a fundamental right of the public and affected property owners to appeal decisions. An appeal fee increase to full cost would discourage stakeholders and neighborhood groups from appealing decisions which impact their community. The Ordinance, as proposed, will have a chilling effect on a governmental duty to provide a fair and impartial system of reviewing decisions accessible to all; not just a privileged few.

_____ NC opposes any increase in fees for non-applicants beyond that set forth in Option 1 of the August 14, 2017, CAO/Planning Report. An increase beyond the recommended amount of \$271.00 would deny a citizen access to the Courts and to due process. The full cost recovery fee for non-applicants should be subsidized by the General Fund. To provide non-applicants an equal playing field with well-funded developers, the Ordinance/fee schedule should make allowance for neighborhood associations and non-profit organizations. Groups with a member (or members) residing within the Ordinance-specified distance from the project should be allowed to qualify for those same fees. If there are gradations in fees based on a stakeholder residing within such distance from the project, the qualification should apply to that as well. In the event environmental appeals cost more, the difference in cost should be applied proportionately to the various fees imposed.

Examples of filed CISs:

HARBOR GATEWAY NORTH

Summary: We object to any increase in fees that would discourage residents and neighborhood groups from being able to appeal decisions of the Department of City Planning which impact their neighborhoods. Attempting to reach "full-cost recovery" through the non-applicant fee increase would limit the right of impacted residents to appeal relevant decisions and undermine their ability to have a fair and impartial review. The full cost of an appeal for a non-applicant should be subsidized by the General Fund.

GREATER ECHO PARK

Summary: Echo Park Neighborhood Council opposes any significant increase in appeal fees for planning and land use appeals.

Applying "full cost recovery" to limit the right of the public and affected property owners to appeal these decisions is a dereliction of one of the primary duties of government - to provide a fair and impartial system of reviewing decisions that is accessible to all citizens, including minority voices, and not just those with wealth and power. The "costs" of an appeal should be subsidized by the general fund. Accordingly, EPNC opposes any increase in fees to non-applicants beyond that contained in Option 1 of the most recent CAO/Planning Report (8/14/17) of \$271. In addition, if there are gradations in fees based on residents living within a certain distance from the project, the ordinance/fee schedule should also make allowance for Neighborhood Associations or non-profit organizations with a member residing within such distance to qualify for those same fees, so as to provide an equal playing field with well-funded developers who often are corporate entities that can deduct the costs of appeals. Further, if environmental appeals truly cost more, then the difference in cost should be applied proportionately to the various fees imposed to different parties; there should not be a jump from \$271 to \$13,000 for the same appellant based on the nature of the appeal. To do otherwise would be to deny citizens access to the Courts and due process and otherwise result in bad policy and bad land use decisions.

HISTORIC HIGHLAND PARK

Summary: The Historic Highland Park Neighborhood Council therefore requests the City put a hold on any further action on increasing appeal fees for parties other than the applicant until there is adequate time for all interested parties, including homeowners, businesses and neighborhood associations, to assimilate all relevant documentation, and provide a 60-day comment period to obtain input from those who will be affected.