



# San Pedro Peninsula Homeowners United, Inc.

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## NEWSLETTER SEPTEMBER 2008

### **Upcoming Election for 2009 Board Members**

In November of each year, SPPHU has its **annual** elections for the next year's board of directors. We currently have fourteen seats on the board, three of which are vacant. Eleven of our current board members intend to run for the board for 2009. Unless we have additional members who want to serve on the board, it will be unnecessary to conduct an election as the current board will be unopposed.

Anyone interested in becoming a board member should call Chuck Hart, 310-833-0959 or David Rivera, 310-831-9492 by October 1st so we can arrange for an election should the number of applicants exceed the current number of vacancies on the board. Board members meet on the first Monday of the month. The newly elected board will select the officers for the year 2009. Consider joining us, new blood with fresh ideas is always welcome. Together we can make a difference.

### **4<sup>th</sup> of July in Review**

I think everyone would agree that there was a major reduction in this years illegal fireworks displays of sky-rockets and mortars in their neighborhood. It proves good things can happen when an aroused community and committed law enforcement work together to solve a problem. In the months leading up to the 4th, SPPHU had several contacts with Harbor Areas commanding officer, Bill Hayes of the LAPD, just to ensure plans were still on track for a concentrated effort in our neighborhood and to commit our total support and cooperation.

Numerous leads were received from the community that helped the police department put together an effective action plan. Undercover operations were set up, suspect illegal sales locations were checked out and special areas of patrol established. The operation resulted in 6,000 pounds of fireworks being confiscated in the Harbor Area. One arrest alone netted 1,500 pounds which had a wholesale value of \$40,000, according to the police. A very rewarding effort for the good guys -- a very expensive one for the criminals. You do the math. Thirty percent of those confiscated-related arrests resulted in criminal filings.

On the July 4th holiday, Harbor officers made 3 felony arrests (those punishable by a state prison sentence) and 20 misdemeanor arrests (those punishable by a fine and/or a County jail sentence). They also conducted 40 field interviews of suspect individuals, issued 33 traffic citations and 11 parking citations.

Here is an interesting side note: Throughout the entire City of L.A., 9,000 pounds of fireworks were confiscated, which means 2/3 of all of the confiscated fireworks came from the Harbor Area. That fact alone established a need for an even more aggressive enforcement program next year and Captain Hayes is already working on plans to do just that. SPPHU has written a letter of thanks to Captain Hayes and all of the officers involved for a job 'well done'.

### **Science Center Air Quality Monitoring**

On September 3<sup>rd</sup>, a PCAC Air Quality Meeting, Philip Fine, AQMD atmospheric measurements manager, reported that data at the Barrywood Science Center site is still being gathered but the analysis has not been completed. The site has been operational since November 2007. In the interest of a more comprehensive analysis Mr. Fine hopes to have at least a year of data to analyze before releasing the results. The AQMD plans to have limited information about the results of their monitoring stations on their website in two months or so and hopes to have the final analysis report completed by mid 2009.

The Science Center is one of three local AQMD sites; the other 2 are in Wilmington. The Port of Los Angeles has 4 of their own monitoring stations. Data collected by the Port will be eventually compared to that from the **AQMD** sites. From this analysis, a baseline of the types and levels of contaminants will be established that can be used to measure the effectiveness of the Port's Clean Air Action Program and to see how they measure up to the Federal and State standards. SPPHU is pushing for the data to be used for a health risk assessment for those working on the docks and living in neighborhoods close to the Port. Reported cases of respiratory, heart and other health problems are relatively higher among this group of receptors.

The Science Center site will probably be shut down after a year of data gathering. We anticipate the Port's monitoring stations to remain on line. For more details visit:

POLA Web Site: [www.nortoflosangeks.org](http://www.nortoflosangeks.org) AQMD Web Site: [www.AQMD.gov](http://www.AQMD.gov)

### **Quality of Life Matters**

What is going on? Overloaded power grid, water shortages, inadequate sewer system, unmanageable traffic congestion, air pollution, inadequate emergency medical services, strained to the limit police services; WHY? These are basic quality of life issues that we have a right to expect from our tax dollars. Those in control of our tax dollars respond by asking us to cut back our use of basic services, reduce waste, leave for work an hour early, etc. Most of us acknowledge that we can do a little better and adjust our habits to help the situation only to see the quality of life issues continuing their downward spiral. Something is very wrong at City Hall.

The Los Angeles City Council is charged with the authority to approve all zone changes, development agreements, vested tentative maps, specific plan amendments and General Plan amendments and to approve and provide for public facilities improvements. The City Planning Department is charged with the implementation of the City's General Plan, including the annual monitoring and reporting of the City's population growth, infrastructure and services. So now we know where the responsibility lies, the question is. 'Why isn't it working?' Could it be that the City continues to encourage rapid growth and development without insuring that the resulting population growth will not have an overall negative impact resulting from the added strain that development will put on our infrastructure?

There is more involved in 'good planning' than just having a plan for growth and designating the responsibility for seeing the plan carried out. The problem here is that the City has failed, as mandated by the General Plan, to establish an annual monitoring and review process to ensure that the anticipated population growth is accommodated without negatively impacting our basic quality of life issues such as failing infrastructure, cut back services, traffic, available jobs and classrooms. Planning without a review to see if it is working results in 'decision making based on guess work and chance' instead of reality and fact. So the beat goes on -- As the City continues its Band-Aid approach to governing.

Despite the fact that the City has failed to perform its mandated duties to prepare annual reports, establish monitoring and collect data to help in the decision making process, the City continues to approve development at break-neck speed that usually always favors the up-zoning of land which results in unmitigated population growth and density. The City has issued millions of new building construction permits since the last published Annual Report in 2000. Look at all the development taking place in San Pedro in the last eight years!

Whether or not the decisions made regarding our new development will be right for our community, only history will tell. But NOW is the time to participate and try to ensure that the decision makers take into account the uniqueness of our peninsula community and that San Pedro's Community Plan is part of that process. New development impacts on an established community should result in improving the current residents' quality of life or at least mitigating the impacts to a 'true level' of insignificance. If that isn't possible, then the project as planned should NOT go forward. To reiterate, good decisions must be based on accurate information and not the influence of developers or politics. Budget short falls, for instance, can result in short-term fixes, with long-term negative impacts. We must remain diligent, stay informed and be willing to take a proactive stance on issues that affect us.

It is in that spirit that SPPHU has joined a party of litigants that is challenging the City of Los Angeles' failure to perform mandatory duties required under the City of Los Angeles' General Plan (Saunders, et al, vs. City of Los Angeles). For those members who may be concerned, SPPHU has no financial obligation as a result of joining this lawsuit.

Among other things, the suit requests the Court declare that the City is in violation of its General Plan and the Government Code for failing to perform its mandatory duties set forth by the General Plan. Petitioners' further request the Court to prohibit the City from approving any zoning ordinances, General Plan amendments or any elements thereof, vested tentative maps, development agreements~ or Specific Plans. In short, Petitioners pray for injunctive relief prohibiting any and all further significant development approvals unless and until the City performs such mandatory duties pursuant to the General Plan.

### **Laura Chick Forum - September 4, 2008**

What did any of us ever hear about our Los Angeles City Controller prior to Laura Chick? Chick has received much publicity over her audits of LA's City government. It's reasonable to assume Chick has received this notoriety because she performs her job, as she legally is challenged to do...without political favors or prejudice. That lack of political bowing has enabled audit disclosures of misappropriations and cronyism that is so prevalent in our system of government today.

In the afternoon of the day of the forum, Chick's deputy called to inform us that the Controller had fallen earlier that day and broken her leg. Since the doctor ordered her to stay off of her leg it was necessary to cancel her scheduled appearances. As the phone conversation progressed, Ms Chick 'broke in' and said 'I'm coming'. Instead of adhering to her doctor's orders, Laura Chick showed up at our scheduled meeting, on time, on crutches, in a cast and in pain. A pretty good indicator of how strong this woman's commitment is to her constituency.

The meeting was hosted by both the San Pedro & Peninsula Homeowners United and the San Pedro & Peninsula Homeowners Coalition, with support from Community Outreach Promoting Safety and Security Questions of the evening circled around the recent audit performed by Ms. Chick disclosing the incredibly deficient emergency response system in Los Angeles. As residents of the Harbor area, with an extraordinary number of potential disaster Threats due to the Port of LA, the number of local refineries, and the seismic vulnerabilities, it was incumbent upon our homeowners to vocalize our lack of protection.

Chick gave a synopsis of her job as City Controller and some of the findings which identified numerous deficiencies in multiple departments. Melding LA's Emergency Response Dept Homeowner Members spoke for 3 minutes each on four items of importance to our residents, a) Amerigas, b) Ponte Vista, c) Port Risks to Community, d) Emergency Evacuation.

Chick listened attentively to members and then responded to each category. Her remarks on Amerigas were that with the local density, it is clear that this is a land use problem. One of the pieces of pertinent information that came toward was that Amerigas meets conditions of a Grade 3 seismic risk, while the area has been identified as a more hazardous risk of Grade 4. At minimum this facility should be upgraded to meet the standard of this grading. Chick said that she would further investigate the facility and also study whether there were any additional insurance requirements necessary to the City based on the hazardous nature of it.

Ponte Vista testimony provoked her to comment that since there is a demand for a zoning change, unless the project can update an infrastructure that will *be guaranteed* to support the density, it should be deemed. She expressed frustration at the lack of LA planning, as it relates to the promotion of housing, while ignoring the responsibility to avoid gridlock and lack of proper services to accommodate that growth.

The Controller urged all homeowners to work in unity with Neighborhood Councils in an effort to ensure proper emergency planning and evacuation for our community. As she spoke further on the risks associated

With the Port of LA, she expressed outrage that the Port has not provided an Emergency Evacuation Plan for the residents that would be impacted. Her outrage culminated in an offer to join with Community members en masse to attend a Board of Harbor Commissioners Hearing and DEMAND an Evacuation Plan! Stay tuned on that, and please be ready to stand up with us!

Chick also discussed her attempt to audit City Attorney, Rocky Delgadillo's office which resulted in a threat of a lawsuit by Delgadillo since the newest Charter apparently pre-empts the Controller from auditing L.A. City's elected officials! We will most likely be hearing more about this issue in the coming months as there are plans to place an ordinance on the March 2009 ballot to restore that duty and latitude to the L.A. City Controller's office.

The candor of Ms Chick's comments encouraged the audience to participate in an extended question and answer period. One apparently inspired participant asked if Chick would be running for Mayor. The question drew applause from the audience that turned to groans of disappointment when she answered 'No'. Apparently, she does not intend to immediately seek public office when her term as Controller ends in about 10 months. However, she did not rule out the possibility of having an opportunity to consider her as a candidate in the future.

### **R-1 Group Prepares for Battle/Requests Help**

SPPHU membership has overwhelmingly voted to oppose the proposed Ponte Vista Development It's now time to back up that vote and take action. The choice is yours, but we urge you to strongly consider supporting this effort. The R-1 group has asked SPPHU to re-print their request in our Newsletter:

"City Planning Department staff is evaluating the Ponte Vista application to build 1950 units on the old Navy property on Western. Because the City has automatic density bonuses in the Municipal Code, Ponte Vista will be able to build 2,633 units if its application is granted. Bisno predicts an increase of 10,000 car trips a day on Western to the existing 37,000. We think it may be closer to 26,000 additional trips.

The Department's report will be out soon, maybe in a matter of weeks. It will then go to the Planning Commission and then to the City Council.

We need specialized legal counsel now, to help prepare the position we will take on the Planning Department recommendation. We expect it will be for more units than are appropriate for the property This is called "preparing the administrative record" and is vital because it may limit what can be argued if we have to litigate at a later time If the application is then approved by the City Council, we will need some additional funds to challenge the City for violating the California Environmental Quality Act.

We estimate it will cost 10 to 20 thousand to prepare the administrative record. If we later have to litigate, we may need additional funds but since the Environmental Quality Act includes an attorney's fees clause, we would secure our attorneys fees from the City In that event, or if there are funds remaining, we are keeping track of donations so that we can return some part of them to the donors.

There are ten homeowner groups that have taken opposition positions to the Ponte Vista development. We hope that each homeowner group can help raise \$2,000 each by soliciting donations from their membership for this vital action to help protect our community from massive over development and burdensome traffic.

There are two ways to contribute to this important cause: Send a check payable to "R Neighborhoods Are 1 with a notation that it's for the legal defense fund to R Neighborhoods Are 1,1840 S Gaffey St #316, San Pedro, Ca. 90731-5361 or Go online to [www.rneighborhoodsarel.org](http://www.rneighborhoodsarel.org) and click on the "donate" button This will enable you to use PayPal to make your contribution."

## **BITS AND PIECES**

### **Strathmore speed humps:**

According to Mr. Siamak Motahari, the Senior Engineer for the Department of Public Works for the City of RPV, the speed humps are scheduled to be installed this fall. Mr. Motahari works closely with traffic and street issues and has the knowledge of dealing with those contract issues.

### **Cruise Ship Terminal AMP1NG**

The current Cruise Ship Terminal on Harbor Blvd and Swinford is being upgraded to allow the ships to hookup to electricity while at dockside. Currently their dockside power is provided by high polluting diesel generators. The power lines and a vault must be installed under Harbor Blvd., in the northbound left turn lane to the bridge. Expect traffic delays for several days in late September or early October.

### **Other Harbor Blvd. Traffic Delays:**

9-23 to 10-28 Repaving - one lane open each direction.

### **ILWU Local 13 Clarified Ponte Vista. Position:**

In a letter of Councilwoman Janice Hahn dated August 28<sup>th</sup>2008 Local 13 clarified, its position on Ponte Vista. To ensure accuracy of their position we will quote the summarizing statement "Again, the extent of Local 13's 'support' for the Ponte Vista Project is limited to its use of organized labor Beyond that, Local 13 does not endorse the Ponte Vista *Project*."

### **Traffic Signal @ Westmont and Taper Avenue:**

A traffic survey was done at the intersection of Westmont and Taper Avenue to determine if the increase in traffic generated by the Mary Star Campus would justify the installation of a traffic signal. Numerous complaints about the safety of the Taper Avenue School students going to and from school initiated the survey. The survey results failed to justify the need for a traffic signal. SPPRU conducted its 'iii survey and found that the problem is related to poor driving habits, which means more traffic violation enforcement is needed.

### **Street Resurfacing Proposed for Highlands Neighborhood, Fiscal Year 2008-2009 Ending June 30, 2009**

(No specific dates have been set)

Amelia Avenue From Westmont Drive to Sandwood Place  
Barrywood, - From Sandwood to Westmont Drive  
Bloomwood Road — From Millmark Grove to Amelia  
Dalmatia Drive From Mt. Shasta Drive to Stonewood Court  
Gaffey Street ~- From Westmont Drive to Channel Street  
Westmont Drive — From Amelia Avenue to Western Avenue

### **Crime Alert**

There has been an increase in theft from vehicles with The Gardens experiencing the highest number. Police say criminals pick their victims because they see valuables in plain view.

### **Meeting Schedule**

We have lost the use of Taper Avenue School for our regular meeting place because of a dramatic increase in the fees they are charging. For the remainder of the year, meetings' will be held at board members homes. Please e-mail us to determine the location.

Meeting dates in 2008 are Monday, October 6th, Thursday, November 6th• Monday, December the 1st and Monday, January the 5th of 2009.