



Special Board Meeting Minutes

Canoga Park Neighborhood Council (CPNC)

7:00 PM, Wednesday, December 10, 2014
Canoga Park Community Center
7248 Owensmouth Ave, Canoga Park, CA 91304



**Canoga Park
Neighborhood Council
Board of Directors**

President

Corinne Ho
Home/Condo Owners Rep.

Vice President

Ron Clary
Retail/Service Business Rep.

Secretary

Bill Ratner
Home/Condo Owners Rep.

Treasurer

Michelle Miranda
Community Service Org. Rep.

Rhonda Spires
Youth Group Rep.

Miguel Orellana
Youth Group Rep.

Vacant
Senior Group Rep.

Vacant
Senior Group Rep.

Quincy Clemons
Residential Renters Rep.

Yesenia Cardenas
Residential Renters Rep.

Liliana Lozano
Residential Renters Rep.

Jorge Godinez
Residential Renters Rep.

Brian St. Germain
Home/Condo Owners Rep.

Diego Escobar
Home/Condo Owners Rep.

Stuart Vaughn
Retail/Service Business Rep.

Bobbi Trantafello
Retail/Service Business Rep.

Todd Ferguson
Retail/Service Business Rep.

Vacant
Community Based Org. Rep.

Mary Paterson
Community Based Org. Rep.

Paul Shafit
Faith Based Org. Rep.

Jessica Irias
School Representative

Saaliha Khan
At-Large Rep.

James Sweet
At-Large Rep.

Kyra Edrington
At-Large Rep.

Terrance Jakubowski
At-Large Rep.

1. Call to order at 703 PM and Pledge of Allegiance by Corinne Ho, President, CPNC
2. Opening Statement – Present, Corinne Ho
 - a. General comments of welcome and instructions for addressing the Agenda and the purpose of the Meeting
 - b. Shared Agenda.
3. Roll Call and Declaration of a Quorum
 - a. Board Members present: Ron Clary, Quincy Clemons, Kyra Edrington, Diego Escobar, Todd Ferguson, Corinne Ho, Terrance Jakubowski, Saaliha Kahn, Michelle Miranda, Mary Paterson, Paul Shafit, Rhonda Spires, Brian St. Germain, James Sweet and Stuart Vaughn.
 - b. Board Members absent: Jovan Avalos, Yesenia Cardenas, Jorge Godinez, Liliana Lorano, Miguel Orellana.
 - c. Board Members excused: Bill Ratner, Bobbi Trantafello
 - d. A quorum was declared as members present (15) exceeded (13) quorum requirement.
4. Public Comments – Comments from the public on non-agenda items within the Committee’s subject matter jurisdiction. The public was requested to fill out a “Speaker Card” to address the Committee on any agenda item before the Committee takes an action. Public comment is limited to 3 minutes per speaker, but the Committee has the discretion to modify the amount of time for any speaker. (10 Minutes)
 - a. Presented Donald Di Simons with a certificate of recognition for services to the Board and Community.

The public is requested to fill out a “Speaker Card” to address the Board on any agenda item before the Board takes an action. Public comment is limited to 3 minutes per speaker, but the Board has the discretion to modify the amount of time for any speaker.

The public may comment on a specific item listed on this agenda when the Board considers that item. When the Board considers the agenda item entitled “Public Comments,” the public has the right to comment on any matter that is within the Board’s jurisdiction. In addition, the members of the public may request and receive copies without undue delay of any documents that are distributed to the Board, unless there is a specific exemption under the Public Records Act that prevents the disclosure of the record. (Govt. Code § 54957.5)

The Canoga Park Neighborhood Council (CPNC) holds its regular meetings on the 4th Wednesday of every month and may also call any additional required special meetings in accordance with its By-Laws, Department of Neighborhood Empowerment Policies and Procedures and the latest changes to the Brown Act. The agenda for the regular and special meetings is physically posted for public review at The Canoga Park/West Hills Chamber of Commerce, 7248 Owensmouth Ave. and Canoga Park Library 20939 Sherman Way, Canoga Park.; on the CPNC Website at www.canogaparknc.org and using the CPNC e-mail listing.

The Canoga Park Neighborhood As covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 3 business days prior to the meeting you wish to attend by contacting the Department of Neighborhood Empowerment at (213) 978-1551 or e-mail NCSupport@lacity.org.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR A LA OFICINA 3 dias de trabajo (72 horas) ANTES DEL EVENTO. SI NECESITA AYUDA CON ESTA AGENDA, POR FAVOR LLAME A NUESTRA OFICINA AL (213) 485-1360 oro e-mail NCSupport@lacity.org.

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting, may be viewed at 7248 Owensmouth Avenue, Canoga Park, CA 91304 or at our website: www.canogaparknc.org by clicking on the link provided on the Home Page, or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the CPNC Secretary at (818) 414-2700 or at secretary@canogaparknc.org.



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5. Board Business – subject matters within the CPNC’s Jurisdiction. Possible action on all motions and discussion. It is anticipated that the applicant will make a presentation. Public comments on the issue will be heard. (60 Min.)
 - a. **MOTION:** Discussion of, and possible recommendation for or against, the requested Conditional Use Permit (ZA-2014-1630) to allow the use of new McDonald’s located at 22200 Sherman Way, Canoga Park. Such recommendation may suggest possible additional conditions on such use.
 - i. Explanation: Under the proposed application, McDonald’s will construct a new building totaling 3,475 square feet and include a total of 30 parking stalls. McDonald’s will also be providing dual order points, enhanced architecture elements, and new landscaping. The proposed project will be developed on one parcel consisting of 31,378 (0.72AC). The proposed project is located in C1-1VL (Limited Commercial) and P1-VI (Parking) zones. Due to the configuration of the McDonald’s building a zoning variance has been requested to allow the entire parcel be developed in the C1-1VL zone.
 - ii. Moved by Corinne Ho, Seconded by Paul Shafit
 - iii. Discussion:
 1. Representatives from McDonalds (Veronica Perez, Chris Stamps and Michael Teck) made a presentation regarding the Variance Request. Topics presented were:
 - a. Vicinity, Zoning and Initial Site Maps
 - b. New Site Plan, Architecture and Characteristics
 - c. Various pictures and pictorials
 - d. Mitigation Plan for Noise
 - e. Giving back to community history and commitments going forward.
 2. Captain Rodriguez, Topanga Station, LAPD presented general crime and violence data and did not foresee an issues from public safety in the approval of the Variance Request.
 3. Mark Neudorff, President of the Canoga Park West Hills Chamber of Commerce presented a Letter to the Board and spoke in favor of the Variance Request.
 4. Q&A from the Board addressed the central issues of the Variance.
 - iv. Vote on Motion: 13 yes, 0 no, 1 abstention, 1 ineligible: Motion passed recommending approval of Variance.
6. Announcements: None
7. Meeting adjourned by acclamation.

Board Member Vote Recap for all Motions Coming Before the Board on 10 DECEMBER 2014

Agenda Item Number	Motion Before the Board with Agenda Reference Indicators	Vice President	Board Member	Board Member	Board Member	Board Member	President	Board Member	Treasurer	Board Member	Board Member	Board Member	Board Member	Board Member	Board Member	Voting Results					
		Clary	Clemons	Edrington	Escobar	Ferguson	Ho	Jakubowski	Kahn	Miranda	Paterson	Shafit	Spires	St. Germain	Sweet	Vaughn	Yes	No	Abstain	Recused	Ineligible
5.b.	Motion to recommend approval of CUP ZA-2014-1630 for McDonald’s property located at 22200 Sherman Way	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	13	0	1	0	1	Passed

(-) President votes to break a tie vote in accordance with CPNC By-Laws
 - Member is ineligible to vote



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PROCESS FOR RECONSIDERATION in accordance with Article VIII Meetings, Section 4 of the current CPNC By-Laws:

"The Board may reconsider and amend its action on items listed on the agenda if that reconsideration takes place immediately following the original action or at the next regular Neighborhood Council meeting. The Board, on either of these two (2) days, shall: (1) make a Motion to Reconsider and, if approved, (2) hear the matter and take an action. If the Motion to Reconsider an action is to be scheduled at the next meeting following the original action, then two items shall be placed on the agenda for that meeting: (1) a Motion to Reconsider the described matter and (2) a [Proposed] Action, should the Motion to Reconsider be approved. A motion for reconsideration can only be made by a Representative who has previously voted on the prevailing side of the original action taken. If a motion for reconsideration is not made on the date the action was taken, then a Representative on the prevailing side of the action must submit a memorandum to the Secretary identifying the matter to be reconsidered and a brief description of the reason(s) for requesting reconsideration at the next regular meeting. The aforesaid shall all be in compliance with the Brown Act."

PROCESS FOR FILING A GRIEVANCE in accordance with Article XI Grievance process of the current CPNC By-Laws:

"A. Process. Any person or group adversely affected by the decisions or policy of the CPNC may file a written grievance with the Board. Within ten (10) working days, the Board shall then refer the matter to the grievance committee, who shall have ten (10) working days to meet with the person submitting the grievance and to discuss ways in which the matter may be resolved. The committee shall prepare a written report for the Board outlining their recommendations for resolving the grievance. The Board must then address the report at the next regular or special meeting.

"B. Appeal. In the event that a grievance cannot be resolved through this grievance process, the matter may be referred to the Department for consideration or dispute resolution in accordance with the Plan.

"C. Matters which can be grieved. The formal grievance process is not intended to apply to Stakeholders who simply disagree with a position or action taken by the Board at one of its meetings. Those grievances can be discussed at Board meetings. This grievance process is intended to address matters involving procedural disputes, e.g. the Board's failure to follow these bylaws or its Standing Rules."

BROWN ACT REVISION AND LANGUAGE IN THE BYLAWS

The City Attorney wishes to bring to your attention a recent amendment to the Brown Act* that takes effect on July 1, 2008, and impacts the wording of board agendas and also impacts how the records, which are reviewed by board members in anticipation of a meeting, are to be made available to the public. This information is intended to provide you with guidance in preparing the agendas for the Neighborhood Councils.

The pertinent amendment is contained in Government Code section 54957.5 paragraph (b) reads as follows:

"(b) (1) If a writing that is a public record under subdivision (a), and that relates to an agenda item for an open session of a regular meeting of the legislative body of a local agency, is distributed less than 72 hours prior to that meeting, the writing shall be made available for public inspection pursuant to paragraph (2) at the time the writing is distributed to all, or a majority of all, of the members of the body.

(2) A local agency shall make any writing described in paragraph (1) available for public inspection at a public office or location that the agency shall designate for this purpose. Each local agency shall list the address of this office or location on the agendas for all meetings of the legislative body of that agency. The local agency also may post the writing on the local agency's Internet Web site in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

(3) This subdivision shall become operative on July 1, 2008."

Typically, board members receive an agenda and written materials to review in advance of a meeting (the "agenda packet"). Government Code section 54957.5 clarifies that once the writings or agenda packet are delivered to a majority of the members on the board, the records, unless specifically protected from disclosure by the Public Records Act, must be made immediately available upon request. If written materials are submitted to the board after the posting of the agenda, then the agency shall designate a location (and an optional website link) where the public may view the records.

Therefore, Neighborhood Councils should provide for easy access to the records by making them available on the website in addition to a physical location. It will be important to insure that upon distribution of the agenda packet to a majority or all of the board members, the documents are promptly placed in the correct location and posted on the website."



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