

**December 3, 2003**

# CITY OF LOS ANGELES

CALIFORNIA



## SILVER LAKE NEIGHBORHOOD COUNCIL

### SILVER LAKE NEIGHBORHOOD COUNCIL OFFICERS

Jason Lyon, Rusty Millar  
CO-CHAIRS  
Salvador Sanchez  
VICE-CHAIR  
Charles R. Wiggington  
TREASURER  
Martin Hittelman  
SECRETARY

### SILVER LAKE NEIGHBORHOOD COUNCIL

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## GOVERNING BOARD

### Minutes

December 3, 2003

#### I. Call to Order

The meeting was called to order at 7:00 PM by Rusty Millar.

#### II. Roll Call

**Members in Attendance:** Michael Locke, Roberto Haraldson, Charles Wiggington, Robin Dakin, Lewis Myers, Rusty Millar, Sandra Emma Ruiz, Luis Lopez, Darren Morton, Robert Brooks, Garry Willis, Laura Dwan, Michael J. Horne, Elizabeth Bougart-Sharkov, Peter Choi, Barbara Dakin, Martin Hittelman, Jason Lyon, Salvador Sanchez

**Members Not in Attendance:** Marian Aguilar, Jane Renahan

#### III. Minutes

The minutes of November 19, 2003 were approved as distributed. (no negative votes)

#### IV. Public Comment

Stakeholder Wes Joe handed out a flyer for an ad hoc group of residents involved with the proposed Gateways project at Hoover and London. He reported on a community meeting held in November 2002. The flyer updated information provided at that meeting regarding the Gateways Project. The next community meeting on the issue is planned for January 20, 2004 beginning at 7:00 PM at the Bellevue Park Recreation Center.

Mr. Joe also handed out a flyer regarding an Open House meeting to discuss traffic calming proposals for the area south of Brandon St, north of Beverly Blvd, east of Silver Lake Blvd and west of Beaudry Ave. The discussion will revolve around reducing traffic and enhancing pedestrian safety. The Open House will take place at the Echo Park Library on December 10, 2003 from 6:00 PM to 8:00 PM.

Co-Chair Millar advised the board that there is a binder at the CD 13 office which contains the minutes, agendas, leaflets and the like of the governing board and committees. He requests that members send him committee agendas and minutes and other materials so that he can include them in the binder.

Darren Morton, speaking as a stakeholder and not as a member of the Governing Board, addressed the issues that he is facing regarding his restaurant at the intersection of Sanborn, Sunset and Santa Monica Blvd. The City is demanding that he increase the parking space requirement for the restaurant and he is appealing that decision. He would like the SLNC to support his appeal when the SLNC has had the time and information necessary to act.

#### V. Correspondence

There was no correspondence.

#### VI. Reports of Officers

a. Co-chair Lyon advised the board of the DONE Early Notification System which should soon be on-line for neighborhood councils. The SLNC should be able to begin posting agendas as soon as Tom Soong returns and people can subscribe to receive them. He also reported that the City Council approved a motion on renting office space. The Department can now sign off which should cut the approval time down to 30 to 45 days. Lyon asked for new posting locations. Region 3 Micron liquor store has agreed. There are problems finding another place to post in region 6. A suggestion was discussed that the SLNC might try the Coffee Table. The Region 2 posting is in the

window of a store in a small plastic pouch. It will help to have our items stand out. Other places were discussed and a list of posting spots will be prepared as agreements are reached.

b. Vice-Chair (Sanchez) Suggestions for Cooperation among the SLNC Board

If you don't live in the region of a person that contacts you, recommend that they contact their regional representatives.

c. Treasurer (Wiggington) Status of Funding: Approved tentative budget last time, submitted to the City. Wiggington faxed the minutes today so that the budget can be approved and the council will begin to receive funding. A financial accountability statement prepared earlier by Hittelman was distributed. Wiggington thought it looked fine and requests members look it over for any problems.

A Monthly Report form was discussed. It will contain the budget, expenditures for the month, monthly variance from proportional amount of the budget, year to date activity, and the variance for the year in the last column.

## VII. Committee Reports

a. Arts and Culture (Choi): The first meeting will be held on December 8 at 7:30 PM at the Coffee Table's back patio. The committee is planning to elect a chair at the end of the meeting. The meeting will be an organization meeting.

b. Beautification (Locke): no report

c. Community Liaison (Willis): The committee met on November 18. Garry Willis is the Secretary Pro Tem and Jane Renahan is the Chair Pro Tem. Committee meetings will be held on the first Monday of each month.

M/S/P (Lyon) approve the mission statement: The Community Liaison Committee will coordinate with the Neighborhood Council Governing Board and Committees to facilitate communications with the community stakeholders, other community organizations, and government entities.

And goals: 1) Set up Neighborhood Council computer. 2) Consolidate mailing lists and databases. 3) Manage email communication from website. 4) Manage communication with governmental agencies regarding community concerns. 5) Facilitate putting community concerns on the Neighborhood Council Governing Board agenda. 6) Grow membership of the committee.

A question was raised as to who will own the data base? It was noted that in the above goals that the Community Liaison Committee will consolidate mailing lists and databases. Willis noted that only people who have signed up with the SLNC will be on the list and that it is a public document. He noted that the distinction between the Liaison and the Outreach committees is that Liaison will only communicate with currently signed up stakeholders while Outreach will send out information to all stakeholders. Willis noted that he will have to go back to the committee to develop details on the above.

d. Development (Lyon): The Development Committee, which deals with seeking out additional sources of funding, has not yet met. Lyon expressed an opinion that it may be premature to begin working when the SLNC does not currently have the ability to accept money from outside groups and individuals.

e. Governmental Affairs (Myers): The committee has not met since the last meeting of the governing board. The committee has not set a regular date and time for their meetings.

Stakeholder Jim McQuiston spoke to a presentation that Roy Romer, Superintendent of the Los Angeles Unified School District, made regarding random inspections of five schools for safety. Romer stated his opposition and felt that the City had no jurisdiction over the schools.

f. Media Relations (Morton): The committee has not yet met. They expect to have a meeting within the next month.

g. Outreach (Myers): The committee has not met since the last governing board meeting.

h. Public Safety and Crime Prevention (B. Dakin): The committee will meet on December 4, 2003. It was reported that Shane Goldsmith will be a liaison from Councilmember Garcetti's office.

i. Urban Design and Preservation (Bougart-Sharkov): The committees has prepared a motion for the this meeting.

M/S (Sharkov): The SLNC will recommend the following revisions to the Silver Lake Echo Park Community Plan:

1. Extend the proposed Overlay District on Sunset Blvd. in Silver Lake East to Coronado Street (the proposed

District currently runs from Santa Monica to Micheltoarena).

2. Limit the proposed Floor-Area-Ratio (FAR) for mixed-use projects on Sunset Blvd. to 2:1 (the Plan Update proposes a 3:1 FAR for such projects); further, prior to approval of any proposed mixed-use project that includes a FAR bonus, guarantee adequate infrastructure is in place to support proposed project (especially a parks and open-space).
3. Change the height district designation from 1-VL (45 ft. max) to 1-XL (30 ft. max) at the following locations: 1) Silver Lake Blvd. from Swan to Effie; 2) Hyperion from Landa to Rowena; and, 3) Rowena from Hyperion to Lakewood.
4. Provide an Implementation Plan that lays out a schedule of organizational milestones (e.g. establishment of Overlay Districts), that coordinates other elements of the General Plan, and that lists a schedule of actions that need to be taken by other City Departments.
5. Upon approval of the Plan Update, immediately follow up with Specific Area Plans to address block-by-block issues, including potential park sites, streetscape, cultural monuments, traffic mitigation, hillside development standards, potential sites for any proposed mixed-use or City sponsored projects.

A question was asked with respect to issue number 1. It was explained that a more appropriate span should go from Sunset Junction to Coronado with no gap. An overlay must consider the existing condition and then prepare a possible overlay to that. It will require community input before changes are made.

It was explained that number 2 and 3 reduce new development and potential overcrowding.

M/S/P 11 Aye -8 No (Hittelman) to defer action to the next meeting when people will be better informed to make a decision.

Stakeholder Jim McQuiston noted that he went through this in East Hollywood. Frameworks deal with housing and transportation. The city planners want to put housing on major routes like Sunset Blvd. Increasing affordable housing (up to \$45,000 per year earners) is a goal of planning. The SLNC will need to get deeply into this to make an impact and it is an extremely important issue to the community. He advised that it is important to read all the frameworks.

Co-chair Millar gave up the chair to speak to the issue. He outlined why he thinks the currently proposed plan is fundamentally flawed. He stated the area is the most densely populated west area west of Manhattan and they still want to do bonus housing. He spoke to his belief that the plan will just cause more congestion and will only help developers.

It was suggested that individual board members might want to provide their individual views on the plan.

It was suggested that more information and explanation be made available prior to the next meeting so that the governing board will have the opportunity to be better informed on the issues involved.

Youth and Families (B. Dakin): The committee held a meeting and have not yet defined a mission. The committee will focus on resources available to the youth of the community. The committee is surveying local schools and parks. An event was discussed as a way to bring resources to the attention of the community. It might help to expand the memberships of all committees.

M/S/P (B. Dakin): The Silver Lake Neighborhood Council will hold a Community Resource Fair in late April/early May of 2004. The Youth and Family Committee will spearhead the planning for this event in conjunction with the Community Liaison Committee and the Outreach Committee. These committees should research the costs involved, possible locations and times for such an event, possible dates and a loose structure for the event, and report back their findings and recommendations to the SLNC board at the next board meeting in January or February.

The details will be brought back to the governing board for future consideration.

## VIII. Old Business

a. M/S/ (Executive Committee): In order to comply with the City Attorney's interpretation of the Brown Act, no more than 5 members of the SLNC Governing Board will serve on any single committee.

Lyon explained that the City attorney has ruled that no committee could have the minimum number to carry a motion – in our case that is six members. A question was raised as to why it would not require a quorum in order to pass a motion. It was explained that if a committee of six made a decision that they could go the governing meeting with a majority of the quorum number and thus would have already decided governing board matters – in violation of the Brown Act. How to decide who to leave out?

M/S/P (Choi) 14-5 to table the motion until the January meeting when we can decide how to drop a person from the committee and hear more from the attorney.

b. M/S/P (Executive Committee): In order to avoid overwhelming stakeholders with announcements from individual committees, the Community Liaison Committee will send a single email to the full database a few days before the beginning of the month which will include the dates, times and locations of all Board and Committee meetings for the month and a basic summary of the committee's function. Wherever possible, this description will also include key items for discussion. Committee chairs and/or secretaries will be responsible for providing this information to the Community Liaison committee in a timely manner.

c. DISCUSSION AND POSSIBLE ACTION on developing a system for discussing and adopting formal goals as a committee.

M/S/P (one negative, three abstentions) (Executive Committee): All board members will submit a list of specific, achievable goals to an ad hoc committee which will assemble them into basic topic headings and return them to the Board for prioritization.

A discussion of what the motion would mean was held. It was noted that all members of the governing board brought with them goals for their individual work on the board. As a board it may be necessary to develop a list of prioritized goals for the board so that the work of the board can be prioritized. It was also mentioned that by having prioritized board goals it is possible to begin to allocate funds so that funding isn't done on a first-come, first-served basis. A question was raised as to what would happen if the Board decided they want something developed that the committee did not have as its priority. There was some sentiment that the board ultimately must decide what the Governing Board and the SLNC will do. It was also discussed that the community must be brought into the discussion.

M/S/P (Lyon) to table all remaining agenda items except the special presentations. These included the following:

To approve the following RESOLUTION (Executive Committee):

WHEREAS the Citywide Alliance of Neighborhood Councils is an association comprised of individuals active neighborhood councils; and  
WHEREAS the mission of the Alliance is to provide a venue for neighborhood Councils from every part of the city can come together and discuss issues of common concern; and  
WHEREAS the neighborhood councils are entering a new phase in which the councils are certified by the city; and  
WHEREAS the Citywide Alliance of Neighborhood Councils seeks to continue to provide a forum for Neighborhood councils to help each other, provide issue training and education for activists, and launch a newsletter to assist activists are informed of the issues; and  
WHEREAS it is necessary for the Alliance to formalize its structure to meet the needs and challenges of the next phase in the community empowerment effort,  
THEREFORE the Silver Lake Neighborhood Council, by adopting this resolution shall become a member of the Citywide Alliance of Neighborhood Councils.

(NOTE: The Alliance's Bylaws are available online at <http://allncs.org/by-laws.htm>)

(Executive Committee): If previous resolution passes, elect Delegate and alternate to the Alliance of Neighborhood Councils.

## IX. New Business

Adoption of the DONE Code of Civility

Collectively and individually, the members of the Governing Board of the Silver Lake Neighborhood Council agree to abide by this Code of Civility to ensure that the Council's business is conducted in a respectful, courteous, and effective manner, and in a way that will generate respect and credibility for our Neighborhood Council.

The freedom to express one's views about public matters is a cornerstone of the democratic process. The Silver Lake Neighborhood Council welcomes the diverse views and opinions of our stakeholders and other Board members as they relate to the issues before us. In order for these discussions to be meaningful and effective, we must treat others with respect and dignity. By adoption of this motion, and by affixing our signatures to this document, we collectively and individually agree to abide by our Code of Civility to the best of our abilities.

By entering this meeting of the Silver Lake Neighborhood Council, stakeholders also agree to abide by the Code of Civility.

1. I will conduct myself in a professional and civil manner at all times as a representative of the Silver Lake Neighborhood Council.
2. I will treat each member of the board and members of the public with respect at all times, regardless of an individual's opinion, ethnicity, race, sexuality, age, disability, or religion.
3. Even in the face of disagreement or differences of opinion, I will demonstrate esteem and deference for my colleagues and the public.
4. Under no circumstances during Silver Lake Neighborhood Council meetings, functions, or events will I engage in or threaten to engage in any verbal or physical attack on any other individual.
5. I will commit to communicate my ideas and points of view clearly, and allow others to do the same without interruption.
6. I will not use language that is abusive, threatening, obscene, or slanderous, including using profanities, insults, or other disparaging remarks or gestures.
7. Derogatory language about an individual's ethnicity, race, sexuality, age, disability, or religion is not acceptable.
8. I will take responsibility for my own actions, and will work to fulfill my role and responsibilities as specified in the bylaws.
9. I will commit to learn the applicable laws that govern Neighborhood Councils, including the state constitution, state legislation, the Brown Act, the City Charter, city ordinances, ethics rules, and the Silver Lake Neighborhood Council Bylaws and standing rules, and will not knowingly violate any of the above.
10. I will abide by the Silver Lake Neighborhood Council's meeting procedures or rules in order to create a safe and effective environment for conducting business.
11. I will promote and enforce a safe meeting environment at all times. At moments when members of the public become disruptive and violate the rules of civility that we have pledged to follow, I will join my fellow board members in demanding that the persons conduct themselves in a respectful and orderly manner even if I agree with the point of view that is being expressed.
12. I will seek to present information truthfully, and will not knowingly misrepresent, mischaracterize, or misquote information received from others.
13. I pledge to truly listen to and hear other points of view.
14. I will practice the art of being able to disagree without being disagreeable.
15. If I find myself representing my personal interests before my community's interests, I will publicly disclose the differences and recuse myself from voting on such matters.
16. I will commit to good faith efforts to resolve any grievances that come before the board as specified in the bylaws.
17. I owe it to my fellow board members, the public, and the decision-makers who we are trying to influence to make the best possible effort to understand the issues before me. I will "do my homework" by reading all meeting agendas and minutes, supplemental materials, and where appropriate, seeking dissenting viewpoints.

(B. Dakin) WHEREAS the Silver Lake Neighborhood Council celebrates the diversity and unity of this great World City; and

WHEREAS we support the fundamental principles of the United Nations' Universal Declaration of Human Rights; and

WHEREAS we applaud the participation of athletes, young and old, in the 5-day, 200 mile 2003 LA Multathlon for Peace and Human Rights, sponsored by the International Foundation for Human Rights and Tolerance in support of the Universal Declaration;

THERE BE IT RESOLVED THAT the Silver Lake Neighborhood Council will sign a Pledge of Support for this event.

(NOTE: Individuals are also encouraged to sign on to the pledge of support. See pledge.)

(Lyon) WHEREAS diversity is a celebrated hallmark of the Silver Lake community; and  
WHEREAS gay and lesbian families are a cornerstone of that diversity; and  
WHEREAS California observes domestic partnerships, and marriage is not an option for these families; and  
WHEREAS the legislature has recently passed the Domestic Partner Rights and Responsibilities Act of 2003, which conveys significant new rights and responsibilities on registered couples, including community property, mutual responsibility for debts, parenthood presumptions, child custody and support obligations, access to family courts, the right not to testify against a domestic partner, the right to obtain absentee ballots for a domestic partner, and the right to claim a partner's body after death; and  
WHEREAS the bill was authored by our own Assemblymember Jackie Goldberg (D-Los Angeles) and signed into law by Governor Gray Davis on September 19, 2003,  
THEREFORE BE IT RESOLVED THAT the Silver Lake Neighborhood Council fully supports the California Domestic Partner Rights and Responsibilities Act of 2003 (Assembly Bill 205); and  
BE IT FURTHER RESOLVED THAT we oppose the proposed ballot referendum by Senator William J. "Pete" Knight (R-Palmdale) and Assemblymember Ray Haynes (R-Murietta) to overturn the Domestic Partner Rights and Responsibilities Act; and  
BE IT FURTHER RESOLVED THAT the Silver Lake Neighborhood Council will join the City of Los Angeles and over 125 other cities and organizations and countless individuals in signing the AB-205 Endorsement form sponsored by Equality for California Families. (5 minutes) (NOTE: Individuals are also encouraged to sign on to the pledge. See pledge and information on AB-205.)

#### **X. Special Presentations and Reports**

##### **a. Discussion and possible action on proposed changes on US 101.**

Stakeholder Wes Joe distributed a paper on the 101 Task Force where he has served as the representative of the SLNC. The Task Force was formed to discuss the CalTrans Study which dealt with congestion on the 101 freeway. One aspect was to make various offramps and onramps continuous. It now appears that the 101 freeway south of Universal City will not see an expansion. A number of suggestions have been made including providing Dash routes for Silver Lake. A re-institution of the old Number 1 Line connecting Union Station with Olvera Street, Chinatown, Echo Park, Silver Lake, East Hollywood, Los Feliz, and the Hollywood Blvd. entertainment center is under consideration. He recommended that the SLNC needs a committee to follow transit issues. The SLNC might help develop DASH lines. He also recommended that the SLNC have an archival system so that information can be developed into a knowledge base on transportation

Stakeholder Jim McQuiston addressed the general issue and the need to have a regional plan as well as local plans. He also recommended that the SLNC get involved in the development of a DASH line. He spoke to a problem of alignment at Vermont of the 101 freeway. The lack of alignment causes traffic to back up. The problem could be fixed without major disruption since enough land is already owned and there is an appropriate hole in the Vermont bridge over the freeway. The lack of a backup on the 101 could help Sunset Blvd. traffic since there would be less spillover. A Rapid bus on Santa Monica Blvd. has a current 2005 date of implementation. He felt that running bus line 1 on Sunset Blvd. again is a good idea. The group will meet again on December 4 and meeting will continue for some time. Any plans will be dependent on funding.

##### **b. (Tina Delgado Enterprise Rent-A-Car) Discussion and possible action on proposed variance for Enterprise Rent-A-Car**

Tina Delgado from Enterprise Rent-A-Car is seeking to establish a location at 2820 Hyperion Blvd. (Hyperion and Rowena) in the old nursery location. Enterprise will need a zoning variance in order to have a car rental agency at that location. She expects to have a January hearing. She presented pictures of their North Hollywood location. .

Michaeljohn Horne speaking as a stakeholder discussed the issue from the point of view of the owner of a business near the location. He stated his belief that the business will severely impact current parking problems in the area. He noted that Trader Joe's and mom and pop stores need what parking is currently available. He will request that the City require that Enterprise provide public parking.

A letter from Maryann Kuk of the Silver Lake Residents Association was read. The letter spoke to previous discussions with regard to the location. They had recommended that parking be made available to the public when the need is greatest and that they not operate from Saturday at noon until 8:00 AM on Monday.

Ms. Delgado explained that the business would be an insurance based business and not a tourist business. People who had cars being repaired would be the major users of the service. She felt that they would create minimum parking problems since they would be residents of the area. She anticipated about 275 rentals per month so the impact on traffic would not be great (less than 10 customers on an average day).

Concerns were expressed about making the bad traffic and parking situation in the area even worse. Trader Joe's is now using the nursery area for parking in a non-striped area. There was also a question of what does the business add to the community?

M/SP (one no vote) (Sharkov) the SLNC suggests that Enterprise seek another location where automotive shops are not operating such as those on the 2000 block of Hyperion Blvd.

Enterprise was invited to present new information at the January meeting of the Governing Board.

#### **XI. Agenda Items for Next Meeting**

- a. M/S/P to defer the following motion to the January meeting.: (Hittelman on behalf of Neighbors for Peace) The SLNC notices the Neighbors for Peace resolution on the Patriot Act for consideration on the January Agenda. WHEREAS the SILVER LAKE NEIGHBORHOOD COUNCIL represents a diverse population, including immigrants and students, whose contributions to the community are vital to its economy, culture and civic character; WHEREAS the preservation of civil rights and liberties is essential to the well-being of a democratic society; WHEREAS federal, state and local governments should protect the public from terrorist attacks such as those that occurred on September 11, 2001, but should do so in a rational and deliberative fashion to ensure that any new security measure enhances public safety without impairing constitutional rights or infringing on civil liberties; WHEREAS government security measures that undermine fundamental rights do damage to the American institutions and values that the residents of the Silver Lake Neighborhood Council area hold dear; WHEREAS the Silver Lake Neighborhood Council believes that there is no inherent conflict between national security and the preservation of liberty -- Americans can be both safe and free; WHEREAS federal policies adopted since September 11, 2001, including provisions in the USA PATRIOT Act (Public Law 107-56) and related executive orders, regulations and actions threaten fundamental rights and liberties by:
- (a) authorizing the indefinite incarceration of non-citizens based on mere suspicion, and the indefinite incarceration of citizens designated by the President as "enemy combatants" without access to counsel or meaningful recourse to the federal courts;
  - (b) limiting the traditional authority of federal courts to curb law enforcement abuse of electronic surveillance in anti-terrorism investigations and ordinary criminal investigations;
  - (c) expanding the authority of federal agents to conduct so-called "sneak and peek" or "black bag" searches, in which the subject of the search warrant is unaware that his property has been searched;
  - (d) granting law enforcement and intelligence agencies broad access to personal medical, financial, library and education records with little if any judicial oversight;
  - (e) chilling constitutionally protected speech through overbroad definitions of "terrorism";
  - (f) driving a wedge between immigrant communities and the police that protect them by encouraging involvement of state and local police in enforcement of federal immigration law;
  - (g) permitting the FBI to conduct surveillance of religious services, internet chatrooms, political demonstrations, and other public meetings of any kind without having any evidence that a crime has been or may be committed;

WHEREAS new legislation has been drafted by the Administration entitled the Domestic Security Enhancement Act (DSEA) (also known as PATRIOT II) which contains a multitude of new and sweeping law enforcement and intelligence gathering powers, many of which are not related to terrorism, that would severely dilute, if not undermine, many basic constitutional rights, as well as disturb our unique system of checks and balances by:

- (a) diminishing personal privacy by removing important checks on government surveillance authority,
- (b) reduce the accountability of government to the public by increasing government secrecy,
- (c) expanding the definition of "terrorism" in a manner that threatens the constitutionally protected rights of Americans, and
- (d) seriously erode the right of all persons to due process of law

WHEREAS these new powers pose a particular threat to the civil rights and liberties of the residents of our city who are Arab, Muslim or of South Asian descent; and

WHEREAS many other communities throughout the country have enacted resolutions reaffirming support for civil rights and civil liberties in the face of government policies that threaten these values, and demanding accountability from law enforcement agencies regarding their use of these new powers;

THEREFORE BE IT RESOLVED THAT THE SILVER LAKE NEIGHBORHOOD COUNCIL

1. Affirms its strong support for fundamental constitutional rights and its opposition to federal measures that infringe on civil liberties.
2. Affirms its strong support for the rights of immigrants and opposes measures that single out individuals for legal scrutiny or enforcement activity based on their country of origin.
3. Requests that the Los Angeles City Council direct the Police Department of the City of Los Angeles, CA:

- (a) refrain from participating in the enforcement of federal immigration laws;
- (b) seek adequate written assurances from federal authorities that residents of the Silver Lake Neighborhood Council area and individuals in the custody of the City of Los Angeles are placed in federal custody will not be subjected to military detention; secret detention; secret immigration proceedings; or detention without access to counsel, and refrain from assisting federal authorities obtain custody of such individuals absent such assurances;
- (c) refrain from engaging in the surveillance of individuals or groups of individuals based on their participation in activities protected by the First Amendment, such as political advocacy or the practice of a religion, without particularized suspicion of criminal activity unrelated to the activity protected by the First Amendment;
- (d) refrain from racial profiling. The police department shall not utilize race, religion, ethnicity, or national origin as a factor in selecting which individuals to subject to investigatory activities except when seeking to apprehend a specific suspect whose race, religion, ethnicity or national origin is part of the description of the suspect;
- (e) refrain, whether acting alone or with federal or state law enforcement officers, from collecting or maintaining information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership unless such information requestly relates to an investigation of criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct;
- (f) refrain from: engaging in video surveillance unless the police have reasonable suspicion that the subjects of the video surveillance have or are about to commit a crime, establishing a general surveillance network of video cameras, deploying facial recognition technology or other unreliable biometric identification technology within the City of Los Angeles.
- (g) provide advance or simultaneous notice of the execution of a search warrant to any resident of the Silver Lake Neighborhood Council area whose property is the subject of such a warrant, and refrain from participating in a joint search with any law enforcement agency absent assurances that such notice will be provided to such individuals during the search;

- (h) refrain from undertaking or participating in any initiative, such as the Terrorism Information and Prevention System (TIPS), that encourages members of the general public to spy on their neighbors, colleagues or customers;
  - (i) refrain from the practice of stopping drivers or pedestrians for the purpose of scrutinizing their identification documents without particularized suspicion of criminal activity;
  - (j) report to the City Council any request by federal authorities that, if granted, would cause agencies of the Silver Lake Neighborhood Council to exercise powers or cooperate in the exercise of powers in apparent violation of any city ordinance or the laws or Constitution of this State or the United States;
4. Requests that the Los Angeles Board of Education and the Los Angeles Community College District Board of Trustees direct public schools and institutions of higher learning within the Silver Lake Neighborhood Council area to provide notice to individuals whose education records have been obtained by law enforcement agents pursuant to section 507 of the USA PATRIOT Act;
5. Requests that public libraries within the Silver Lake Neighborhood Council area post in a prominent place within the library a notice to library users as follows: "WARNING: Under Section 215 of the federal USA PATRIOT Act (Public Law 107-56), records of the books and other materials you borrow from this library may be obtained by federal agents. That federal law prohibits librarians from informing you if records about you have been obtained by federal agents. Questions about this policy should be requested to: Attorney General John Ashcroft, Department of Justice, Washington, DC 20530 ";
6. Directs the Co-Chairs of the SLNC Governing Board to:
- a. Transmit a copy of this resolution to Senators Boxer and Feinstein, and Representatives Jane Harman accompanied by a letter urging them to:
    - support Congressional efforts to assess the impacts of the PATRIOT Act
    - monitor federal anti-terrorism tactics and work to repeal provisions of the USA PATRIOT ACT and other laws and regulations that infringe on civil rights and liberties
    - ensure that provisions of the USA PATRIOT Act "sunset" in accordance with the provisions of the Act.
    - take a lead in Congressional action to prohibit passage of the Domestic Security Enhancement Act, known as "Patriot II"
7. Requests that the Mayor of Los Angeles seek periodically from federal authorities the following information in a form that facilitates an assessment of the effect of federal anti-terrorism efforts on the residents of the City of Los Angeles.
- (a) The names of all residents of the Silver Lake Neighborhood Council area who have been arrested or otherwise detained by federal authorities as a result of terrorism investigations since September 11, 2001; the location of each detainee; the circumstances that led to each detention; the charges, if any, lodged against each detainee; the name of counsel, if any, representing each detainee;
  - (b) The number of search warrants that have been executed in the Silver Lake Neighborhood Council area without notice to the subject of the warrant pursuant to section 213 of the USA PATRIOT Act;
  - (c) The extent of electronic surveillance carried out in the Silver Lake Neighborhood Council area under powers granted in the USA PATRIOT Act;
  - (d) The extent to which federal authorities are monitoring political meetings, religious gatherings or other activities protected by the First Amendment within the City of Los Angeles
  - (e) The number of times education records have been obtained from public schools and institutions of higher learning in the Silver Lake Neighborhood Council area under section 507 of the USA PATRIOT Act;
  - (f) The number of times library records have been obtained from libraries in the Silver Lake Neighborhood Council area under section 215 of the USA PATRIOT Act;
  - (g) The number of times that records of the books purchased by store patrons have been obtained from bookstores in the Silver Lake Neighborhood Council area under section 215 \_\_\_ of the USA PATRIOT Act;

8. Requests that all public libraries have a policy that ensures the regular destruction of records that identify the name of the book borrower after the book is returned, or that identify the name of the Internet user after completion of Internet use;
9. Advises all persons in local businesses and institutions, and particularly booksellers, to refrain when possible from keeping records which identify the name of the purchaser, and to regularly destroy such records that are maintained, in order to protect intellectual privacy rights;
10. Requests that the Mayor of Los Angeles transmit to the City Council no less than once every six months a summary of the information obtained pursuant to the preceding paragraph and, based on such information and any other relevant information, an assessment of the effect of federal anti-terrorism efforts on the residents of the City of Los Angeles
11. Requests that the Mayor of Los Angeles transmit a copy of this resolution to Senator Boxer, Senator Feinstein and Congresswoman Harman, accompanied by a letter urging them to monitor federal anti-terrorism tactics and work to repeal provisions of the USA PATRIOT Act and other laws and regulations that infringe on civil rights and liberties;
12. Requests that the Mayor of Los Angeles transmit a copy of this resolution to Governor Davis, and appropriate members of the State Legislature, accompanied by a letter urging them to ensure that state anti-terrorism laws and policies be implemented in a manner that does not infringe on civil liberties as described in this resolution;
13. Requests that the City Council of Los Angeles direct the City Manager to transmit a copy of this resolution to President Bush and Attorney General Ashcroft; and be it

FURTHER RESOLVED that the provisions of this Resolution shall be severable, and if any phrase, clause, sentence, or provision of this Resolution is declared by a court of competent jurisdiction to be contrary to the Constitution of the United States or of the State of California or the applicability thereof to any agency, person, or circumstances is held invalid, the validity of the remainder of this Resolution and the applicability thereof to any other agency, person or circumstances shall not be affected thereby.

## **XII. Announcements**

B. Dakin announced a 2003 Los Angeles Multathlon for Peace and Human Rights to be held beginning December 6, 2003 and culminating on December 10<sup>th</sup>, 2003. There is an event in Hollywood on New Year's Eve for a Drug Free Hollywood. She also noted a Highland Park Christmas Parade.

M. Hittelman invited members of the community to participate in the December 10<sup>th</sup> Human Rights Rally sponsored by the Los Angeles Federation of Labor addressed at the right to organize. The rally will be held at Pershing Square beginning at noon.

Stakeholder Derek Ryder, speaking as a member of the Urban Design and Planning Committee, discussed the community plan process. He urged the governing board to take a position before it is too late to have input. The Plan is going to Planning in January. He suggested that the SLNC should act even if it just the Executive Committee. He explained that points 1, 4, and 5 are quality checks that the right thing is done in the future. Points 2 and 3 are the critical issues now.

Stakeholder Paul Apostle handed out a paper outlining his views on West Silver Lake drive proposals. He stated his opposition and belief that the plan will cause West Silver Lake Drive to become a more dangerous roadway. He directed the board's attention to what a effective narrowing of the street will have on safety. He feels that the \$2.3 million should be prioritized for safety of walkers and joggers around the entire perimeter of the Silver Lake Reservoir. He presented several proposals to accomplish a safer place.

## **XIII. Adjournment**

The meeting was adjourned at 9:25 PM.

Minutes by M. Hittelman