



WINNETKA NEIGHBORHOOD COUNCIL

c/o Winnetka Convention Center
 20122 Vanowen St., Winnetka, CA 91306
WinnetkaNC.com @WinnetkaNC



	Chair		Vice-Chair	
	JJ Popowich		Bettie Ross-Blumer	
Committee Members				
Steven Fuhrman	Olav Hassel	John Poer	Tom Sattler	David Uebersax

PLANNING & LAND-USE MANAGEMENT COMMITTEE MEETING MINUTES

Tuesday, June 16, 2015, 7:00 PM

Winnetka Convention Center, 20122 Vanowen St., Winnetka, CA 91306

(Located next to Winnetka Bowl, ground floor of hotel)

The Winnetka Neighborhood Council PLUM Committee holds its regular meetings on the third Tuesday of every month and may also call any additional required special meetings in accordance with the Winnetka NC Bylaws and the Brown Act. The agenda for a regular or special meeting is posted for public review within Winnetka, 91306, at the following location: **Winnetka Recreation Center**, 8401 Winnetka Ave.; and might also be posted at: **Winnetka Bowl**, 20122 Vanowen St., **Express Pack & Ship**, 7657 Winnetka Ave., **Fulton Cleaners**, 20109 Roscoe Blvd., **Gil's Barber Shop**, 20433 Sherman Way.

The public may comment on a specific item listed on this agenda when the Committee considers that item. When the Committee considers the agenda item entitled "Public Comments," the public has the right to comment on any matter that is not specifically listed on this agenda yet is within the Committee's jurisdiction. The public is requested to fill out a "Speaker Card" to address the Committee on any agenda item before the Committee takes an action. The Speaker Card ensures that each speaker's name is complete and correct in the meeting's Minutes. Public Comment is limited to 2 minutes per speaker, but the Committee has the discretion to modify the amount of time for any speaker. Before a Committee vote on any item, any member of the public who has not filled out a Speaker Card will be accorded 1 minute to make a statement. This period will last no longer than 5 minutes total.

1. Convene Meeting, Roll-Call, Introductions, Meeting Rules & Announcements [5 min]

Board Member	Present	Absent	Excused
JJ Popowich	X		
Bettie Ross		X	
David Uebersax		X	
Tom Sattler	X		
Olav Hassel	X		
Steven Fuhrman	X		
John Poer	X		
Total	5	0	0

2. Public Comments: Comments from the public on any items not specifically listed on this agenda. Board Members should not address or discuss these comments other than to direct matters to the appropriate Winnetka NC committee or other government agency. [3 min each, 15 min max]

3. Chair's Report (Popowich) [2 min]

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4. Vice-Chair's Report (Ross-Blumer) [2 min]

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5. Discussion and approval of the minutes for prior committee meetings. [2 min]

5.1. Mr. Popowich announced the minutes are not available to be reviewed because he did not receive notes from the Vice Chair for the beginning of the previous meeting.

6. Discussion and possible action to provide input into the revised design for the development of the property located at 20460 Sherman Way, Winnetka, CA (the corner of Sherman Way and Mason Ave). The owner will be presenting his plans for development of the property. At this time we do not have any planning case numbers for reference. [60 min]

6.1. Mr. Popowich introduced Mr. Gregorchuck to present the redesigned building.

6.2. Mr. Gregorchuck presented a map showing the height of the buildings. He pointed out that is building is 41ft high and consists of three stories on Sherman Way and reduced the building to two stories to the rear.

6.3. Mr. Popowich asked how many units.

6.4. Mr. Gregorchuck said he has reduced it to 45 units. In order to do this he removed the rec room and the weight room. He is asking that they allow roof area, facing the street next to the elevator tower to be a weight room.

At the rear he has pushed the building line in the back and will be asking for a 5 foot variance on the 15 foot required step back. In addition, he is asking for a 3 foot variance (from 6 foot) along Mason Ave.

He has removed all windows along the alley way on the third floor.

He has removed the parking access from the alley way. The only access along the alley will be for trash and meter readers.

6.5. Mr. Popowich asked if the parking area is now walled off.

6.6. Mr. Gregorchuck said that he removed the wrought iron and added a wall. However he may be required to put some windows and light ventilation. He may need to change this once the city looks at the plans.

He has maintained solar panels. The property will have a grey water system.

6.7. Mr. Popowich asked if there would be vegetation and landscaping.

6.8. Mr. Gregorchuck commented that it is right on the alley so there would be no room.

6.9. Mr. Hassel asked if that was originally the plan.

6.10. Mr. Gregorchuck gave a description of the previous plan that called for parking on the ground level.

6.11. Mr. Fuhrman said he noticed that the plans have removed one curb cut. Is it true there is only one entrance now?

6.12. Mr. Gregorchuck commented that there was only one planned entrance to the garage. He also commented he has moved the parking entrance about 4 feet closer to the alley.

6.13. Mr. Popowich clarified the entrance on Sherman Way will closest to Papa Johns.

6.14. Mr. Gregorchuck confirmed this was the case and said it would be using the current restructuring,

- 6.15. Mr. Fuhrman asked if the height included the elevator tower?>
- 6.16. Mr. Gregorchuck commented that it does not. The code requirements are only to measure the levels. The elevators towers are not included.
- 6.17. Mr. Hassel confirmed this.
- 6.18. Mr. Gregorchuck repeated his comments
- 6.19. Mr. Fuhrman's asked how tall the building is.
- 6.20. Mr. Gregorchuck said it would be an additional 9 feet.
- 6.21. Mr. Poer asked about the rear elevation.
- 6.22. Mr. Gregorchuck said there is a 32 foot elevation.
- 6.23. Mr. Hassel asked about the setback along the east side.
- 6.24. Mr. Gregorchuck said it is a 3 foot setback.
- 6.25. Mr. Hassel asked about the balcony depth.
- 6.26. Mr. Gregorchuck commented it is 5 feet.
- 6.27. Mr. Hassel asked if the balcony depth is reduced from the previous plan.
- 6.28. Mr. Gregorchuck said no. He also noted that he added tile roofs.
- 6.29. Mr. Popowich opened public comments
- 6.30. Mr. Bardo, a stakeholder, commented he is still against the plan. He feels that the plan is still too large and feels the community will only accept a plan that does not ask for any variances to the codes.
- 6.31. Mr. Mekhitarian, a stakeholder, commented that he counts only the first floor as a story. He feels that this is a four story building. He recognizes that he is only using a portion of the fourth floor but it is still a four story building.
- 6.32. Mr. Miller, a stakeholder, said that he brought with him the City Planning Commission recommendation for the property. He said the recommendation was for 26 ft. high along the south side. He pointed out that the back is 32. He said the maximum height for the building was set to 39 ft. and this is 42 feet. He feels this is the same type of plan that was presented two years ago.
- 6.33. Mr. Morgan, a real estate agent, handed out an article titled, "Bootlegged apartments could get a chance at LA City approval." He said he represents another owner of a building across the street and an interested buyer of a building in the area who are in support of this type of project. He said that he feels this would incentivize some owners to remodel and improve their property. He pointed out the housing shortages. He said density along the major streets is one way of addressing the shortage. He feels this is a smart plan. He went on to say that what we should be concerned about is the converting the types of units outlined in the article. He said

this would improve the area. It would better the types of residents. He also commented that he feels this has better parking than some of the other apartment buildings in the area.

- 6.34. Mr. Sattler commented that he sees the problem with too many people living in apartment buildings.
- 6.35. Ms. Poer, a stakeholder, commented that she feels the building is well designed and thinks that it would be an improvement to Winnetka. She commented she wishes this was the type of building they were building near her, instead of the housing development. She said that most people she talks to would appreciate a Starbucks or similar business. She also pointed out that there will be additional biking added to Winnetka and this is a good thing. She also said that she would like the developer to make a commitment to keep the retail occupied. There are too many vacant retail complexes.
- 6.36. Mr. Popowich commented that all owners want that but there is no business
- 6.37. Mr. Gregorchuck commented that he wants that too. He feels that draws people to the community and encourages people to live there.
- 6.38. A stakeholder asked about the bus stop.
- 6.39. Mr. Gregorchuck pointed out the bus stop is still there.
- 6.40. Mr. Popowich commented there would be no way to get rid of the bus stop.
- 6.41. The stakeholder commented that it remains too congested.
- 6.42. Mr. Popowich opened it up to the committee members.
- 6.43. Mr. Fuhrman commented that he is conflicted. He feels it is deceptive as the stories are normally 15 feet and this seems smaller than that. He commented he is not happy with the City's measuring the height of the buildings to go from the street level to the highest point. He feels that it is deceptive because it doesn't fit the conception of what people are told.
- 6.44. Mr. Popowich commented that he believes this is correct on the height
- 6.45. Mr. Fuhrman pointed out that it just doesn't make sense and is deceptive. He went on to say he is concerned about the density. He referred to the lack of water as one reason and traffic. He went on to say that he feels we should not be worrying about creating affordable housing – we can't afford to do that because we cannot support the density. He said he would have to support the residents. He pointed out that the Planning Commission's recommendations should be followed because they took into account all of the communities previous comments.
- 6.46. Mr. Poer said he is inclined to agree with Steven. He said he is concerned with the City' duplicate philosophy of building while at the same time restricting water usage. He said he agrees that if there are not enough houses to live in in LA then unless the City comes up with more infrastructure than we should stop creating more housing. He commented that he feels this is a beautiful building that is well designed, but it's just too big for the location.
- 6.47. Mr. Gregorchuck commented that his building fits what we asked for. He said he cannot continue to play this game. If he can't do this then he can't keep the property. The next developer will not work with the NC and will just go to the city and build what they can by code.

- 6.48. There was a back and forth discussion between the Mr. Gregorchuck and several stakeholders. While the entire discussion could not be captured due to the speed of the discussion, the essential gist of the conversation was that private meetings held between Mr. Gregorchuck and the developers wherein the stakeholders felt the developer had made promises or assertions about what he would do that he has no reneged on.
- 6.49. Mr. Sattler commented the he feels this is a good building for his corner. He is all for it based on the revised designs.
- 6.50. Mr. Hassel asked for a clarification or the number of units
- 6.51. Mr. Gregorchuck commented that he has reduced it to 45 units.
- 6.52. Mr. Hassel asked if it was 2 or 3 bedrooms.
- 6.53. Mr. Gregorchuck commented he only has 2 bedroom units. He has lost 30 to 32 bedrooms.
- 6.54. Mr. Hassel asked how many 2 bedrooms
- 6.55. Mr. Gregorchuck 22 two bedrooms and 23 single.
- 6.56. Mr. Hassel noted he lost about 30% of the bedrooms and the number of people. Mr. Hassel pointed out that only two of the buildings are he gave as comparisons for height are within Winnetka. He said that the adjacent communities have different needs or views.
- 6.57. There was a discussion about what the City wants.
- 6.58. Mr. Gregorchuck commented the City wants mixed use. He can build a higher density building under codes. He went on to talk about the new zoning that the City created to encourage mixed use.
- 6.59. Mr. Hassel said that this is not the same as the Victorian style building.
- 6.60. There was a back and forth discussion about height and comparison to the Victorian building. The building is a completely commercial building and should not be compared.
- 6.61. Mr. Hassel asked if Mr. Gregorchuck would accept a condition to place a café or food related business there.
- 6.62. Mr. Gregorchuck said he would commit to that but not a condition to the property since it would limit future uses.
- 6.63. Mr. Hassel asked about Mr. Miller's comments about the maximum height conditions. He asked what that is based on.
- 6.64. Mr. Gregorchuck said that is misleading. He said that the recommendations are based on the previous public hearings that were held on the last project for this location. He commented that those could change depending on each project. He said that the City may support them or may reject them.
- 6.65. Mr. Hassel and Mr. Gregorchuck had a conversation about how the variances and per development height limits are set.

- 6.66. Mr. Popowich pointed out that the zoning limits are guidelines. The City Planning Commission can lower or raise them based on the project details.
- 6.67. Mr. Gregorchuck agreed and said that his other property is 45 ft. high because that's what he requested.
- 6.68. Mr. Hassel is concerned about the height of the stairs and elevator shaft. He said this makes it look bigger.
- 6.69. Mr. Gregorchuck commented that he designed it this way to accommodate the community. There as a discussion about the placement of the stairs and where they are located being within City requirements.
- 6.70. Mr. Hassel asked if there was anything that could be done to limit the impact of the features. He suggested they be moved towards the center of the building.
- 6.71. Mr. Poer commented it would not meet fire requirements.
- 6.72. Mr. Popowich commented there is no way you will get any fire variances.
- 6.73. Mr. Hassel commented about the architectural drawings not showing the weight room. There was a discussion about the theater room or meeting room and why it was kept.
- 6.74. Mr. Gregorchuck commented that this is common.
- 6.75. Mr. Popowich commented that he agrees regarding the density. He went on to say there little chance of winning and that Mr. Gregorchuck would likely prevail. He pointed out how organized he is, how his presentation took into account the community and it shows he is willing to work with them.
- 6.76. Mr. Bardo commented that the developer has not been supportive and willing to work with the community.
- 6.77. There was a discussion between Mr. Popowich and Mr. Bardo about the previous developer and how he treated the stakeholders. Mr. Bardo and others indicated he has not been supportive and willing to work in private meeting. Mr. Bardo wanted to make it clear that he felt the developer had made promises in the private meetings, which Mr. Popowich was not invited to, regarding what he would build here. Now he feels the developer is renegeing on those promises.
- 6.78. Mr. Fuhrman commented that the questions asked by Mr. Hassel gave him a different impression. He said that the way he answered those it shows that the developer has given a lot more concessions. He says the lower number of units and the reductions is significant. He went on to comment that Mr. Popowich has been doing this for a while and is generally good at this. He said he has to look at doing what makes sense for the community and not that he is anti-development. He went on to say that we could say no and he could appeal it and get the original building. He pointed out the Roscoe project that the developer came to them with a smaller development than what was permitted. He said we could have denied this and they could have built the original larger project. He said he continues to be torn. He is concerned about what he City Council is doing. He feels that they will support the biggest project they can so that they can get more income via taxes and permits and fees. He pointed to Warner Center as an example of what can go wrong. He asked if he could do it without the variances.

- 6.79. Mr. Gregorchuck commented that he could do it if he re-zoned the project to an RAS zone.
- 6.80. Mr. Popowich pointed out that even with the re-zoning approach he would still get the same setbacks as he would get for this zoning. He went on to say that he feels that if we allow a zoning change it will open it up to other properties similar to the owners of the property that Mr. Morgan represents to build a bigger project.
- 6.81. There was discussion between Mr. Morgan and Mr. Popowich about being able to bring in higher clientele when there is not enough income to pay for the higher priced unit. He said we passed a \$15 minimum wage because we cannot afford to live here now. He pointed out that many pay more than he pays in mortgage and it's not supportive.
- 6.82. Mr. Morgan said that he sees that if the rehab and improve the properties they do get the higher clientele. He said the need is there. He said that the people he represents could rehab and get ah higher clientele as long as they know the community is improving. Mr. Morgan said that Mr. Gregorchuck has made a good
- 6.83. Mr. Sattler said before that he feels it is a good idea. He said that he can't see how anyone living directly behind it could see the building because of the trees.
- 6.84. There was a discussion about the trees and which house has the trees. Several stakeholders that live adjacent to the property or across the street from the property indicated that there are no tall trees on some lots (i.e. the house on the corner directly behind the property has no trees at all) and that even from across the street the building would still be visible.
- 6.85. Mr. Hassel said that the new plan has 12 windows on the first two floors along the south elevation. This is about half of what he had before. He also pointed out that three of the windows are smaller than the others. He went on to say that he is still concerned about the elevation on Mason and feels that can be helped with the elimination of one unit.
- 6.86. Mr. Popowich asked if the committee had any recommendations.
- 6.87. Mr. Fuhrman asked to ask one more question about elevation. Mr. Fuhrman asked if the parking entrance on Mason would have any gates.
- 6.88. Mr. Gregorchuck said he had not planned on it.
- 6.89. Mr. Fuhrman asked if this could be added for security for the residents.
- 6.90. Mr. Gregorchuck said he might be able to do that at night but not during the day because there needs to be parking for the retail.
- 6.91. Mr. Fuhrman said he feels it would be good at night after the retail closes.
- 6.92. Mr. Gregorchuck commented that he could do that.
- 6.93. Mr. Poer commented that it would be restricted access for the lower.
- 6.94. Mr. Gregorchuck commented yes
- 6.95. Mr. Hassel asked if the northern half of the elevator tower would be the vestibule. He said if it was redesigned he could reduce the height.

- 6.96. Mr. Gregorchuck said he could do that and he also said he could step back the elevator shaft and possibly slant the stairwell. There was a discussion about the rec room as a variance.
- 6.97. Mr. Hassel commented that the theatre could be replaced with the rec room.
- 6.98. Mr. Phillip Gregorchuck commented that he helps his dad take care of the buildings. He said he is not paid by his father. He talked about his father and how he works to maintain the property. He pointed out that he wants to work with the community to better manage the property.
- 6.99. Mr. Bardo talked about the condition of the property. He feels that this is representative of the “pride” he takes in this property. Mr. Bardo’s comment was a statement that Mr. Gregorchuck has not kept the property clean and that he felt this was representative of the lack of pride or caring he would show if his project was built.
- 6.100. Mr. Fuhrman commented he lives near a vacant lot that has the same problem.
- 6.101. There was a discussion about the expectations of whether a property can be maintained. Mr. Bardo feels it’s being neglected. Mr. Fuhrman commented it is better than it has been.
- 6.102. Mr. Sattler moves that we approve the project as it has been amended.
- 6.103. Mr. Hassle and Mr. Fuhrman asked if there were any conditions.
- 6.104. Mr. Poer requested that the motion be amended to modify the elevator tower and the stair well tower to be stepped back. Mr. Fuhrman recommended that we add the night time security gate.
- 6.105. Mr. Poer seconded the motion

WNC-PLUM-061615-01: The PLUM Committee recommends the Board approve the project as currently presented with the following conditions:

- The elevator and the stairwell shall be redesigned to limit the profile. This can be accomplished by removing the vestibule on the north side of the property and stepping the structure back as far as possible and slanting roofs.
- The developer commit to installing security gates for the parking that on the ground level that is open during the day but has restricted access during the night
- The WNC requests the retail space be restricted to a café/coffee shop/restaurant business on the first floor.
- The request for the addition of a rec room on the roof is denied.
- The WNC be allowed to set restrictions on construction time and noise abatement and parking for the construction crew
- The developer agrees to include grates as large as possible along

the brick wall along the alley to help minimize graffiti as possible.

- The WNC supports the placement of outdoor or sidewalk seating area along the Sherman Way street front
- The WNC requests the bus stop be relocated away from the front of the property to minimize traffic congestion in the area.
- The WNC requests the alley be repaired and repaved directly behind the building and requests the City to repair the remainder of the alley.

6.106. Mr. Popowich called for a vote

Board Member	Yes	No	Absent
JJ Popowich	X		
Bettie Ross			X
David Uebersax			X
Tom Sattler	X		
Olav Hassel	X		
Steven Fuhrman	X		
John Poer	X		
Total	5	2	0

6.107. Motion passes

7. Discussion and possible action regarding complaints of an illegal business being operated at 7856 Laramie Ave, Winnetka, CA. (Fuhrman) [20 min]

7.1. Mr. Fuhrman shared a letter that was submitted by a community member that lives near him that feels the house is being operated as a bed and breakfast. Mr. Fuhrman said that in the past the owner has commented she rents room to help with the mortgage. He went on to say that he has noticed that people only stay there a few weeks or months at a time. He went on to say that the next door neighbor has researched the property and has discovered she advertises this as on AirB&B.com as rooms for rent. He also said that she appears to be offering some spa services. This is causing parking issues in the area. Mr. Fuhrman also commented that neighbor has complained about the noise – which he has not observed. He considers this may be a conflict of interest and he is hesitant to vote on it or discuss it any further.

7.2. Mr. Fuhrman recused himself from further discussion because of a possible conflict of interest since a corner of his property abuts the property.

7.3. Mr. Poer commented that he has seen this happen before and in another area of the City the health department shut it down. He said the question is whether we allow her to operate a business.

7.4. Mr. Hassel asked if it was illegal to operate a bed and breakfast.

7.5. Mr. Sattler indicated they would need permits

7.6. Mr. Popowich commented that you could rent rooms but not on a bed and breakfast. He also commented that there are restrictions on operating a business out of a residence. He asked if we want to take this up or if we want to invite Andrew Pennington, the planning deputy for Councilmember Blumenfeld, to look into what the zoning would allow and what other legal issues there may.

7.7. Mr. Poer agreed. The Committee agreed.

7.8. Mr. Popowich noted that Mr. Fuhrman rejoined the discussion.

8. Discussion and possible action regarding a City proposed zoning designation called the Hybrid Industrial Live/Work zone. This is a new zoning designation that the City is considering enacting. This is a preliminary discussion. (Popowich) [15 min]

8.1. Mr. Popowich commented that he would like the committee to review it and if we want to take a position we will discuss it the next meeting. He said that he felt this was apropos because this could be something that is forced upon us one day – then instead of mixed retail / housing we would have mixed manufacturing and housing.

9. Discussion and possible action regarding 8544-8554 Winnetka Ave, Winnetka. This is a placeholder item in case there are any new developments with the construction project ongoing at this location.

9.1. Mr. Popowich asked if there was any discussion about this project, which has been named “Agave”.

9.2. Ms. Poer commented they have received their permits and have started building the project.

9.3. Mr. Fuhrman asked if they are still doing dust abatement.

9.4. Ms. Poer commented that they only use water to keep dust down near the actual building. She said that they do drive on the other portions.

9.5. Mr. Popowich said we should see what Mr. Pennington can do about the dust issues.

10. Announcement – PLUM will have an open seat effective July 2015. We will be accepting requests to be considered for the Committee. Interested candidates will have 10 minutes to introduce themselves at the July 2015 Committee. meeting

11. Good of the Order [2 min]

11.1. Mr. Hassel asked that we address the old AT & T building on Winnetka Ave near the 76 station.

11.2. The Committee commented that this is becoming an eyesore and we should do something about it.

12. Future Agenda Items & other Calendar Events [2 min]

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13. Adjournment Time: _____

Members of the public may request and receive, without undue delay, copies 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 Winnetka Neighborhood Council complies with Title II of the Americans with Disabilities Act and does not discriminate on the basis of any disability. Upon request, the Winnetka Neighborhood Council will provide reasonable accommodations 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 the availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting the Neighborhood Council Secretary at 818-341-6256, or please send an e-mail that states the accommodations that you are requesting to jpoer@winnetkanc.com.

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 (310) 562-3268.

PROCESS FOR RECONSIDERATION

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 meeting. The Board, on either of these two days, shall: (1) Make a Motion for Reconsideration and, if approved, (2) hear the matter and Take an Action.

If the motion to reconsider an action is to be scheduled at the meeting following the original action, then two items shall be placed on the agenda for that meeting: (1) A Motion for Reconsideration on the described matter and (2) a {Proposed} Action should the motion to reconsider be approved. A Board member who has previously voted on the prevailing side of the original action taken can only make a motion for reconsideration.

If a motion for reconsideration is not made on the date the action was taken, then a Board member 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

Any grievance by a Stakeholder must be submitted in writing to the Secretary of the Board of Directors. The Secretary shall then within no more than 30 days refer the matter to an ad-hoc grievance panel comprised of 3 Stakeholders who are randomly selected by the Council Secretary from a list of Stakeholders who have previously expressed an interest in serving from time to time on such a grievance panel. The Secretary will coordinate a time and a place, not to exceed 10 days, for the panel to meet with the person(s) submitting a grievance and to discuss ways in which the dispute may be resolved.

Thereafter, a panel member shall promptly prepare a written report to be forwarded by the Secretary to the Board to be heard at the next board meeting outlining the panel's collective recommendations for resolving the grievance. The Board of Directors may receive a copy of the panel's report and recommendations prior to any meeting by the Board, but the matter shall not be discussed among the Board members until the matter is heard at the next regular meeting of the Board pursuant to the Ralph M. Brown Act.

This 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 aired at the Board meetings. This grievance process is intended to address matters involving procedural disputes, e.g., the Board's failure to comply with the Board's Rules or Bylaws, or its failure to comply with the City's Charter, the Plan, local ordinances, state law, and/or federal law.

In the event that a grievance cannot be resolved through this grievance process, the complainant has the right to appeal the matter to the Department of Neighborhood Empowerment for consideration or dispute resolution.