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DOUGLAS TOHOM
SELIKA TALBOTT
VIGGEN DAVIDIAN
ERIN PAK

JASMIN SAN LUIS
ACTING COMMISSION EXECUTIVE ASSISTANT



KAREN BASS
MAYOR

100 S. MAIN STREET, 10th FLOOR
LOS ANGELES, CA 90012

CONNIE LLANOS
INTERIM GENERAL MANAGER

3

MINUTES
SPECIAL BOARD MEETING
October 18, 2023
10:00 AM

CONVENED

The Board of Transportation Commissioners convened a Special meeting on Wednesday, October 18, 2023 at 10:07 AM in Los Angeles, CA.

ADMINISTRATIVE ITEMS

ITEM NO. 1 – WELCOME

Vice President Liban called the meeting to order and welcomed all those present noting that those wishing to testify before the Board must fill out a speaker's form. He informed the audience that if anyone is a registered lobbyist, City ordinance requires that it should be indicated on the speaker's form.

ITEM NO. 2 – ROLL CALL

Present: Commissioners Jazmin Ortega, Cris Liban, Erin Pak, and Vigen Davidian; Jay Kim, Assistant General Manager (AGM); and Michael Nagle, Deputy City Attorney (DCA) and Kevin Dufner, Deputy City Attorney (DCA)

Absent: Commissioners Selika Talbott and Douglas Tohom

NEIGHBORHOOD COUNCIL COMMENT

There was a comment taken.

PUBLIC COMMENT

There were no public comments.

ACTION ITEM

Public comments were taken.

Commissioner Liban acknowledged that emails have been received in the last couple of days as well and are on file.

ITEM NO. 3 – Approve the Use of Special Parking Revenue Funded (SPRF) Lot No. 707 Located at 2377 Midvale Avenue for the Use and Operation of an Interim Housing Project; DETERMINE THE PROJECT IS STATUTORILY EXEMPT from the California Environmental Quality Act (CEQA), Pursuant to State CEQA Guidelines Section 15269(C), Public Resources Code (PRC) Section 21080(B)(4), AND PRC Section 21080.27 (AB 1197) AS STATED IN THE SEPTEMBER 29, 2023 BUREAU OF ENGINEERING REPORT

RECOMMEND that the Department negotiate and enter in a Memorandum of Understanding (MOU) with the General Services Department (GSD) authorizing GSD to procure and acquire the housing units necessary for implementation of the interim housing project located at 2377 Midvale Avenue

Michelle Cayton, Acting Supervising Transportation Planner, presented the report.

Marina Quinonez, Sr. Architect - Bureau of Engineering (BOE), was present to answer any questions.

Steven Martin, Deputy City Attorney (DCA), was present to answer any questions.

Maria Martin, Environmental Affairs Officer - Bureau of Engineering, was present to answer any questions.

Questions and answers were provided.

- Commissioner Ortega stated why the Commission wanted to hear from BOE - what specifically made this project CEQA exempt.
- Ms. Martin explained how this project was found by BOE to be statutorily exempt under Public Resources Code, Section 21080.27, which specifically addresses projects of this sort. She provided an overview of how the project met the various criteria.
- Commissioner Liban pointed out that on the report the Council should determine the statutorily exempt condition of this project, and in the agenda action item, the Board is being asked the same and wanted clarification.
- DCA Martin explained how the Commission is making a discretionary determination separate from the City Council discretionary CEQA determination.
- Commissioner Liban stated his understanding of the decision to be made by the Board - an ask for a temporary change in the operation of the parking lot to interim housing and the discretionary CEQA determination is related to the change in use, and that the Council needs to make another discretionary determination for the overall project.
- DCA Nagle confirmed that Commissioner Liban's interpretation was correct and that under the Administrative Code - manage, control, and make all decisions regarding the use of SPRF parking lots and therefore, the Board is making a discretionary decision as DCA Martin described and that is why CEQA needs to be approved by the Board also.
- Commissioner Ortega wanted clarification that whatever the Board votes on today that the City Council could vote the other way.

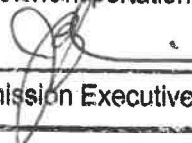
- DCA Martin explained how the Board has discretion on the use of the parking lot and the City Council has discretion on approving the ultimate project. He clarified that in both actions there would be a determination that the entirety of the project is exempt from CEQA, which is an item before the Board and that the same would go before the City Council.
- DCA Nagle added that the Council will approve all contracts to run the project
- Commissioner Liban asked if there is any particular mitigation required since this is a statutorily exempt project.
- Ms. Martin confirmed that there is none and that they make a determination whether it meets the criteria or not.
- Commissioner Liban asked a procedural question that if the Commission voted today that it will open up the filing of the NOE and would trigger 35 review process by the general public for any opposition to the project.
- DCA Martin explained the procedure once the Commission makes a determination that this project is exempt.
- Commissioner Davidian raised a question regarding the north parcel and wanted to know what types of land uses are allowed under in fill.
- Ms. Martin described what qualifies for in fill site allowing for residential use.
- DCA Martin commented on the three types of uses that are applicable in this situation - residential, commercial, and retail.
- Ms. Martin described in detail the uses that allow the site to qualify as an in fill site. She added that BOE consulted with the Planning Department who had preview on how to interpret what project qualifies and that BOE has a letter from the Planning Department on the record.
- Commissioner Davidian commented on his concerns about the City's ability to defend the decision.
- DCA Martin stated that the document is defensible as far as fitting the qualifications for the statutory exemption that has been documented by BOE's report.
- Commissioner Liban reiterated the two steps in the process: 1) make a determination whether to approve the transition of this site from a parking lot to a transitional housing facility, there is an associated CEQA process, and to adopt the determination of BOE staff; and 2) not part of the meeting, this will go before the City Council with a separate CEQA determination and that City Council approval is for the overall project.
- Commissioner Pak commented on the shared concerns, the Commission's task at hand, encouraged everyone to continue to practice their rights, and for everyone to address the people who make the decisions.
- Commissioner Davidian echoed Commissioner Pak's comments and have the understanding and sympathy of this situation.
- Commissioner Ortega echoed the same comments as a resident in Boyle Heights, sees unhoused neighbors everyday, construction going on for low-income housing, felt that this shared challenge calls on everyone to have a shared sacrifice, and to center humanity in this issue.
- Commissioner Liban pointed out what the Commission was making a decision on - the CEQ determination on the transitional use of parking to transitional housing and not on the project.

Commissioner Ortega moved to approve the use of Special Revenue Funded Lot No. 707 and determine the project is statutorily exempt from CEQA, seconded by Commissioner Pak to approve Item 3. Unanimously APPROVED.

ADJOURNMENT – PURSUANT TO GOVERNMENT CODE SECTION 54956.7

With no further business to come before the Board, Commissioner Pak moved, seconded by Commissioner Liban to adjourn the meeting. Unanimously APPROVED.

The meeting adjourned at 11:14 AM.

Approved: 11/9/2023
Board of Transportation Commissioners

Commission Executive Assistant