

**BEL AIR-BEVERLY CREST NEIGHBORHOOD COUNCIL
MINUTES OF MEETING
January 23, 2013
Community Magnet School**

**11301 Bellagio Road
Los Angeles, CA 90049**

Persons in Attendance

Quorum: 12 (per Nickie)

2012 Stakeholder Groups with Certified Representatives	Present	
Bel Air Ridge HOA		
Andre Stojka	X	
Benedict Canyon Association		
Alan Fine	X	
Don Loze	X	
Nickie Miner	X	
Bel-Air Glen HOA		
Larry Leisten <i>(taken off but still present)</i>	X	
Gary Plotkin	X	
Employee Associations		
Marcia Selz	X	
Faith-Based Organizations		
Lonnie Mayfield	X	
Laurel Canyon Association		
Toni Tucci	X	
Members-at-Large		
Charles Maginnis	X	
Residents of Beverly Glen		
Ramin Kolahi	X	
Robert A. Ringler	X	
Roscomare Valley Association		
Steve Twining	X	
TOTAL: 12		

From DONE: Thomas Soong and Gracie Lou – Present
 From CD5 Office: *Jeffrey Ebenstein, Shawn Bayliss*: – Not Present
 From CD4 Office: *Sharon Shapiro*: – Not Present

Roll Call (Agenda Item #1)

- President Ringler called the meeting to order.
- Nickie Miner called roll. A quorum was present.

Approval of Minutes from Previous Meeting (Agenda Item #3)

- ◆ **Motion** to approve the minutes from August 22, 2012 **approved**.
- ◆ **Motion** made to approve the minutes from November 28, 2012.
- ◆ **Motion** by Patricia Bell Hearst to strike out of November 28, 201 minutes that grievance process information was handed out on November 28, 2012. She did not hand any out. **Minutes** from November 28, 2012 **approved as amended**.

Public Comments (Agenda Item #4)

- **Ray Burgess with Southern California Gas Company** commented he was here with team members as part of the Advanced Meter Project. They're starting work in the area, upgrading gas meters to become automatic, by adding a battery-operated "module" to the meters; it reads gas usage; takes readings 4xday, for increased efficiency in gas usage. People will be able to read their own gas usage if they chose to. The communications network will use existing street lighting poles on which they'll put a network communications device and information will be passed to their office. He'll be available for presentations in the future.
 - Meter readers currently still go through gates.
 - There is a map of where poles are in the area. Once module is in place, people can lock their gates.
 - The system is secure, confidential, encrypted, with no customer information available online.
 - Literature was passed out.

- **Joe Resong with Department of Water and Power, Trunk Line Construction Unit, (CTLS-5) Project**, on Coldwater Canyon commented that they are putting in new 60-inch water trunk line to replace the old one done in 1914; Coldwater Canyon will be shut down to traffic from 8:30 a.m. to 7:00 p.m., and opening back up in the evenings, for 28 days, Monday through Saturdays, not Sundays, from Mulholland to Ventura Blvd.
 - Traffic officers from LADOT will be working with Harvard-Westlake, a preschool, a church, and the CD2 to do what they can. Noted was that this is a route used for cross-mountain travel.
 - They have sent outreach updates, which Council members stated they did not receive. He'll make sure these are sent.
 - Council members asked for signage for days of shut downs so commuters can make alternative plans.
 - Mr. Resong stated they are beginning outreach and are shooting for March 23rd shutdown, during Harvard-Westlake's spring break; and working to minimize impact.
 - Flyers were provided.
- **Juliana Maio & Michael Phillips** from 1501 Gilcrest Drive commented on property at 1500 Gilcrest Drive. They explained, under Public Comments, that they were having a dispute with the neighbors at 1500 Gilcrest Drive, and requested support from Council members, asking members to come to the ZA hearing on February 21st. They will send information. Council recommended touching base with Steve Twining, with the Planning and Land-Use Committee. J & M said they had previously spoken to Carol Sidlow.
- **Patricia Bell Hearst** commented that at the November meeting, she handed out information on Transportation to those interested in the Sepulveda Pass Corridor Systems Planning, discussed at the November meeting. She and Irene Sandler went to a Transportation meeting, and provided a cover sheet and are providing information. Noted:
 - There is no funding for the project to go south of Ventura Boulevard (zero funding to go south).
 - They may be on their priority list for #12 item, but thinks they are looking at the 23rd ...and looking at this room, would say a few of us may not be at this table to hear it.
- **Patricia Bell Hearst** further commented that, if any motions are made regarding any elections tonight that have not been posted on an Agenda for this night, posted on a neighborhood posting or on the web, it will be challenged at the next meeting.
- **Marcia Selz** commented that they sold their house and she was tendering her resignation letter. She has been on the Council for 10 years and started in the first class being sworn in, and stated, "the mood has changed. Instead of constructive comments and sweetness, we have a lot of rudeness and disharmony. At this moment, in these few minutes, I encourage you to find a method for censuring people who cannot speak, or write e-mails that are polite, respectful and without a lot of pejorative comments; that we all are volunteers and that everyone should be respected. ... I am hearing all the resignations from good people. And I encourage you to find a way to rid yourselves of these disruptive, disrespectful people, who may be very bright and have good intentions but don't know how to communicate with respect and honor. So, that's my parting message. As you know, I brought the Coalition of Homeowner's Associations for Council District 5. I'll still be in Council District 5, so we're still going to have meetings and you're all welcome to be representing your HOAs. So, with that, I say thank you very much for giving me the opportunity to work on the Council....I urge you to get this constructive spirit going again, and respectful spirit, and if people can't be respectful, even at the attendance survey, ... they don't belong on this Council. So, I urge you to find a procedure to remove them." Marcia chose to stay for the rest of the meeting to vote, as needed to maintain the quorum, at members' request.

President's Report (Agenda Item #5)

Election Committee – Completion of Selection Process of 'At Large' Candidates and 'Stipulation Worksheet

Larry Leisten presented need to approve Selection Procedure Stipulation Worksheet, as approved in 2012, but since selection was not held, it had to be repeated with adjustments as follows:

- To hold the Town Hall Selection Process at our regularly scheduled meeting or just prior to for the month of March, on March 27, 2013, from 7:00 pm to 8:00 pm.
- That our Neutral Third Party will be Mr. Thomas Soong of D.O.N.E.
- The candidate verification will be based upon documentation rather than self-affirmation. The candidate's presence will be required at the Town Hall meeting.
- Stakeholder verification, for purposes of voting, would be based upon self-affirmation, and voting is open to all stakeholders 18 years of age and older.
- Votes will be by "show of hands," as in the town hall selection.
- Vote needed this evening to approve document, to submit to Empowerment for review.
- **Motion** to move this to March 27th because there needs to be a 30-day outreach and review by Neutral Third Party; once candidates' applications reviewed, they have 10 days.
- ◆ **Motion** on the floor made by Larry to approve Selection Procedure Stipulation Worksheet, as approved in 2012, with adjustments as noted above, and seconded by Andre Stojka. No opposed and no abstentions. **Motion passed unanimously.**

Approval of 'Standing Rules:

- **Gary Plotkin** stated Standing Rules 1 through 17 were approved on a 90-day basis with hopes that it would be ratified or any changes would be made within that 90 days. There's been no objection.
 - ◆ **Motion** to approve as Permanent, Rules #1 through 17: **Approved with one abstention.**
- Gary skipped #18 relating to Land Use and the interrelationship between the committees and the office, #1 & 2, not sure how office is going to operate and skipped to #19 and 20 which were still pending. #19 is censure provision that says Council could take action to publicly reprimand a board member for actions conducted in the course of Council business, by censuring a board member in a board meeting. Censure should be placed on the Agenda for discussion and action at the next scheduled meeting, at the request of a board member.
 - ◆ **Motion** to approve #19 **approved unanimously – 12 to 0.**
- Gary stated that this documentation that has been submitted to Empowerment is the same documentation used by other associations, and the City Attorney has no objection.
- #20 is Removal of Board Members: The Council shall consult with the Office of the City Attorney throughout the Board Removal process. Board members may be removed in the following ways: a) Petition by Stakeholders. A Board Member may be removed from Office by submission of a written petition to the Secretary, which includes the identity of the board member to be removed, description detail, the reason for removal and avowal signature of greater than 10% of the Board. Upon receipt of a written Petition for Removal, the Secretary shall cause the matter to be placed on the Agenda for a vote of the board at the next regular Council meeting. Removal of the identified Board Member requires a two-thirds (2/3rds) Majority of the Attending Board Members, and the Board Member who is subject to removal shall have the right to deliver to the Board Members a written statement about the matter, and to speak at the Board Meeting prior to the vote, but shall not be counted as part of the Quorum nor allowed to vote on the matter. If the vote for removal is of the affirmative, the position shall deemed vacant and filled via the Council's Vacancy Clause.
 - ◆ **Motion** made to approve #20 **approved with one abstention. 11 to 1.** One abstention.
- **Robert Ringler** moved the Agenda Planning and Land Use item for 1) 1458 Blue Jay Way, on the Agenda, and for 2) 10550 Bellagio Road, a variance petition of a two-story house. Representatives for both follow:
- Victor Marmon commented that he represents the property owners at 333 Copa De Oro, the property immediately to the east of 10550 Bellagio and 360 Stone Canyon. He stated the Neighborhood Council has in the past closed this project; it's back open; that the applicant is again attempting to eliminate the protections adopted by the West L.A. BPC, in December 2006 to protect Stone Canyon Creek, and are also requesting height variances. (*Details of Bellagio and Stone Canyon house issues are available upon request*).
 - ◆ **Motion** to oppose 1) the request by the applicant to change parcel map conditions and mitigation measures adopted by the West Los Angeles Area Planning Commission; 2) oppose the applicant's request for height variances to 50 feet for the Stone Canyon house and 53 feet and 3 inches for the Bellagio house; 3) oppose the applicant's request for zoning administrator's adjustment to an 8 foot front wall height along both Bellagio and Stone Canyon and 4) oppose the applicant's request for three additional retaining walls on the Bellagio Road property. Motion was made. Motion seconded. Discussion held.
 - ◆ **Motion passed unanimously. Carol will write it up.**
- Andrew **Resten**, Architect representing owners of property at 1458 Blue Jay Way, commented on applications for fence variance (details available upon request). Asked how wide the street is, Mr. **Resten** replied that he thinks the street is 25 feet, adding that it is exempt from the Hillside Ordinance because of its width.
 - ◆ **Motion** was made that the Neighborhood Council would have no opposition to this. Nickie replied that she felt that this needs more discussion; that these variances for 8-foot high front fences are running rampant, and that "we are just going to eliminate the 3-1/2 foot, for one thing, and height, and not conforming to the Hillside Ordinance. This needs more investigation, and just because four neighbors were talked into not objecting, doesn't mean that perhaps a hundred more in the surrounding areas do object."
 - ◆ Nickie makes a **Motion to Reconsider. Motion seconded and passed**
- Vote was retaken for original motion: 4 in favor of original motion not to oppose it
Vote was retaken for those who are opposed to original motion: 4 opposed to the original Motion. 5 abstained.
Robert noted that **motion dies** (details available if requested) Mr. **Resten** was to contact Carol
- Robert introduced **Gracie Lou**, our "new General Manager" from the Department of Neighborhood Empowerment who came to answer questions. With regard to the membership survey, she will work with the Board; likes the idea of a survey to find out who is still interested in the Board, says if unable to fill a position after a certain amount of time, other neighborhood councils have made these into "at large" positions, which can revert at next election or appointment time. With regard to quorum, until full selection or election, if we're going to have a 32 and 40 on the board, we can't have a floating quorum of 12. We need a fixed quorum number. She noted that the **next election cycle** is in **spring of 2014**, so the **bylaw amendment period is open until June 1st**, and at that point no bylaws can be changed. Any Board structure changes will be taken to the Commission. Noted was we'll have one or two at-large seats voted on in March and we can change them in the bylaws to allow for areas that

may not be represented; that the survey will help us identify members that need to be engaged. Gracie recommended face-to-face interaction, going to organizations or to persons and asking them what they see the Council is not doing for them, and telling them how we gain more strength and more voice at City Council, and within City Departments, with their voice. Gracie said they could provide some training in the C4C program. When asked further about at large positions, Gracie noted that it's up to the Board to decide to have school seat or education seat and a business seat that is at-large for the whole area; "board seat changes are going to be happening, because neighborhoods are evolving. Ask your neighbors." Discussion about associations within associations, and bylaws for minimum amount of representation needed

- BABCNC Survey (our plan to reduce our quorum, possible motion) – Andre Strojka
- Andre discussed his work on the survey to determine viability of **groups** represented on our roster, which groups were coming or not coming to meetings, and if they were represented. There was much discussion among Council members about eligibility, membership, organizations represented, numbers of representatives per group, quorum issues. Noted was that some organizations that have multiple members; discussed at-large positions. This work falls within outreach and it was recommended to bring this into the ad-hoc committee.
- Neighborhood Disaster Planning Workshops
 - ◆ **Motion** The neighborhood councils are able to participate in any revenue increasing measures, and we want 60 days. Members asked if it's City or County, and if it's being voted on, and noted was that "It's been put off." Nickie Miner seconded. **Motion Passed.**
- The workshops were to be held in four locations, in West LA, Central Valley and South LA; the WLA workshop was on February 28th at Simon Weisenthal Center.
- Gracie was asked about Agenda-Setting and Executive Committee meetings; Brown act discussed.
- Public Safety/Disaster Preparedness Committee
- Chuck Maginnis discussed 1) the notification survey, of which he received 15 responses, and 2) Emergency Preparedness Outreach and Committee. Discussed issue of what constitutes an emergency and telephone notification system.
- Traffic Committee Report and Police Advisory Board Report
- Next LAPD West Bureau Traffic Committee is going to be Wednesday February 9th, 8:30 in the morning, at the West Los Angeles Community Police Station, 1663 Butler Avenue

Motion to Adjourn in honor of Marcia's many years of dedication: (Applause) Motion passed.

Respectfully submitted,

Nickie Miner