

www.babcnc.org
General Meeting Agenda
Wednesday, February 27, 2013

Community Magnet School
90049
11301 Bellagio Road
p.m.

Los Angeles, CA

7:00-9:00

The public is welcome to speak. Meeting is being audio taped.

*We request that you fill out a **Speaker Card** to address the Council on any item on the Agenda. Comments from the public on other matters not appearing on the Agenda will be heard during the Public Comment period. Public comment is limited to 3 minutes per speaker unless waived by the presiding officer of the Council. (As a covered entity under TITLE of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, listening devices, or other auxiliary aids and/or services will be provided upon request. To ensure availability of services, please make your request at least 3 business days prior to the meeting you wish to attend by contacting the Neighborhood Council Project Coordinator at 213 485-1360.)*

1. **Call to order** – Council Member roll call (Quorum = 12) (1 minute)
2. **Pledge of Allegiance** (1 minute)
3. **Approval of Minutes** (if available) –October 24, 2012 and January 23rd meeting (5 minutes)
4. **Public Comments** – (15 minutes – 3 minutes per speaker)
5. (Agendas, brochures, & public service handouts are available to all on center meeting table.)
6. **President’s Report** – Robert A. Ringler
 - Election – Update- *Ramin Kolahi and Larry Leisten*
 - BABCNC Authentication of Board members- **See Exhibit D** (motion) – *Andre Strojka*
 - DWP water line project on Coldwater Canyon – Jeffery Ebenstein CD 5 and Sharon Shapiro CD 4
7. **Treasurer and Funding Report**– Alan Fine(5 minutes)
 - Treasurer’s Report
8. **Public Safety/Disaster Preparedness Committee** – Chuck Maginnis(10 minutes)
 - Senior Lead Officer Chris Ragsdale
 - Senior Lead Officer Ralph Sanchez
 - Discussion on emergency notifications update
 - Committee outreach
9. **West Los Angeles Regional Alliance of Councils (WRAC)** - Steve Twining(5 minutes)
 - **Exhibit B and supporting documents (W.R.A.C., Westside Regional Alliance of Councils motions for approval)**
10. **Bylaws & Rules Committee Report** – *Larry Leisten*
 - Proposed amendments to BABCNC bylaws
 - Agenda setting proposal (motion) **See Exhibit C**

- Ethics Exam requirements, responsibilities and penalties for Council members (possible motion)

11. Outreach Committee Report/Update – Robin Greenberg

12. Land Use Committee – Co-Chairs Carolyn Carradine and Carol Sidlow (15 minutes)

(All items on the Land Use agenda are subject to a possible motion to support, oppose, or take no position by the Committee.)

See Exhibit A (Planning and Land Use Committee Agenda items for February 27, 2013

13. Council District 5 Report – Field Deputy Jeff Ebenstein, Shawn Bayliss (5 minutes)

14. Council District 4 Report - Field Deputy & Deputy of Housing and Transportation- Sharon Shapiro (5 minutes)

15. Traffic Committee Report and Police Advisory Board Report– Robert A. Ringler (1 minute)

- Next LAPD West Bureau Traffic Committee, Wednesday, March 13th - 8:30 a.m. at the West Los Angeles Community Police Station, 1663 Butler Avenue

16. Private and Public Schools News – (5 minute)

17. New Business/General Announcements (1 minute)

18. Motion to Adjourn Meeting

NEXT BABCNC MEETING: February 27, 2013

Exhibit A (Planning and Land Use Committee Agenda items for February 27, 2013)

Speakers:

- Chris Parker/Applicants Representative - 76 S. Beverly Park Lane - ZA-2012-3525-ZV - Convert an (E) Kitchen into a service/caterers Kitchen and an (E) maids lounge into a family kitchen, creating (2) kitchen in 1 (E) SFD - ZV8777 W.
- Wonderland Avenue - AA-2012-3492-PMEX - Adjust a Lot Line Between Parcel 1 and Parcel 2, area to be conveyed is 19,863 SF - PMEX Parcel Map Exemption

New CNC Properties

- 642 CLOUD Road - AA-2013-98-PMEX - LOT LINE ADJUSTMENT - PARCEL MAP EXEMPTION
- 8114 Elrita Drive - DIR-2013-291-DRB - SPP- MSP - RETAINING WALLS AND GRADING 11715 BELLAGIO - ENV-2013-CE

Previously Agendized CNC and other Properties

- 8500 FRANKLIN AVENUE - ZA-2011 -2784(ZAD)(ZAA) A ZONING AMINISTRATORS' DETERMINATION TO PERMIT A ZERO-FOOT FRONT YARD SETBACK FOR A LINEAR DISTANCE OF 2 FEET IN LIEU OF THE MINIMUM 5 FT SETBACK OTHERWISE REQUIRED. TO PERMIT A 4339 SQ FT SFD IN LIEU OF MAX 4258 SQ FT OTHERWISE PERMITD ON A 8692 SQ FT LOT. (**Hearing Date: Tuesday, January 15, 2013 - Up-date: ZA Granted exemptions**)
- 2770 ROSCOMARE ROAD- DIR-2012-3572-DRB-SPP-MSP 5,485 SQUARE FOOT HOUSSE WITH 704 SQUARE FOOT GARAGE AND 638 SQ FT ACCESSORY LIVING QUARTERS. Plans Submitted.
- 9814 W. HYTHE CT. - DIR-2012-3516-DRB-SPP-MSP - NEW 4856 SQ FT SFD WITH 425 SQ FT ATTACHED GARAGE ON A 16,478 SQ FT LOT. Plans Submitted.
- 76 S. BEVERLY PARK LANE - ZA-2012-3525-ZV -CONVERT AN (E) KITCHEN INTO A SERVICE/CATERERS KITCHEN AND AN (E) MAIDS LOUNGE INTO A FAMILY KITCHEN, CREATING (2) KITCHENS IN 1 (E) SFD - ZV
- 1458 BLUE JAY WAY - ZA-2012-3125-F - OVERHEIGHT FENCE, GATE AND HEDGE WITH PORTION IN THE ROW.
- 1513 N FOREST KNOLL DRIVE- CHC-2012-3499-HCM(Historic Cultural monument)
- 1553 N TOWER GROVE DRIVE-ENV-2012-3557-CE - ZA-2012-3559 FENCE UNDER 8'O' IN THE FRONT YARD.
- 8777 W. WONDERLAND AVENUE - AA-2012-3492-PMEX - ADJUST A LOT LINE BETWEEN PARCEL 1 AND PARCEL 2, AREA TO BE CONVEYED IS 19,863 SF - PMEX -

PARCEL MAP EXEMPTION.

- 9712 W. OAK PASS ROAD - AA-2012 -2846 - WTM - WAIVER OF TRACT MAP - CONSTRUCTION AND GRADING FOR A NEW SINGLE FAMILY HOME IN A 252,686 SQ FT LOT -ENV-2012-2847 - CE.
- 8940 THRASHER- ENV-2012-2788-EAF - ENVIRONMENTAL ASSESSMENT FORM
- 1575 HASLAM TERRACE - ZAA (OVER-IN-HEIGHT FENCE) WITHIN THE FRONT YARD SETBACK AREA IN CONJUNCTION WITH AN EXISTING TWO-(2) STORY SINGLE-FAMILY DWELLING
- 8283 W. SKYLINE DR - ENV-2012-2695-CE & ZA-2012-2696-CONSTRUCTION OF A FRONT WALL-FENCE AND GA TE UP TO 8 FEET IN HEIGHT ALONG THE FRONT YARD
- 9322 W HAZEN DR - DIR-2012-2559-DRB-SPP-MSP CONSTRUCTION OF A PROPOSED 7,046-SQUARE-FOOT, 2-STORY OVER BASEMENT SINGLE-FAMILY DWELLING WITH ATTACHED SWIMMING POOL AND SPA AND 3-CAR GARAGE.
- 9326 W HAZEN DR - DIR-2012-2556-DRB-SPP-MSP 6530-SQUARE-FOOT, 2-STORY OVER BASEMENT WITH ATTACHED POOL AND SPACE AND 3-CAR GARAGE AND A 680 SQUARE-FOOT 2-STORY GUEST HOUSE -
- 9550 W. HEATHER ROAD - AA-2012-2472-WTM - GRADING & NEW RETAINING WALL IN CONJUNCTION WITH DEMOLITION OF EXISTING POOL HOUSE & CONSTRUCT NEW 2 STORY POOL HOUSE -- WTM-WAIVER OF TRACT MAP -
- 901 N. AIROLE WAY - ZA-2013 -32 - ZAA - CONSTRUCTION, USE AND MAITNEANCE OF AN 170 SQ FT ACCESSORY BUILDING AND A FENCE AND HEDGE WITH A HEIGHT RANGING FROM 6-14'
- 1521 N. DOHENY DRIVE - ZA-2013-87-F CONSTRUCTION OF AN OVER-IN-HEIGHT FENCE IN THE FRONT AND SIDE YARD SET BACK
- 1423 NL ORIOLE DRIVE - ZA-2013-78-ZV-ZAD-ZAA - GUARD HOUSE/TRASH ENCLOSURE AND TWO ELEVATED WOOD DECKS
- 2460 SUNSET PLAZA DRIVE - AA-2013-41 - PMEX AND CE -LOT LINE ADJUSTMENT
- 2590 WALLINGFORD DRIVE -AA-2013-91-PMLA - PRELIMINARY PARCEL MAP
- 1400 N VISTA MORAGA - AA-2012-2521-WTM - VARIOUS ADDITIONS TO 1ST. FL. AND 2ND. FL. AT POOL HOUSE, ADDITION TO 1ST. AND 2ND. FL AT MAIN RESIDENCE, CONVERSION OF ATTIC SPACE TO HABITABLE SPACE, ADDITION TO GARAGE AND ADDITION OF COVERED PORCH WTM-WAIVER OF TRACT MAP
- 2047 DESFORD DR. - ZA-2012-2853 - LOT LINE ADJUSTMENT RESULTING IN REDUCED LOT AREA OF 12,577.47 SQUARE FEET IN LIEU OF REQUIRED 15,000 SQUARE FOOT FOR PARCEL 7 OF AA-2012-304-PMEX.

- 2153 GROVELAND DR. - ZA-2012-2822 - ZAD - ZAA EXEMPTION TO NOT TO IMPROVE ROADWAY, ADJUSTMENT TO USE 10% TO INCREASE SQUARE FOOTAGE BEYOND MAXIMUM BUT NOT TO EXCEED 2,400 Sq. ft.
- 1805 N. FRANKLIN CANYON DRIVE - ENV-2012-1348-CE, ZA-2012-1347-F - EXEMPTION FOR ADDITION OF STEEL AND WOOD FENCE WITH A LINEAL DISTANCE OF 110 FT. ON EXISTING BLOCK WALL
- 2600 N. SUMMITRIDGE DRIVE - DIR-2012-1433-DRB-SPP-MSP, ENV-2012-1439-CE - EXEMPTION FOR CONSTRUCTION OF 5,989 SQ. FT. GUEST HOUSE ADDITION WITH BASEMENT

Exhibit B (W.R.A.C., Westside Regional Alliance of Councilsmotions for approval)

MOTION : RE: City Council File 13-1300-S1

1. Whereas the City Council believes that the Neighborhood Councils do not inform their stakeholders about Council initiatives; and

Whereas the City Council requests better participation in city issues by Neighborhood Councils; and

Whereas Councilmember Parks held hearings at his Education and Neighborhoods Committee regarding Neighborhood Council participation in city issues; and

Whereas the City Council recently approved a citywide valet parking ordinance without enough time for Neighborhood Councils to weigh in; and

Whereas yet again, the City Council, without any warning or advance notice, introduced a motion on January 4, 2013 to place a three billion dollar bond measure on the May ballot with a vote scheduled to be taken on January 10, 2013, thereby again silencing their Neighborhood Council's voice in an important matter; and

Whereas the Los Angeles Neighborhood Council Coalition has already unanimously adopted and transmitted a position to the City Council on January 5, 2013 asking for 60 days time so that Neighborhood Councils are able to weigh in on issues affecting all of their stakeholders;

Therefore, be it resolved that the Neighborhood Council Budget Advocates instructs the Chair to immediately transmit the NCBA's opposition to the City Council's predilection for precluding the Neighborhood Councils and their stakeholders from weighing in on citywide measures.

Furthermore, the NCBA's demands that a City Council decision on City Council File 13-1300-S1 be postponed for 60 days until the City can issue a financial impact report of the new debt, and the 95 certified Neighborhood Councils have an opportunity to hold a Brown Act compliant meeting and report back to the Councilmembers with their stakeholders' views.

2. Presentation by TakeThemDown.org/Marathon/Summit Re: WRAC Support for their Illegal Digital Billboard Motion (sample resolution/motion/letter attached hereto)
3. Proposed "Live Within Its Means" Charter Amendment

- To save the City from insolvency, the City Council needs to place on the ballot a charter amendment that will require the City to LIVE WITHIN ITS MEANS. This would mandate that the City develop and adhere to a Five Year Financial Plan, pass two year balanced budgets based on Generally Accepted Accounting Principles, and over the next ten years, fix our streets and the rest of our infrastructure and fully fund our pension plans. **See Exhibit A Hereto for more**

Exhibit A: To save the City from insolvency, the City Council needs to place on the ballot a charter amendment that will require the City to LIVE WITHIN ITS MEANS. This would mandate that the City develop and adhere to a Five Year Financial Plan, pass two year balanced budgets based on Generally

Accepted Accounting Principles, and over the next ten years, fix our streets and the rest of our infrastructure and fully fund our pension plans.

**Live Within Its Means
Charter Amendment
Term Sheet**

The City will be required to develop and adhere to a Five Year Financial Plan (the “Plan”) for the General Fund, all Special Revenue Funds, and the Budget, excluding the three proprietary departments. The Plan will include detailed information, including, but not limited to, income statements, balance sheets, cash flows, and levels of outstanding debt.

The Plan will also incorporate the financial requirements of the Infrastructure Plan, the Pension Funding Plan, and all other phases of the City’s operations.

Each year, the City will be required to approve a two year Budget.

The Plan and the Budget are required to be balanced, where revenues exceed expenses, at all times.

The City will develop an Infrastructure Plan that will detail the financial requirements necessary to allow our infrastructure to be in a “good to excellent condition” by June 30, 2024. Infrastructure includes, but is not limited to, streets, sidewalks and curbs, parks, street lights, buildings and facilities, sewers, storm water drainage, motor vehicles, and information technology systems.

The Infrastructure Plan will also include the budget for capital expenditures.

The City will develop a Pension Funding Plan that will detail how the City will fully fund its two underfunded pension plans (the Los Angeles City Employee Retirement System and the Fire and Police Pension Plans are only 72.6% funded) by June 30, 2024, using reasonable assumptions consistent with other pension plans.

After June 30, 2024, the City will maintain its infrastructure in a “good to excellent condition” and its pension plans will be at least 100% funded.

The Plan and the Budget will require the City to have actual funding sources to finance any increases in spending or decreases in taxes.

The Plan, the Budget, the Infrastructure Plan, and the Pension Funding Plan (collectively, the “Plans”) will be prepared based on Generally Accepted Accounting Principles.

The Mayor and a majority of the City Council will be required to approve the Plans.

The Controller and the City’s independent accounting firm will each be required to attest that the Plans have been prepared in accordance with Generally Accepted Accounting Principles.

The Controller and the City’s independent accounting firm will each be required to attest that the Plan and the Budget are balanced, where revenues exceed expenditures.

Within 60 days of the end of each fiscal quarter (September 30, December 31, and March 31), and within 120 days of the fiscal year end (June 30), the Controller will be required to affirm that the Budget is balanced and is projected to be balanced in the future.

The City Attorney will be required to attest that the Plan and the Budget meet all legal and regulatory requirements, including that all transfers involving City departments are legal, including those with the three Proprietary Departments.

The General Managers of all departments will be required to approve their sections of the Plans.

The General Managers of all departments will be required to notify the Mayor, the City Council, the Controller, and City Attorney if their department's budget is not balanced at any point in time or is inconsistent with the Plans.

The Neighborhood Councils will be notified of all approvals and any notifications indicating that the Plans are not balanced.

The City will have community presentations at least four times a year detailing the status of the Plans.

The Plans will be updated annually.

Beginning June 30, 2014, the City will be required to maintain a Reserve Fund equal to at least equal to 5% of General Fund Revenues.

The City will be required to maintain its existing bond ratings, and take all measures necessary to maintain such bond ratings.

In the case of a natural disaster, the target date envisioned by the Infrastructure Plan may be extended for one year.

The City bears the burden of proof that the Plan, the Budget, the Infrastructure Plan, and Pension Funding Plan are consistent with a balanced budget, where revenues exceed expenditures based on Generally Accepted Accounting Principles.

TakeThemDown.org
Sample Motion
DATE

Motion: The Board of ORGANIZATION NAME urges the City of Los Angeles to fully implement the appeals court ruling in the *Summit Media LLC v. City of Los Angeles* and to remove the 103 illegal digital billboards blanketing our city. We further request that the City refrain from making any changes to the zoning laws relative to digital billboards until the illegal boards are removed and any such proposed change has been subjected to an open and transparent outreach process to community stakeholders.

DATE

Honorable Members
Los Angeles City Council
Los Angeles City Hall, Room
200 N. Spring Street
Los Angeles, CA 90012

Re: Council File Numbers 12-1611-S1, 08-2020, 12-1611, 11-1705

Dear Honorable Councilmembers,

In 2006 the City of Los Angeles entered into an illegal agreement with Clear Channel Digital and CBS Outdoor, which allowed them to convert up to 800 static billboards to digital billboards. This "agreement" was entered into without public hearing, public comment, or any input from neighborhood councils, community groups or resident organizations. The result was that these companies erected 103 illegal digital billboards that have been opposed by our organization and other communities groups from the beginning.

The agreements were challenged in court – Summit Media, LLC v. City of Los Angeles – wherein Superior Court Judge Green ruled the agreements illegal, followed by the California Court of Appeal upholding Judge Green's ruling. The Court of Appeal further ruled that the illegal signs must be removed.

At our recent meeting on INSERT DATE, INSERT ORGANIZATION passed the following motion:

Motion: The Board of ORGANIZATION NAME urges the City of Los Angeles to fully implement the appeals court ruling in the *Summit Media LLC v. City of Los Angeles* and to remove the 103 illegal digital billboards blanketing our city. We further request that the City refrain from making any changes to the zoning laws relative to digital billboards until the illegal billboards are removed and any such proposed change has been subjected to an open and transparent outreach process to community stakeholders.

ORGANIZATION NAME fully supports the Courts' rulings and urges the City to fully implement the decision and remove the illegal digital billboards. Further, we oppose any and all attempts to grandfather these illegal billboards, or any other action that would retroactively legalize them.

Thank you for your consideration, and if you have any questions, please do not hesitate to contact us.

Sincerely yours,

SAMPLE RESOLUTION

Whereas, in 2006 the City of Los Angeles entered into agreements with Clear Channel Outdoor and CBS Outdoor allowing them to convert up to 800 static billboards to digital in exchange for the removal of significantly less billboards;

And whereas, the agreement was entered into without public hearing, public comment, or any input from neighborhood councils, community groups or resident organizations;

And whereas, the agreement resulted in Clear Channel and CBS erecting over 100 illegal digital billboards throughout the City of Los Angeles;

And whereas, these 100 plus digital billboards were placed without input from affected neighborhood residents and/or stakeholders and have subsequently diminished quality of life;

And whereas, a lawsuit, known as *Summit Media LLC v. City of Los Angeles*, was filed challenging the legality of the settlement agreement despite such billboards being prohibited by the City's zoning code;

And whereas, both a Los Angeles Superior Court Judge and a three member California Appeals Court panel ruled the settlement agreement illegal and the 100 plus signs illegal and in violation of the existing City sign law;

And whereas, the Court of Appeals ruled the permits granted under the settlement agreement are illegal and thus the signs must be removed;

And whereas, the existing City law clearly makes these 100 plus digital sign illegal;

And whereas, the two billboard companies have dispatched an army of lawyers and lobbyists to get the City Council to change the existing law to circumvent the court ruling and retroactively "legalize" these digital billboards;

And whereas, the efforts to circumvent the law silences residents, community leaders, neighborhood councils from involvement in the process of policy development, violates due process for stakeholder input, and clearly ignores the accepted practice of undertaking an environmental review under CEQA;

THEREFORE BE IT RESOLVED, *insert organization/neighborhood council* urges the City of Los Angeles to fully implement the Court ruling and remove the illegal digital billboards;

AND FURTHER BE IT RESOLVED, *organization/neighborhood council* opposes any efforts by the City of Los Angeles to initiate any changes to the zoning laws relative to digital billboards without a full and open public process inclusive of robust public input.

EXHIBIT C

MOTION TO AMEND THE BYLAWS

OF THE BEL AIR-BEVERLY CREST NEIGHBORHOOD COUNCIL

ARTICLE 9 – DUTIES OF OFFICERS

ARTICLE 10 - COMMITTEES

WHEREAS, Article 9.1 of the Bylaws describes the powers and responsibilities of the office of President of the Board, which is to preside over all meetings of the Board, and have general supervision, direction, and control of all business and activities of the Board subject to Board approval;

WHEREAS, Article 10.1 establishes the Agenda Setting Committee as a Standing Committee, and Article 10.4 describes the powers and responsibilities of the Agenda Setting Committee, which is to meet to plan agendas for the next Board Meeting;

WHEREAS, the Los Angeles City Attorney has opined that the Brown Act requires all Standing Committees of a Neighborhood Council to only meet at a venue open to the public, and that teleconference meetings are prohibited;

WHEREAS, the Board of the BABCNC is comprised of volunteers, most of whom have busy schedules and can only dedicate so many hours each month to service on the Board and several committees;

NOW THEREFORE, it is resolved to amend the Bylaws as follows:

“Article 9.1.1 Agenda Setting” shall be added to “Article 9.1 President” and shall read as follows:

“The President shall have leadresponsibility for setting the Board agenda, which shall be published in accordance with the BrownAct, and subject to Board input in accordance with the following procedure:

- (a) No less than seven (7) days prior to a Regular Meeting the President shall email each Board Member soliciting input for items to be included on the agenda;
- (b) Each Board Member shall have forty-eight (48) hours from the time the President distributes the email to respond to the request for agenda items;
- (c) The President shall consult with one other Officer of the Board and one Committee Chair, which Officer and Chair shall be identified in the Standing Rules, prior to finalizing the agenda for publication in accordance with the Brown Act;
- (d) At the outset of each Regular Meeting, the President shall seek additional comment to the agenda from the Board, prior to amendment and final approval by the Board;

(e) The Board may only table items, and may not add items not previously listed on the published agenda;

(f) The procedure described in the subsection shall not apply to Special Meetings of the Board. Agendas for Special Meetings shall be established at time they are called by the two Officers calling for the Special Meeting or set forth in the petition signed by twenty-five percent (25%) of the Board Members as described in Article 7.6.

Article 10.1 – Standing Committees shall be amended by deleting “Agenda Setting Committee” from the list of committees identified as Standing Committees of the BABCNC.

Article 10.7 –Agenda Setting Committee shall be deleted in its entirety. Article 10.7 shall be omitted from the Bylaws and reserved for future use.

*Bel Air Beverly Crest
Neighborhood Council
(FOURTH DRAFT)*

Dear Bel Air Beverly Crest Neighborhood Council Board Member:

With the reorganization of the BABCNC office, we are inaugurating an annual authentication of members to keep our records current and up to date. Kindly completed this form and return to the BABCNC office in the envelope provided no later than: _____

Annual Board Member Authentication

Date:

Name of Board Member:

If elected At Large, date of election:

If representing HOA, name of Home Owners Association:

If representing HOA, date of appointment:

President of HOA:

HOA Mailing Address:

HOA E-Mail address:

HOA Phone:

HOA Website (if any):

Number of homes represented:

Location where within the BABCNC area?:

**Date of letter of Authorization (attach Letter
on official letterhead):**

**Are you an appointed representative of an Education, Business, Religious or Labor
Organization? Yes No**

If Yes, which organization do you represent?

Organization Address:

Organization Telephone

Organization e-mail address

Date of letter of confirmation by organization

Board Member mailing address:

Board Member telephone:

Board Member E-mail address:

Date of Ethics Certificate:

Expiration date of Ethics Certificate: