



General Meeting Minutes
Wednesday, April 23, 2014 7:00-9:00 p.m.
American Jewish University 15600 Mulholland Drive Bel Air, CA 90077

Present: 15

Quorum: 12

2014 Stakeholder Groups / Certified Representatives	Present	Not Present
Bel Air Crest Master Homeowner Association		
<i>Irene Sandler</i>	X	
Bel Air Ridge HOA		
<i>Andre Stojka</i>	X	
Benedict Canyon Association		
<i>Michael Chasteen</i>	X	
<i>Alan Fine</i>	X	
<i>Don Loze (Notified of absence) (David Kadin sat in)</i>		X
<i>Nickie Miner</i>	X	
Casiano Estates Association		
<i>Gary Plotkin</i>	X	
Faith-Based Organizations		
<i>Lonnie Mayfield</i>	X	
K-6 Private Schools		
<i>Vicki Kelly (Notified of planned absence)</i>		X
K-5 Public Schools – Open Seat Pending		
7-12 Private Schools		
<i>John Amato</i>	X	
Laurel Canyon Association		
<i>Jamie Hall</i>	X	
<i>Cassandra Barrere (Notified of planned absence)</i>		X
<i>Monica Weil (Notified of planned absence)</i>		X
<i>Tony Tucci</i>	X	
Members-at-Large		
<i>Larry Leisten</i>	X	
<i>Chuck Maginnis</i>	X	

2013 Stakeholder Groups / Certified Representatives	Present	Not Present
Residents of Beverly Glen		
<i>Robert A. Ringler</i>	X	
Open Seat		
Roscomare Valley Association		
<i>Robin Greenberg</i>	X	
<i>Michael Kemp</i>	X	
Save Our Strip: Pending		
Santa Monica Mountains Conservancy		
<i>Travis Longcore, Ph.D. (Notified of planned absence)</i>		X
Total:	15	5

City Officials

From DONE:	<i>Thomas Soong</i> , Project Director:	Not Present
	<i>Alisa Smith</i> , Elections Advisor:	Not Present
From CD5 Office:	<i>Jeff Ebenstein</i> , Field Deputy:	Not Present
	<i>Noah Muhlstein</i> , Planning Deputy:	Not Present
	<i>Gurmet Khara</i> , Council Deputy:	Not Present
	<i>Shawn Bayliss</i> , Director PLU:	Not Present
From CD4 Office:	<i>Sharon Shapiro</i> , Deputy:	Not Present

Guests Who Signed In:

- *Farhad Ashofteh*
- *Daniel Saparzadeh*
- *Joan Rimmon*
- *Judy & Jay Sher*
- *John Seitz*
- *Linda & Bob Williams*
- *Ronnie & Jay Michel*
- *Lois Linden*
- *Arne Schmidt*
- *Steve Grossi*
- *Constance Somerfeld*
- *Jay Ornellas*
- *Patricia Hearst*
- *Lauren Joy Sand*
- *Emerson Torres*
- *Bruce D. Kuyper*
- *Patricia A. Nation*
- *Mojgan Manavi*
- *Ana & David Kadin*
- *Andrew Harwood*
- *Ray Sanders*
- *Marikay Ohayon*
- *Maureen Smith*

Special Guest Speakers:

- *Ron Galperin*, LA City Controller
- *Deborah Kahen*, LA City Department of Planning
- *Theodore Irving*, LA City Department of Planning

ADMINISTRATIVE MATTERS

1. **Call to Order:** Council President, *Gary Plotkin*, called the meeting to order at 7:30 p.m.
2. **Roll** was called by Secretary, *Robin Greenberg*. 15 members were present and a quorum of 12 was met. (One certified alternate, *Janet Glucksman*, and one noncertified alternate, *David Kadin*, were present but not included in the total, and neither of them voted.)
3. **The Pledge of Allegiance** was recited.
4. **MOTION: BABCNC approves the March 26, 2014 Minutes** – *Robert Ringler* moved, *Andre Stojka* seconded, and minutes were unanimously approved by a roll call vote with 14 yeas by *Irene Sandler, Andre Stojka, Alan Fine, Nickie Miner, Michael Chasteen, Lonnie Mayfield, John Amato, Jamie Hall, Tony Tucci, Larry Leisten, Chuck Maginnis, Robert Ringler, Robin Greenberg & Michael Kemp*.
5. **MOTION: BABCNC approves the April 23, 2014 Agenda** – *Robert Ringler* moved, *Chuck Maginnis* seconded, and the agenda was approved by a roll call vote with 13 yeas by *Andre Stojka, Alan Fine, Nickie Miner, Michael Chasteen, Lonnie Mayfield, John Amato, Jamie Hall, Tony Tucci, Larry Leisten, Chuck Maginnis, Robert Ringler, Robin Greenberg and Michael Kemp*, 1 nay, *Irene Sandler*, and 0 abstentions.
 - *Gary Plotkin* noted the agenda schedule will be adjusted for *Ron Galperin & Deborah Kahen*.
 - *Gary* noted as to 12b) 11767 Bellagio Road, information was still coming in from the City, as of 2 hours ago, that the Board has not been able to review; *Noah Muhlstein*, CD5 Planning Deputy, has comments but is unable to attend, and there will probably be a motion to continue this to May, due to its extreme importance, according to the Executive Committee, will set a precedent for the City, and deserves the utmost attention.
 - *Gary* thanked those who updated their Ethics & Funding requirements. [*Pending: Don Loze & Monica Weil; alternates Sam Levitt & Kerry Welland, and alternate candidate David Kadin.*]
6. **Public Comments – Non-agendized**
 - *Patricia Bell Hearst* stated that she has given letters to *Robin*, indicating that *Steve Twining* attended the recent LANCC meeting where 80% of the Neighborhood Councils voted for a moratorium on small lot subdivisions.
 - *Patricia Bell Hearst* also commended Board members who have updated their ethics/funding requirements in the last 24 hours. *Gary* thanked her for bringing the need to our attention.
7. **(Agendas, brochures, & public service handouts available)**
8. **President’s Report – Gary Plotkin**
FAST TRACK – REPORTS: (Updates, Discussion and Possible Action)
 - a. Vacant Seats: Public Schools K-5 Rep & Business Rep – None.
 - b. Participate in Fire Station 99 May 10th Open House
MOTION: That BABCNC participate in Fire Service Day at Fire Station 99 on Saturday May 10th which the firefighters are organizing.
Robin moved, *Larry* seconded, roll call vote was taken with 13 yeas, by *Irene Sandler, Andre Stojka, Alan Fine, Nickie Miner, Michael Chasteen, Lonnie Mayfield, John Amato, Jamie Hall, Tony Tucci, Larry Leisten, Chuck Maginnis, Robin Greenberg & Michael Kemp*; 0 no, 0 abstentions, and passed.

- *Alan* asked that those who participate please reach out to the people who come by the booth. *Larry* mentioned *Robin's* suggestion of getting HOAs to participate, and has encouraged participation by his own HOA, noting they can all put up tables as well.

- c. Update on Pothole Repair Blitz, Part II: Continued to May meeting, when we will have a Special Guest Speaker, *Nazario Saucedo*, Director, Bureau of Street Services.

9. Presentation by Special Guest Speaker, City Controller, *Ron Galperin*
“A View of the Financial Status of the City”

- *Ron Galperin* related his priorities of taking a businesslike approach in everything they do, to get return on investment; comparing how they do things to the private sector and others; asking how all our money is being spent, and bringing ourselves up to par where needed.
- He has opened up data and finances to the public @ ***controllerdata.lacity.org*** where anyone can go 24 hours a day to see all payments made through the Controller's office. His office does payroll for 45,000 people every two weeks, disbursement payments for all the City's goods and services and financial supports, and they have a waste/fraud abuse unit.
- *Ron* stated that **“By really opening up the information on how the City spends its money, it gives a chance for everybody in this room and throughout the City to really join me in being the watchdog.”**
- Two weeks ago, he produced a report on the Special Funds (974 special funds), which had never been done before, and now this is available online. They are doing audits on pension funds, workers' comp, liability issues overall for the City, as well as reports on taxes & fees, all available online.
- *Ron* has been collaborating on DWP. With regard to the IBEW, he noted the judge's ruling in the favor of the City/ratepayer, and though he believes they will appeal, *Ron* is still trying to find out how the money was spent.
- *Ron* concluded that he is the first Citywide-elected official to come from a Neighborhood Council and is grateful for his experience on the BABCNC. He welcomed calls and questions.
- *Gary* thanked *Ron* for coming and giving this presentation this evening.

10. Secretary's Report – *Robin Greenberg* -- No report

11. Treasurer's Report & Expenditure Requests (Updates, Discussion & Possible Action) *Alan Fine & Jamie Hall*

a. Expenditure for LA Neighborhood Congress & Council Budget Advocates

MOTION: Resolved: BABCNC supports the LA Congress of Neighborhoods in the amount \$250 and the Neighborhood Council Budget Advocates in the amount of \$250, and BABCNC authorizes the Department of Neighborhood Empowerment to transfer funds in the aforementioned amount from our appropriation account into the Congress/Budget Advocacy Account No. 47J220.

Robin moved, *Alan* seconded; roll call vote was taken with 13 yeas by *Irene Sandler, Andre Stojka, Alan Fine, Nickie Miner, Michael Chasteen, Lonnie Mayfield, John Amato, Jamie Hall, Tony Tucci, Larry Leisten, Chuck Maginnis, Robert Ringler & Robin Greenberg*, 1 nay by *Michael Kemp*, 0 abstentions, and was approved.

b. Ad-Hoc Special Committee on Use of Financial Surplus Before End of Fiscal Year – *Chair, Jamie Hall with Treasurer, Alan Fine*

Alan introduced Jamie, as having done a great job on this committee. Jamie noted that the Committee has had two meetings, brainstormed how to best use the surplus funds, and has come up with specifics.

MOTION: that BABCNC approves the following expenditures (listed below).

No Smoking Signs/Red Flags: to be put up during Red Flag warning days, and to be equally disbursed throughout the NC jurisdiction. To alert the neighborhood of potential fire.	\$ 1,500.
Emergency Placards: Laminated signs to be put on doors, to be given to HOAs to distribute. To make stakeholders aware of actions to be taken during emergency.	\$ 1,000.
Google Apps: Email management and document storage system used by the City; will be an annual expense. To improve and secure Board member communication and document storage.	\$ 1,800.
LCD Projector/Screen: For Power Point presentations. To assist in the presentation by speakers and Board including charts and graphs.	\$ 900.
Conference Phone: If you comply with the Brown Act, members may participate via conference phone. It connects wirelessly with your cell phone. We would also have a local number where people from the neighborhood could call in and listen to our meeting and don't have to physically be here. To assist in conference calling between board members and third-party stakeholders.	\$ 800.
Web-conferencing Hardware: This will allow live streaming through the website so people can watch our meetings without being here. Communication through streaming internet to stakeholders and other interested parties.	\$ 2,000.
BABCNC Meeting Signs: Open house-like signs to put out on day of meeting, alerting people that the Neighborhood Council meeting is this way. Notification to stakeholders and interested parties attending meetings with date and location of meetings.	\$ 350.
Promotional Materials: When we have outreach efforts such as at Fire Station #99 in May, we'll have items to offer people who come to our table, such as key chains, with our logo/info. To be provided to stakeholders and interested parties regarding the Neighborhood Council.	\$ 700.
Donations to Fire Stations: \$250 of items for each for five stations, all of which Robin has visited face to face and who have requested specific items. Alan noted NCs can't donate cash. Donation of items needed & requested by Fire Dept.	\$ 1,500.
BABCNC Exhibit Sign: When we have a booth, there will be a big sign with our logo that rolls up and is stored in a case. Identification sign to be used in connection with booth used at public meetings.	\$ 400.
American Flag and Stand: Required to be used in connection with reciting the "Pledge of Allegiance" at the opening of all meetings.	\$ 150.
TOTAL	\$11,100.

- Jamie Hall moved, John Amato seconded. Discussion was held.
- Nickie expressed concern about live streaming of Board meetings as she would rather people show up, and actively participate than passively watch from a distance.
- Larry noted for the record that he had previously submitted a proposal to this Committee regarding a cheaper email hosting company at a cost of \$720.00 per year, over \$1,000 less than the cost for email service with Google Apps. Larry noted admission by Jamie at previous Board meeting that Google Apps was an "overkill." Larry noted that the email proposal he had submitted to the Committee was without the add-ons. He questioned, just as Jamie noted, whether entire Board has need for all of add-ons provided by Google Apps. Larry brought up

that all NCs should be on the same system with the City, and would approve motion to approve Google Apps with the proviso that Board begin to work with the City and figure out how we can become part of the City's email system, with one benefit being that we could transfer funds to the City. *Jamie* responded that this is for a 12-month trial period, and if we're not using it, we can go to *Larry's* system next year.

- *Michael Chasteen* asked what happens to the money if we don't use it, and it was noted that it returns to the General Fund.

The motion was amended to include that

- a) expenditures be used in 30 days to allow time to see if there are any problems, and have time to reconvene in May to revise as needed, and
- b) include Google Apps with proviso that we begin to work with the City and figure out how we can become part of the City's email system, and, c) add purchase of a microphone.
- *John Amato*, seconder, accepted amendment of motion, *Larry* called the question; a roll call vote was taken with 12 yes by *Irene Sandler, Andre Stojka, Alan Fine, Nickie Miner, John Amato, Jamie Hall, Tony Tucci, Larry Leisten, Chuck Maginnis, Robert Ringler, Robin Greenberg and Michael Kemp*, 1 no by *Michael Chasteen*, 0 abstentions. The expenditures were approved as amended.

c. Approve Treasurer's Report

MOTION: BABCNC approves Monthly Expenditure Report & P-Card expenditures of March 2014. *Robert* moved, *Andre* seconded, a roll call vote was taken with 11 yeas, by *Andre Stojka, Alan Fine, Nickie Miner, Michael Chasteen, Lonnie Mayfield, John Amato, Jamie Hall, Tony Tucci, Chuck Maginnis, Robert Ringler, Robin Greenberg & Michael Kemp*, 0 nays, 1 abstention *Larry Leisten*. The report was approved.

12. Planning & Land Use Committee Report (Updates, Discussion & Possible Action)

a. Update on 04/16/14 PLU Meeting - Michael Kemp

Michael noted that there are no new motions. They are reviewing 9 projects. *Bruce Kuyper* brought up issue of looking at possible zone change at the block of the Bellagio project.

b. Update on 11767 Bellagio Road - Michael Kemp

The floor opened for Public Comments on this item as follows:

Public Comments – Agendized RE: Agenda Item #12b on 11767 Bellagio Road

- *Lauren Joy Sand, Casiano*, spoke against the project; referenced 5 x the guests and resources. *Lauren* stated that the Hillside Federation wrote a letter to the Planning Commission in opposition to which the developer responded with a disrespectful letter.
- *Pat Nation, Moraga*, spoke against; noting the Fire Department has to approve fire lane; is concerned about rooftop decks replacing backyards; has heard complaints from other parts of the City on subdivisions; feels this should not be a big block building & need to scale back.
- *Mojgan Manavi* spoke against. She has gone to door to door and spoken with 150 households in this community of older and younger families; 80% against; she noted there are 50 to 60 here representing the community.
- *Arnie Schmidt*, representing himself and his wife, *Lois*, spoke against; noted the developer has redesigned twice but refused to address the mass, still 3+ stories. He urged going with Bel Air Association & Federation of Hillside and Canyon Homeowners Association, who have both provided letters in opposition.

- *Emerson Torres* opposes; lives next door, bought the house in December, concerned about party noise and parking with another five families and more visitors, “it will be impossible to park in our own block.”
- *Joan Rimmon* spoke against and provided photographs of cars parked outside her home on Bellagio directly across the street from proposed project; concerned about losing her views if the project continues.
- *Marikay Ohayon* spoke against. Her house sits on Casiano, right next to property; concerned about parking, as it’s an alleyway that goes directly into her driveway, and about garbage cans.
- *Farhad Ashofteh*, Architect/Developer, spoke for the project; stating he has offers to sell the property to other developers who will be able to build an apartment building without any input from the community since it is zoned for an apartment building, townhouse or condo.
- *Bruce Kuyper*, Bellagio Road, spoke against, noted there are four RD1.5 homes, all developed single family homes since the 1940s in that area; mentioned the letter from Bel Air Association opposing the project; stated that *Lisa & Jeff Cohen* on Casiano sent an email saying they oppose the project but couldn’t make it. He hoped we are past discussion of “by-right,” as *Ms. Kahen* this evening stated subdivisions are subject to “discretionary review.”
- *Bruce* referenced the vote at PLU special meeting on March 18, 2014, that some committee members who voted for the project may have done so because they thought it was by right.
- He indicated that two members on that committee can’t vote: *Caroline Labiner*, not a Board member, and *Gary Plotkin*, President, whom he states said he is neutral. *Gary* clarified he can and has to vote to break ties.
- *Bruce* has submitted arguments in writing why the project is incompatible with the General Plan, as part of the discretionary review by the Deputy Advisory Agency, under the California Subdivision Maps Act; that it’s incompatible with the General Plan, the Community Plan, and the Special Plan enacted by Zoning. He asks that Board members not vote if they have not taken the time to consider or study the materials.
- *Farhad Ashofteh*, Architect/Developer, concluded if you turn this project down, somebody can build an apartment building; that five single family homes are better for this neighborhood with permanent residents rather than transient renters and parking structures. He stated it is by right in terms of density, height and all other aspects.
- Of note, those who signed speaker cards who did not have the opportunity to speak due to time constraints, yielding time or having to leave, including *George Gorgy*, *Constance Somerfeld*, *Jay Ornellas*, *John Seitz*, *Jay Sher*, *Steve Grossi* & *Daniel Saparzadeh*, will be allowed to speak first at the May meeting.

b1. Presentation by Special Guest Speakers, *Deborah Kahen & Theodore Irving*, L.A. Department of City Planning, Office of Zoning Administration: “Small Lot Subdivisions”

Deborah Kaden introduced herself as working at the Planning Department, at policy, zoning & writing levels, and is working with RecodeLA, which can be seen on Facebook and the web.

- *Deborah* said that small lot subdivisions can only go on multi-family zoned properties, to create single family homes on one lot, rather than a block apartment building with multiple units.
- She is working on an amendment to the Ordinance (17.06 of LAMC) to modify the process that the developer goes through. Said process requires a subdivision map to be filed, a State law procedure that the City of LA abides by, in addition to the regular discretionary review process which involves the Planning Department approving the project after getting input from the community. The proposed modification is to allow building after getting permits rather than waiting for the lot to be officially cut up and the map recorded, which can take up to two years. Planning is trying to rectify the situation by proposing the change that after the plan is approved, you can begin construction while waiting for map to record; rather than asking for a series of deviations.

- *Theodore Irving*, of the Planning Department also spoke. He works in the expediting process, and happens to be in the unit where the Bellagio project is being processed. He said “the small lot is another version of a simple ...typical subdivision process,” structured to meeting the housing demand and eliminate yards and yard setbacks. It involves the same process: getting application checked, maps checked, doing due diligence, site visits, environmental impact analysis, as any developer would do no matter how many units.
- He stated that historically, R3 zoned lots were sought by developers but have evaporated; that developers are now targeting RD1.5 zone lots which are considered “underdeveloped”. As a result, residents are coming to City Hall, feeling the impact. He stated public hearing is typically held; you are invited to tell decision makers what’s taking place so they understand the context of the development, and he encouraged this kind of advocacy to slow the development community. He said you can appeal decisions once issued to the area Planning Commission, and if not satisfied, further appeal the City Council. He recommended advocating through your Councilmember’s office for extensions.
- *Theodore* noted there are five findings for the subdivision map and gave examples: that it complies with the land-use designation and zoning of the Community Plan; design of the subdivision rather than the physical structure, as to how that map is designed with all the infrastructure and offsite configurations; and that density properly fits in with the area.
- *Jamie* asked if these are considered “objective” regulations, and asked about CEQA analyses. *Theodore* replied they are objective regulations. They look at the project for substantial impact to surrounding areas, do an initial study, and if the project has a “category exemption” clearly defined by the State and City, an evaluation of impact won’t be done. He said this Bellagio project doesn’t fall into that category; an environmental analysis was done.
- *Theodore* continued that the project’s tract map is being evaluated to see if it is compliant with the Community Plan, Zoning and design. They are evaluating the map itself, and the impact of the project, beyond the map, to the physical structure, as to impact on shading, traffic, “and, in this case I don’t think so, but it’s just my take on it.” He added that they look at more than just the map when looking at environmental impact – to include the physical structure of project, construction, if historic, and post-construction. Another component is environmental assessment; dividing up dirt, how many squares in the dirt, and whether the dirt is lined up with proper street alignment, proper curb cuts, proper sloping; looking at the design elements as they relate to the map, not the structure.
- *Larry* asked about ability of developers to commence construction on a unit when the map hasn’t been recorded. *Deborah* replied the plans for construction have been approved in concept before lines are actually drawn. By the time it’s out of Planning with details no longer in flux, they won’t change once you begin building; that the lot does exist but the lots do not, so they’re being developed as one lot with a series of homes that are asking for deviations.
- *Chuck* asked if the homes around that property are allowed to build second stories, and *Theodore* replied, yes, as those houses are under-developed (in relation to potential capacity).
- *Gary* noted that there are two or three lots on that block that are still R1...
- *Theodore* gave an example that on a typical 6,000 square foot R1 zone lot, you get only one dwelling/residence, single or double story. On RD1.5 you can get four rather than two dwelling units, and they can take different characteristics, four small single family lots, they can be four townhouses, or they could be four apartment-type condominiums, but “you are allowed to have four... dwelling units on a 6,000 square foot lot that is zoned RD1.5. For lots over 6,000 square feet, there can be one unit for every 1500 square feet of lot area.
- *Gary* thanked *Deborah* and *Theodore* for their presentation.

b2. **MOTION:** BABCNC supports the developer’s project at 11767 Bellagio Road, in accordance with Draft Plans and Design set forth in architect’s email dated April 16, 2014, @ 6:11 pm addressed to *Heather Bleemers*, as per “Exhibit A” attached below. (Discussion &

Vote) **This motion was CONTINUED TO MAY, as per the following motion:**

MOTION: That BABCNC continue motion 12b2 regarding 11767 Bellagio Road to the May meeting, in order to take the time to do this properly.

Robert so moved, *Andre* seconded. Discussion was held.

- *Gary* noted that the May deadline can be extended if the parties and developer agree. It has been extended once already. Downtown would like to get a solid resolution from us and are looking to our NC to probably debate and make a decision, whatever the decision is. They are very flexible.
- *Nickie* noted that the people who came to speak have been very patient, and should be allowed to speak.
- *Irene* feels this issue is much greater than what should depend on BABCNC, and as to having a moratorium until legal aspects are taken care of, it is not appropriate for us to make new law.
- *Gary* clarified that the motion is just to table.
- *Andre* is concerned that postponing vote until after deadline may jeopardize or weaken the homeowners' position.
- *Jamie* pointed out that we all learned something from the Planners, specifically, this project is subject to CEQA, and there are certain findings that must be made, which goes beyond just compliance with the Subdivision Map Act. He emphasized that we all got an education today and for everyone who attended, it was worthwhile just to be here. If people need things explained, people on the Planning and Land Use Committee will be happy to help.
- *Nickie* emphasized the importance of going back to the Community Plan.
- *Larry* noted that he spent half an hour looking at the Subdivision Map Act as charged to do last month. He learned there is systematic deference to the local agency and its discretion and its ordinances in the State code.
- A roll count vote was taken with 12 yes, by *Irene Sandler, Alan Fine, Michael Chasteen, Lonnie Mayfield, John Amato, Jamie Hall, Tony Tucci, Larry Leisten, Chuck Maginnis, Robert Ringler, Robin Greenberg and Michael Kemp*, 2 no votes by *Andre Stojka & Nickie Miner*, 0 abstentions. The motion to continue this to May passed.

c. Medical Marijuana in Bel Air (Discussion) - *Michael Kemp / Noah Muhlstein* (Continued to May)

13. Public Safety/Disaster Preparedness Committee (Update) – *Chuck Maginnis*

- Senior Lead Officer 8A29 - *Chris Ragsdale*, WLA Community Police Station
- Senior Lead Officer - *Ralph Sanchez*, Hollywood Community Police Station
- Report on March 20, 2014 EP Committee Meeting @ Skirball Center and
- Report on April 16, 2014 EP Committee Meeting – *Chuck Maginnis*

Chuck reported that at their last meeting they had someone from the US Geological Survey who presented advanced notification of earthquakes. He noted this needs more funding from the City; it's not yet available but potentially will be for the "big one" which won't go over an 8.0. *Chuck* demonstrated a sample alert that will go to texts using a phone. He suggested looking at the website for pictures, things to do to prepare and for placards to hang on door knobs.

14. Bylaws, Rules & Elections Committee Report (Updates, Discussion & Possible Action)

Larry Leisten

a. Approval of Bylaws with Authorization to Submit to Empowerment for Ratification - **Please see Special Meeting Minutes and vote count sheet for this, in which the Bylaws were unanimously approved.**

b. Update on Request by "Save Sunset Strip" for a seat on the BABCNC Board **TABLED**

- 15. Outreach Committee Report** (Updates, Discussion & Possible Action) *Robin Greenberg*
Update from AD-Hoc Outreach Committee (See Treasurer's Report for Expenditures.)
- 16. West L.A. Regional Alliance of Councils (WRAC) – Robin Greenberg**
Update on April 16, 2014 WRAC Meeting - *Robin* noted that there were no motions, but on **May 18th there will be a proposed Emergency evacuation on Mandeville Canyon.** *Gary* noted that he gave the information to *Chuck*, it's a big project, the Police and block captains will be involved. He recommends talking to *Chuck*. *Gary* will give the program to *Chuck*.
- 17. Santa Monica Mountains Conservancy Report** - *Tony Tucci* stood in for *Travis Longcore*.
Tony reported that with regard to the communities throughout the City that are locations of natural lands and low density residential neighborhoods, where wildlife exists under the jurisdiction of the Hillside Ordinance, *Paul Koretz* made a motion that the Council instruct the Planning Department with the assistance of the City Attorney, and in consultation with the Santa Monica Mountains Conservancy and citizen advocates such as but not limited to CLAW & the Mulholland Design Review Board, to prepare and present an ordinance to create a wildlife corridor in the eastern area of the SM Mountains (Hillside Ordinance zone) with a list of requirements. *Tony* reported that this motion was seconded or approved by three Councilmen, *Bonin, Labonge & O'Farrell*.
- 18. Ad-hoc "I-405 Sepulveda Widening Improvement Project" & Metro Update on Sidewalks @ Skirball Bridge to Mulholland** - *Irene Sandler* – *Irene* announced that there will be a public meeting in Westwood tomorrow night where you can find out what the real updates are for the end of the year.
- 19. Ad-Hoc Committee for a Red Flag Alert System** (established on 01/22/14) – *Chair, Hillary Slevin*, President of Benedict Canyon HOA -- No report.
- 20. Ad-Hoc Standing Committee on Los Angeles 2020 Report "Monitoring City's Solutions & Actions"** (established 01/22/14) – *Co-Chairs, Andre Stojka & Tony Tucci* -- *Andre* related that the 2020 Commission issued a 2nd report with some solutions to problems that they defined in their report. *Andre* is preparing a synopsis and will send next month.
- 21. Ad-Hoc Transit Committee** (established on 01/22/14) – Select new Chair; Continue to May
- 22. Council District 5 Report** Planning Deputies, *Noah Muhlstein & Gurmet Khara* - No report.
- 23. Council District 4 Report** Field Deputy of Housing & Transport *Sharon Shapiro* - No report.
- 24. Traffic Committee Report & Police Advisory Board Report** – *Robert A. Ringler*
Next LAPD West Bureau Traffic Committee: Wednesday May 14, 2013 at 8:30 a.m. at the West Los Angeles Community Police Station, 1663 Butler Avenue.
- 25. Private and Public Schools News** - No report.
- 26. New Business / General Announcements:** (Discussion & Possible Action)
L.A. City Central Collections System - *Don Loze*
Council File #: 14-0600 (FY2014-2015 City Budget Proposal) (Continued to May meeting)

27. Adjournment of General Meeting: *Robert* moved and *Andre* seconded motion to adjourn the General Meeting temporarily at 9:00 p.m., in order to begin the “Special Meeting” and was unanimously approved.

Resumption of General Meeting: The General Meeting reconvened at 9:15 p.m., to continue Public Comments on Bellagio, item 12b.

Adjournment of General Meeting: Motion was made to adjourn the General Meeting again at 9:30, and was unanimously approved.

NEXT BABCNC MEETING: May 28, 2014 @ AJU

NEXT MONTH – We Will Have Two Special Guest Speakers:

Eli Lipmen, New Commissioner on the Board of Neighborhood Commissioners, from the West area, and Palms Neighborhood Council President.

Nazario Saucedo, Director, Bureau of Street Services, (BSS) will speak on street repairs in the BABC area.

EXHIBIT “A”

From: Farhad Ashofteh [mailto:farhad@att.net]

Sent: April 16, 2014 6:11 PM

To: Heather Bleemers

Cc: Gary A. Plotkin; Gary A. Plotkin; Michael Kemp; Daniel Saparzadeh; Michael Chasteen; Noah Muhlstein; steve@dhsengineering.com; Bruce Kuyper; 'Farhad Ashofteh'

Subject: 11767 Bellagio Road

Dear Heather

Attached please find our revised architectural drawings for the Bellagio site for your review and comments. The attached package will officially replace the previous set of drawings that we have submitted to you previously.

As you know we agreed to reduce the number of units as the result of negotiations with the Neighborhood Council representatives. This revised project proposes 5 units instead of six and it is less dense than what is allowed on this site by the current zoning laws. I wanted to make sure you and the Neighborhood Council receive this revised project at least a week before the Neighborhood Council meeting scheduled for next Wednesday so there is enough time to review it. We like to move forward with this project and I would appreciate to hear your comments and concerns. As requested previously we will await to hear the result of the Neighborhood Council meeting and then we would like to continue to go through the approval process. We are still working on some photo montages and realistic renderings of the project and as soon as they are ready I'll forward them to you.

Once again I appreciate all the time and effort that you and your colleagues have put on this project. I look forward to hear from you and provide you with any additional information that you may need.

Regards

Farhad Ashofteh

Architect

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Attachments

Bellagio Homes 04-10-2014.pdf

Views.pdf

TTM BELLAGIO.pdf

With regard to the 3 attachments that accompanied the above email, Exhibit “A” by Farhad Ashofteh, please note the top of page 1, paragraph 2, of this set of minutes, which states that non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at our website by clicking on www.babcnc.org or at the scheduled meeting. As such, said attachments entitled Bellagio Homes 04-10-2014.pdf, Views.pdf and TTM BELLAGIO.pdf, may be viewed at our website by clicking on www.babcnc.org or at the scheduled meeting. If you require assistance, please contact Cathy Palmer at cpalmer@babcnc.org or at 310-479-6247.



Building A Better Community

www.babcnc.org



SPECIAL MEETING MINUTES

Wednesday April 23, 2014 8:30 p.m.

American Jewish University 15600 Mulholland Drive Bel Air, CA 90077

Present: 15

Quorum: 12

2014 Stakeholder Groups / Certified Representatives	Present	Not Present
Bel Air Crest Master Homeowner Association		
Irene Sandler	X	
Bel Air Ridge HOA		
Andre Stojka	X	
Benedict Canyon Association		
Michael Chasteen	X	
Alan Fine	X	
Don Loze (Notified of planned absence) (David Kadin sat in but did not vote)		X
Nickie Miner	X	
Casiano Estates Association		
Gary Plotkin	X	
Faith-Based Organizations		
Lonnie Mayfield	X	
K-6 Private Schools		
Vicki Kelly (Notified of planned absence)		X
K-5 Public Schools – Open Seat Pending		
7-12 Private Schools		
John Amato	X	
Laurel Canyon Association		
Jamie Hall	X	
Cassandra Barrere (Notified of planned absence)		X
Monica Weil (Notified of planned absence)		X
Tony Tucci	X	
Members-at-Large		
Larry Leisten	X	
Chuck Maginnis	X	

2013 Stakeholder Groups / Certified Representatives	Present	Not Present
Residents of Beverly Glen		
<i>Robert A. Ringler</i>	X	
<i>Open Seat</i>		
Roscomare Valley Association		
<i>Robin Greenberg</i>	X	
<i>Michael Kemp</i>	X	
Save Our Strip: Pending		
Santa Monica Mountains Conservancy		
<i>Travis Longcore, Ph.D. (Notified of planned absence)</i>		X
<i>Total:</i>	15	5

City Officials from DONE: *Thomas Soong*, Project Director: Not Present

ADMINISTRATIVE MATTERS

- Opening Remarks by Gary Plotkin, President, BABCNC** – Gary noted that the one item on this agenda is Approval of the Bylaws, as diligently prepared by *Larry Leisten*.
- Call to Order:** Council President, *Gary Plotkin*, called the meeting to order at 9:05 p.m.
- Roll Call:** All of the Board members who attended the General Meeting remained for the Special meeting, and therefore no new individual roll call was taken.
- Introduction and Review of Procedures: Gary Plotkin, President, BABCNC** - Gary asked if everyone had read the redlined bylaws & agenda with attachment provided in advance of the meeting, to which the Board responded in the affirmative.
- Approval of Agenda.**
- Bylaws, Rules & Elections Committee Report** (Updates, Discussion, Possible Action & Motion)
Larry Leisten

Approval of Bylaws with Authorization to Submit to Empowerment for Ratification

- For the “Redlined Bylaws” See Exhibit “1”
- For the “Proposed Amendment to BABCNC Bylaws” which includes substantial identified changes to the existing bylaws, see Exhibit “2” which is appended below.

MOTION: Resolved: That BABCNC adopts the Amended Bylaws for submission to Empowerment for Approval as evidenced in redlined document provided by the Board attached as Exhibit “1” to Agenda and material changes specifically set forth in motion attached as Exhibit “2”.

Robert Ringler so moved and *Andre Stojka* seconded. Discussion was held:

- *Jamie* asked *Larry* what happened with the selection process. *Larry* answered that it was *Thomas Soong’s* advice that the open access requirement with which *Amber* was guiding the Board need not be followed, that we need to have a governmental structure our members can support.

- *Larry* noted one minor glitch in the redlined Bylaws, in that he forgot to change the name of the committee.
- *Larry* commented on the Ethics requirement, stating that this Board adopted a motion last April in which we set forth certain criteria for compliance with the Ethics requirement, to enforce those who were extremely delinquent and serving as chair of a committee & membership on committees. This wasn't put into the Bylaws because such criteria were deemed better if in the Standing Rules v. Bylaws because of the ability of the Board to make adjustments to the enforcement provisions, as needed, without seeking approval of Empowerment through Bylaws, which may only be available on a biennial basis. The Standing Rules haven't been addressed since left in their current draft form. Notwithstanding, our Bylaws submitted to Empowerment on May 31st of last year incorporated by reference the Standing Rules. *Gary* responded that the Rules were not in draft form; they were approved. *Larry* replied we have to clean up the Rules that are incorporated by reference into the Bylaws. *Gary* related that we have Standing Rules that have been approved. We have Bylaws that we are asking to be approved tonight. Once Bylaws are approved, if you want to go back and amend the Rules, you have the right to do so. *Larry*, agreed, noting we don't have to go through Empowerment, which is the benefit of addressing the Ethics requirement in the Standing Rules. *Gary* concurred. *Robert* noted we still can approve this tonight and go back and fix the other.
- *Jamie* requested an explanation as to why Laurel Canyon Association is losing a seat, according to Attachment "B", Governing Board and Voting, which states Benedict Canyon HOA has 4 and Laurel Canyon Association has 3. *Larry* replied that LCA is not the only association that is losing a seat. *Gary* related the mechanism was the number of homes. *Larry* related that if you are over 500 you get one additional seat, if you are over 1000 you get a second additional seat, and if you're over 2000, you get a third. Each stakeholder group gets one seat as a baseline. Because we are trying to create a hybrid like the Senate and the House of Representatives, and we want to give each group representation, apportionment of seats cannot be exclusively based on residential unit account.
- *Tony* stated that LCA's numbers haven't reduced; they are more than 2000, to which *Larry* replied that it has always been represented to this Board that Laurel Canyon represented about 1,600 units, and this is his first hearing that there are more than 2,000.
- *Chuck* noted there are 27 seats and asked about the 2nd Whereas, referencing a quorum of 18, to which *Larry* related that when the Board last adopted Bylaws submitted & approved by Empowerment, we had proposed reducing the quorum from 18 to 12; Empowerment did not approve the reduction from 18, but allowed us to operate with a quorum of 12 for a period, providing we restructure; that before we started this process, we had a roster of 46 or 47 members. *Gary* related that the quorum will be 14. *Larry* later clarified that with a membership established at 27, a quorum of 14 will be the minimum necessary to form a majority.
- *Gary* announced that if LCA does indeed have the 2000 threshold after we pass this, we'll go back and figure out a way to make it work for them.
- *Jamie* additionally noted a mistake on the Redlined Bylaws, Attachment "B" page 30, first paragraph, last sentence, where it says "25" it should say "27."
- The question was called. **A roll call vote was taken with 13 yeas by Andre Stojka, Alan Fine, Nickie Miner, Michael Chasteen, Lonnie Mayfield, John Amato, Jamie Hall, Tony Tucci, Larry Leisten, Chuck Maginnis, Robert Ringler, Robin Greenberg & Michael Kemp, 0 nays, 0 abstentions. Motion passed with amendment** that BABCNC adopt the proposed Bylaws with additional change that *Jamie* raised, where on Attachment "B," page 30, 1st paragraph, last sentence, it says "25" it should say "27." *Larry* confirmed & thanked *Jamie* for catching this glitch.

- [President, *Gary Plotkin*, did not vote, as he only votes to break a tie, per Roberts Rules of Order. Irene Sandler did not vote as she left early.]

7. Adjournment: The Special Meeting adjourned at 9:14 p.m.

Please See Exhibits 1 & 2 below:

EXHIBIT "1":

REDLINED BYLAWS: As noted at the top of page 1, paragraph 2, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at our website by clicking on www.babcnc.org or at the scheduled meeting. As such, the Redlined Bylaws may be viewed at our website by clicking on www.babcnc.org or at the scheduled meeting. If you require assistance, please e-mail Cathy Palmer at cpalmer@babcnc.org or call at 310-479-6247 for an email of this document.

EXHIBIT "2" **PROPOSED AMENDMENT TO BABCNC BYLAWS** **April 23, 2014**

WHEREAS, the Department of Neighborhood Empowerment ("Empowerment") last approved the Bylaws of the Bel Air-Beverly Crest Neighborhood Council (the "Bylaws") on December 17, 2012;

WHEREAS, Empowerment's approval was subject to a number of conditions, several of which may be expressed by the following that: (i) the quorum for the Council remain at eighteen (18) and not the proposed figure of twelve (12); (ii) the Council revise its governmental structure to reflect an accurate representation of its Stakeholder on its Board to ensure that all Stakeholders are represented; and (iii) that it accomplish the foregoing by fixing the number of seats on the Board so that an appropriate quorum figure may be determined and set under the Bylaws; WHEREAS, the Board of the Council approved further revisions to the Bylaws at its meetings on April 26, 2013, and again on May 22, 2013, the latter of which included Board adoption of a revised format of its Bylaws in conformance with the Bylaws Resource Team Approved Template ("Citywide Template.")

WHEREAS, the Board submitted a copy of the above-referenced Bylaws to Empowerment on May 31, 2013, in response to a request by Empowerment that it submit a revised set of Bylaws, in conformance with the Citywide Template, by June 1, 2013, and which reflect efforts to respond to Empowerment comments delivered to the Council in conjunction with prior approval of its Bylaws dated December 17, 2012;

WHEREAS, the Board has work diligently over the past year to revised the governmental structure of representation of the Board, ensuring open access to all Stakeholders within the Council territory, and in the process fix the number of Board members so that a workable quorum may be determined and set in the Bylaws;

WHEREAS, each Board Member has previously been provided a comprehensive redline version of all proposed revisions to the Bylaws (the "Redline") for review, which in addition to the substantive changes set forth in detail below, include non-substantive changes that may be described as changes to improve proper word usage, correct grammatical and typographical errors; and general format adjustments;

NOW THEREFORE, the BOARD of the BABCNC hereby adopts any and all non-substantive changes to the Bylaws described in the Redline, and in addition the following amendments to the Bylaws:

1. Article IV STAKEHOLDER, second sentence should be amended to read as follows:

"Stakeholders" shall be defined as those who live, work or own property within the territorial boundaries of the Council, and who affirms a substantial and ongoing participation within the Neighborhood Council boundaries.

2. Article V GOVERNING BOARD, Section 1: Composition shall be amended to fix the number of Board Members at twenty-seven (27);

3. Article V GOVERNING BOARD, Section 1, paragraph (a) shall be renamed "Privately Selected Residential Stakeholder Groups – Minimum Size;"

4. Article V GOVERNING BOARD, Section 1, paragraph (b) shall added and read as follows:

"(b) Publicly Elected Residential District Area Representatives

Residential Stakeholders residing within geographical areas of the Council territory not otherwise represented by Privately Selected Residential Group Representatives may also be represented by Representatives elected at a public election conducted and administered by the City Clerk or an Independent Election Administrator designated by the City.”

5. Article V GOVERNING BOARD, Section 1, Composition paragraph (c) shall added and read as follows:

“(c) Member-at-Large

At least one seat on the Board of the BABCNC shall be reserved for a Member At-Large. The Member-at-Large shall represent all geographical areas of the BABCNC, as well as those individuals who affirm a substantial and ongoing participation within the Neighborhood Council boundaries.”

6. Article V GOVERNING BOARD, Section 2 Quorum shall read: “The presence at any Regular or Special Meeting of fourteen (14) or more Board Members shall constitute a quorum for the purpose of transacting of business of the Council.”

7. Article V GOVERNING BOARD, Section 6 Vacancies shall be amended to read as follows:

“Vacancies on the Board shall be filled using the following procedure:

Privately Selected Stakeholder Group Member. The Stakeholder Group by which such Member was elected or privately selected shall identify and elect or select an immediate replacement.

Publicly Elected Member, Including At-Large Member. In event of resignation, or the creation of a vacant seat following the public election where no candidates run for such seats, the President shall nominate, and the Board shall elect, such new Member or Member-at-Large at the next scheduled publicly noticed meeting of the Board.

8. Article X ELECTIONS, Section 2, Governing Board Structure and Voting shall be amended to read as follows:

“The Board is comprised of twenty-seven (27) seats. Each Member is assigned at least one (1) seat, with each seat having one (1) vote.

1. Privately Selected Stakeholder Group Representation. The number of additional seats representing Stakeholder Groups on the Council is dependent upon the number of Stakeholder Groups, identified as having a stake in the BABCNC territory, willing to actively participate on the Council by regular attendance at Board and committee Meetings.

a. Residential Stakeholder Group Apportionment

The number of additional seats apportioned a residential Stakeholder Group will be dependent upon the relative size of the number of residential units within the territory represented by such residential Stakeholder Group.

Each residential Stakeholder Group comprising of no less than 500 dwelling units will be apportioned one (1) additional seat for a total of two (2) seats.

Those residential Stakeholder Groups comprising of no less than 1,000 dwelling units will be apportioned a second additional seat for a total of three (3) seats.

Those residential Stakeholder Groups comprising of no less than 2,000 dwelling units will be apportioned a third additional seats for a total of (4) seats.

b. Non-Residential Apportionment. Each non-residential Stakeholder Group will be apportioned one (1) seat.

2. Publicly Elected Representation. Each publicly elected Residential District Area and each publicly elected non-residential Stakeholder Group will be apportioned one (1) seat.

3. At-Large Representation. The number of seats reserved for At-Large Members shall be at least one (1) seat. The number of seats apportioned to At-Large Members is dependent upon the number of Stakeholder Groups responding affirmatively to the biennial survey described under Section 1(e) of Article V.

It is the intent of the Council to add publicly elected seats on the Council to represent non-represented geographic areas of Council territory as the result of decisions by organized residential Stakeholder Groups (i.e. HOAs) to not participate on the Council, as well as other geographic areas not previously represented, including commercial areas situated within Council territory. Once elected, publicly elected Members cannot be removed should a previously represented Stakeholder Group subsequently decide to participate on the Council.

9. ATTACHMENT B – GOVERNING BOARD AND VOTING shall be amended to read as follows:

<u>Privately Selected Residential Stakeholder Groups</u>	<u>Number of Seats (Votes)</u>
• Bel-Air Crest HOA	1
• Bel-Air Ridge HOA	1
• Benedict Canyon HOA	4
• Casiano Estates HOA	1
• Laurel Canyon Association	3
• Residents of Beverly Glen	2
• Roscomare Valley Association	2
 <u>Publicly Elected Residential District Areas</u>	
• Bel-Air Area	1
• Bel-Air Glen Area	1
• Beverly Park Estates Area	1
• Franklin Canyon/Coldwater/Mulholland/Crest Area	1
• Holmby Hills Area	1
• North of Sunset Area	1
 <u>Privately Selected Non-Residential Stakeholder Groups</u>	
• Faith-Based Institutions	1
• Private K-6 Schools	1
• Private 7-12 Schools	1
• Open Space (Santa Monica Mountains Conservancy)	1
 <u>Publicly Elected Non-Residential Groups</u>	
• Public K-12 Schools	1
• Commercial Areas	1
 <u>At-Large Members</u>	 1