



Building A Better Community

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## **SPECIAL MEETING AGENDA**

(For Exhibits & Attachments, see Prior General Meeting Agenda)

**Wednesday May 28, 2014 7:00-9:00 p.m.**

**American Jewish University**

**15600 Mulholland Drive, Room 223,**

**Bel Air, CA 90077**

**Room 223, Main Campus, 2<sup>nd</sup> floor, accessible from west side of Casiano Rd.  
Park at lower parking (Lot 1) below the security kiosk**

- (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 Cathy Palmer at (310) 479-6247 or email [council@babnc.org](mailto:council@babnc.org).

- In compliance with Government Code section 54957.5, 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](http://www.babcnc.org) or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, contact Cathy Palmer 310-479-6247 or email [council@babnc.org](mailto:council@babnc.org).

### **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 presiding officer of the Council.

### **ADMINISTRATIVE MATTERS (10 minutes)**

1. Call to Order
2. Roll Call
3. The Pledge of Allegiance
4. Approval of April 23, 2014 Minutes of General Meeting
5. Approval of April 23, 2014 Minutes of Special Meeting
6. Approval of May 28, 2014 Agenda
7. Public Comments – Non-agendized
8. (Agendas, brochures, & public service handouts available)
9. President's Report – Gary Plotkin

**FAST TRACK – REPORTS:** (Updates, Discussion and Possible Action) (5 minutes)

- a. **Vacant Seats:** Public Schools K-5 Rep & Business Rep

- b. **White Paper Generated by the NC Budget Advocates dated April 7, 2014** – to review and vote to support the paper and its findings and file a CIS supporting the paper. See **Exhibit “B”**.

**MOTION:** BAB CNC supports the findings and request for execution of those matters contained in the White Paper generated by the Budget Advocates dated April 7, 2014.

- c. **Farewell Event Honoring Retiring Supervisor, Zev Yaroslavsky**

**10. Presentation by Special Guest Speaker, Eli Lipmen**, New Commissioner on Board of Neighborhood Commissioners, from the West area, and Palms Neighborhood Council President (15 minutes)

**11. Presentation by Special Guest Speaker, Nazario Saucedo**, Director, Bureau of Street Services, (BSS) on street repairs in Bel Air Beverly Crest area (15 minutes)

**12. Secretary’s Report – Robin Greenberg** (3 minutes)

**13. Treasurer Report & Funding Expenditure Requests – (Updates, Discussion and Possible Action)**  
*Alan Fine & Jamie Hall* (10 minutes)

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

b. **Software Administration Plan – Gary Plotkin**

**MOTION:** BAB CNC approves the full Software Administration Plan with New Web Pricing Options, as set forth in the email of Aaron DeVandry dated May 20, 2014, including items 1-4, which stated:

**(1) The Base Plan \$100/month:** This is your basic plan, where I will host your website, handle software upgrades, be on-call if your website requires my expertise, and teach board members how to maintain the site themselves. I will also maintain your board emails, as well as your stakeholder email list. Also included with this plan is an annual re-design of your NC website. You will be able to do all maintenance of the website on your own, including uploading agendas and minutes.

*You must have this basic plan to have any of the other options listed below.*

**(2) Website Content and Social Media Updates \$75/month:** Add this to your basic plan, and I will continue to add relevant content to your website weekly. I will stay in contact with your local representatives and post content to the website that is appropriate to your NC, much like I currently do now. I will also continue to add informative and intriguing content to your social media (Facebook and Twitter). I counted separate 28 posts to one of my NC's Facebook pages in the past month, and other NCs have a similar rate of social media posts. So I believe the value is there.

**(3) Calendar Updates \$75/month:** This addition to your plan is for maintenance of your website calendar. Currently I use the Trumba Calendar web software, which is costly to me. This plan includes additions of events to your calendar (both community events and your NC events like board and committee meetings). It also includes the weekly calendar email that is sent early Saturday morning.

*If you choose to not have this, I can provide another calendar, with no cost attached, that you can maintain on your own, though it does not have the functionality to email itself each week.*

**(4) Email Blasts - 1 free per month/each add'l \$20:** I will send one email blast per month to your stakeholder list, inviting them to your monthly board meeting, and highlighting items of interest on the agenda. Additional email blasts will cost \$20/each. If you want, I can show your board members how to use the Mailchimp email system to send email blasts on their own.

*These new rates will take effect July 1 with the new fiscal year.*

c. **Approve Treasurer's Report** – *Alan Fine*

**MOTION**: BABCNC approves the current monthly expenditure and P-Card Statement.

**14. Planning & Land Use Committee Report** (Updates, Discussion and Possible Action)

a. **Update on 05/13/14 PLU Meeting** - *Michael Kemp* (5 minutes = 1 through 6)

The BABCNC Planning and Land Use Committee, from their meeting of May 13, 2014, recommends to the BABCNC Board, the following actions:

- (1) **Motion** to congratulate and support Councilman Koretz in his effort to have four (4) new positions to the LA City Planning Dept. (2 for BMO revisions & 2 for Historic Overlay Zones) added to the upcoming City Budget.
- (2) **Motion** to support Councilman Koretz's motion 140518, to the City Council, for the investigation into, and creation of Wildlife Corridors, as they relate to new construction and development.
- (3) 2166 & 2170 Stanley Hills Drive, ZA 2013-2084-ZAD, ZA 2013-2087-ZAD: (Three (3) new Single Family Homes). PLUC voted 6 – 0 at their May meeting to recommend to BABCNC that they oppose the project. **Motion** to oppose the project.
- (4) 1857 Benedict Canyon, ZA-2014-0620: (Over in height wall in front yard): PLUC voted 5 for, 1 abstain; at May meeting to recommend to BABCNC that they oppose the project. Since the May meeting, the applicant has requested to the PLU Chair, some brief time at the BABCNC meeting to present the project to the Board, and consideration of the Board not to oppose the project. **Possible motion**.
- (5) 1602 N. Clear View Drive, ZA-2013-3044-ZAA (Reduced side yard for new pool house): PLUC voted 6 – 0 at the May meeting to recommend to BABCNC that they oppose the project. **Motion** to oppose the project.
- (6) 10040 Reevesbury Drive, ZA-2013-3981-ZAD (Conversion of storage building to dwelling unit): PLUC voted 6 – 0 at May meeting to recommend to BABCNC that they oppose the project. **Motion** to oppose project.
- (7) **Moratorium on Small lot Subdivision Ordinance** – *Nickie Miner* (5 minutes)

**MOTION**: That members of the Los Angeles City Council promptly enact a moratorium on the Small Lot Subdivision Ordinance until a complete staff report can be commissioned to review the merits of the 2004 ordinance and to see if current construction is meeting the intent of the original ordinance for in-fill density and affordable housing options. The process would include Town Hall meetings in the five geographical areas to hear input from Neighborhood Council officials & the public. In the report, the following needs to be addressed:

- Goals for in-fill density.
- Goals for affordable housing options utilizing the small lot subdivision ordinance.
- Study of the impact and the sustainability of these subdivisions on current and future.
- Resources in the affected communities.
- Development of an actual ordinance that defines small lot subdivisions, not just guidelines.
- Plans for outreach to the communities most impacted by small lot subdivisions.
- Creation of a small lot subdivision ordinance that meets the needs of Los Angeles and still retains the quality of life and character of neighborhoods and communities of Los Angeles.

- (8) 11767 Bellagio Road, VTT-72465-SL (Small Lot Sub-Division) – *Michael Kemp* (5 minutes)  
- Update of project since last Board meeting. Motion continued from last month:

**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”** and 3 pdf files with images of site.

Additional documentation in this evening’s packet regarding Agenda Items 14 (7) & (8) includes:

- **Exhibit C** Paper on Small Lot Subdivision Ordinance New Design Guidelines from WLANC
- **Exhibit D** Email between *Bruce Kuyper* and *Farhad Ashofteh* from April 2014 RE: Bellagio Road
- **Exhibit E** Paper by *Donald Loze* urging opposition to 11767 Bellagio Road from 04/22/14

- b. **JMB Century City Proposed Project at 1950 Avenue of the Stars** *Michael Kemp* (5 minutes)

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

- Senior Lead Officer 8A29 - *Chris Ragsdale*, WLA Community Police Station (3 minutes)
- Senior Lead Officer - *Ralph Sanchez*, Hollywood Community Police Station (3 minutes)
- May 2014 EP Cmte Meeting has been rescheduled to June 18, 2014 – *Chuck Maginnis* (3 minutes)

**16. Bylaws & Rules Committee Report** (Updates, Discussion & Possible Action) *Larry Leisten*

- a. **Update on Approval of Bylaws** (3 minutes)

- b. **Update on Request by “Save Sunset Strip” for a seat on the BABCNC Board** (1 minute)

**17. Outreach Committee Report** (Updates, Discussion & Possible Action) *Robin Greenberg* (3 minutes)

**Update from AD-Hoc Outreach Committee** – (See Treasurer’s Report for Outreach Expenditures.)

**18. West L.A. Regional Alliance of Councils (WRAC)** – (Updates, Discussion and Possible Action) - *Robin Greenberg* (3 minutes)

**Update on May 21, 2014 WRAC Meeting**

**MOTION:** Support Council Motion 14-0519 to preserve the wildlife corridors. (**Joint motion with Santa Monica Mountains Conservancy Report below**)

**19. Santa Monica Mountains Conservancy Report** (Updates, Discussion and Possible Action)  
- *Travis Longcore*

- a. **SMMC Report** – *Travis Longcore* (5 minutes)

- b. **Wildlife Corridors** – *Robin Greenberg, Travis Longcore & Tony Tucci* (3 minutes)  
(See **Exhibit “F”**)

**MOTION:** Support Council Motion 14-0519 to preserve the wildlife corridors and file a CIS supporting the motion as follows:

WHEREAS, the Bel Air-Beverly Crest Neighborhood Council territory includes natural lands and low-density residential neighborhoods that allow wildlife movement in the Eastern Santa Monica Mountains, and

WHEREAS, the process of land development in the BABCNC territory often involves actions that might affect wildlife movement, and

WHEREAS, viewing and enjoying wildlife is a unique experience characteristic of the quality of life in the BABCNC territory, and

WHEREAS, Councilmember Paul Koretz has introduced a motion (Council File 14-0518) to establish a process to develop and ordinance that would clearly delineate the responsibility of potential land developers to map maintain wildlife connectivity on properties to be developed to ensure that wildlife such as deer and bobcats can range through the eastern Santa Monica Mountains, and

WHEREAS, said motion was seconded by four City Councilmembers representing broad support across the City, and

WHEREAS, the Santa Monica Mountains Conservancy has begun to undertake the development of wildlife corridor maps within its territory and already currently advocates for measures similar to those being proposed by Councilmember Koretz,

WHEREAS, both private property interests and environmental considerations benefit by definite and consistent guidance on the environmental constraints and considerations in real estate development, and

**THEREFORE, be it resolved that the Bel Air-Beverly Crest Neighborhood Council supports Councilmember Koretz’s wildlife connectivity motion and requests to be consulted by the City Attorney and Planning Department in the development of said ordinance should the motion be passed by the City Council.**

c. **Fire Hazard Zone** – *Travis Longcore & Andre Stojka* (3 minutes)

**MOTION:** WHEREAS, the Bel Air-Beverly Crest Neighborhood Council territory is recognized as a Very High Severity Fire Hazard Zone by the State of California, and

WHEREAS, the greatest source of fire risk in southern California is human-caused fires, and

WHEREAS, tens of thousands of commuters and residents drive through the BABCNC territory each day, and

WHEREAS, the Santa Monica Mountains Conservancy owns a number of prominent properties within the BABCNC territory, and

WHEREAS, the SMMC properties already have posted signs that are seen by thousands of drivers each day and which direct people to report “suspicious activity” but do not mention smoking and

WHEREAS, smoking in a Very High Fire Severity Hazard Zone violates the law and a fire started by a smoker poses a significant danger to the BABCNC community,

**THEREFORE, be it resolved that BABCNC requests that the Santa Monica Mountains Conservancy include the text “NO SMOKING” to all of its property signs.**

20. **Ad-hoc “I-405 Sepulveda Widening Improvement Project”** & Metro Update on Sidewalks @ Skirball Bridge to Mulholland -- *Irene Sandler & Gary Plotkin* (3 minutes)
  21. **Ad-Hoc Standing Committee on Los Angeles 2020 Report “Monitoring City’s Solutions & Actions”** (established on 01/22/14) – *Co-Chairs, Andre Stojka & Tony Tucci* (3 minutes)
  22. **Ad-Hoc Transit Committee** (established on 01/22/14) – Select New Chair – Continued to June
  23. **Council District 5 Report** Planning Deputies, *Noah Muhlstein & Gurmet Khara* (5 minutes)
  24. **Council District 4 Report** Field Deputy/Deputy of Housing & Transport *Sharon Shapiro* (5 minutes)
  25. **Traffic Committee Report & Police Advisory Board Report** – *Robert A. Ringler* (2 minutes)  
**Next LAPD West Bureau Traffic Committee: Wednesday June 11, 2013 at 8:30 a.m.** at the West Los Angeles Community Police Station, 1663 Butler Avenue.
  26. **Private and Public Schools News** (0 minutes)
  27. **New Business / General Announcements:** (Discussion & Possible Action) (3 minutes)
- L.A. City Central Collections System - Don Loze  
Council File #: 14-0600 (FY2014-2015 City Budget Proposal)
28. **Adjourn meeting**

**NEXT BABCNC MEETING: June 25, 2014 @ AJU**

**NEXT MONTH**

As planned by Chuck Maginnis, Emergency Preparedness Chair,  
BABCNC will have Special Guest Speaker, Debbie Weiser, of the US Geological Survey,  
speak on an Advanced Notification System

**AGENDA POSTING LOCATIONS**

These are the posting locations on file with the Dept. of Neighborhood Empowerment:

- Bel Air Foods (formerly “Bel Air Market”), 2323 Roscomare Rd · L.A., CA 90077
- Glen Center Postal Service 2934 1/2 N Beverly Glen Cir L.A., CA 90077
- Laurel Canyon Country Store 2108 Laurel Canyon Blvd, L.A., CA 90046
- Glen Market, 1603 N Beverly Glen Blvd., L.A., CA 90077
- Bel Air Bar & Grill, 662 North Sepulveda Blvd., L.A., CA 90049



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**Supporting Documentation for Special Meeting Agenda**

**Wednesday May 28, 2014 7:00-9:00 p.m.**

**American Jewish University**

**15600 Mulholland Drive, Room 223,**

**Bel Air, CA 90077**

**Room 223, Main Campus, 2<sup>nd</sup> floor, accessible from west side of Casiano Rd.  
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**For this evening's meeting, find enclosed the following supporting documents as listed:**

**Special Meeting Agenda** for General Board Meeting of May 28, 2014

**Draft Minutes** from the BABCNC General Board Meeting of April 23, 2014 for approval

**Draft Minutes** from the BABCNC Special Board Meeting of April 23, 2014 for approval

**Monthly Expenditure Report for April 2014**

**Exhibit "A"** E-mail by Farhad Ashofteh, Developer/Architect of 11767 Bellagio Rd. to Heather Bleemers

**Exhibit "B"** Neighborhood Council Budget Advocate (NCBA) White Paper

**Exhibit "C"** Paper on Small Lot Subdivision Ordinance New Design Guidelines from WLANC

**Exhibit "D"** Email between Bruce Kuyper & Farhad Ashofteh RE: Bellagio Road from April 2014

**Exhibit "E"** Paper by Donald Loze urging opposition to 11767 Bellagio Road from April 2014

**Exhibit "F"** Wildlife Corridor Motion signed by Paul Koretz

**Pending:** Updated Bylaws to be Submitted to Empowerment for Approval (Will be sent upon receipt)

Cathy Palmer  
Administrative Assistant,  
Bel Air-Beverly Crest Neighborhood Council  
Municipal Building  
1645 Corinth Avenue, Room 103-4  
Los Angeles, CA 90025  
Office: (310) 479-6247  
Mobile: (310) 323-304-7444

**OFFICERS**

President  
**Gary Plotkin**  
Vice President  
**Robert A. Ringler**  
Treasurer  
**Alan Fine**  
Recording Secretary  
**Robin Greenberg**

**COMMITTEES**

Executive  
Bylaws and Rules  
Planning and Land Use  
Outreach and Education  
Public Safety/Disaster Preparedness

**STAKEHOLDER GROUPS**

Bel-Air Crest Master Association  
Bel Air Ridge Association  
Benedict Canyon Association  
Casiano Estates Association  
Faith Based Institution  
Laurel Canyon Association

Residents of Beverly Glen  
Roscomare Valley Assoc.  
Santa Monica Mt. Conservancy  
Members at Large  
Private Schools  
Public Schools



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**SPECIAL MEETING MINUTES DRAFT**

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

2013 Stakeholder Groups / Certified Representatives	Present	Not Present
<b><i>Residents of Beverly Glen</i></b>		
<i>Robert A. Ringler</i>	X	
<i>Open Seat</i>		
<b><i>Roscomare Valley Association</i></b>		
<i>Robin Greenberg</i>	X	
<i>Michael Kemp</i>	X	
<b><i>Save Our Strip: Pending</i></b>		
<b><i>Santa Monica Mountains Conservancy</i></b>		
<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**

1. **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*.
2. **Call to Order:** Council President, *Gary Plotkin*, called the meeting to order at 9:05 p.m.
3. **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.
4. **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.
5. **Approval of Agenda.**
6. **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 31<sup>st</sup> 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 2<sup>nd</sup> 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, 1<sup>st</sup> 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](http://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](http://www.babcnc.org) or at the scheduled meeting. If you require assistance, please e-mail Cathy Palmer at [cpalmer@babcnc.org](mailto: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>
<ul style="list-style-type: none"><li>• Bel-Air Crest HOA</li><li>• Bel-Air Ridge HOA</li><li>• Benedict Canyon HOA</li><li>• Casiano Estates HOA</li><li>• Laurel Canyon Association</li><li>• Residents of Beverly Glen</li><li>• Roscomare Valley Association</li></ul>	<ul style="list-style-type: none"><li>1</li><li>1</li><li>4</li><li>1</li><li>3</li><li>2</li><li>2</li></ul>
<u>Publicly Elected Residential District Areas</u>	
<ul style="list-style-type: none"><li>• Bel-Air Area</li><li>• Bel-Air Glen Area</li><li>• Beverly Park Estates Area</li><li>• Franklin Canyon/Coldwater/Mulholland/Crest Area</li><li>• Holmby Hills Area</li><li>• North of Sunset Area</li></ul>	<ul style="list-style-type: none"><li>1</li><li>1</li><li>1</li><li>1</li><li>1</li><li>1</li></ul>
<u>Privately Selected Non-Residential Stakeholder Groups</u>	
<ul style="list-style-type: none"><li>• Faith-Based Institutions</li><li>• Private K-6 Schools</li><li>• Private 7-12 Schools</li><li>• Open Space (Santa Monica Mountains Conservancy)</li></ul>	<ul style="list-style-type: none"><li>1</li><li>1</li><li>1</li><li>1</li></ul>
<u>Publicly Elected Non-Residential Groups</u>	
<ul style="list-style-type: none"><li>• Public K-12 Schools</li><li>• Commercial Areas</li></ul>	<ul style="list-style-type: none"><li>1</li><li>1</li></ul>
<u>At-Large Members</u>	1



Building A Better Community

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## **Supporting Documentation for General Meeting Agenda**

**Wednesday May 28, 2014 7:00-9:00 p.m.**

**American Jewish University**

**15600 Mulholland Drive, Room 223,**

**Bel Air, CA 90077**

**Room 223, Main Campus, 2<sup>nd</sup> floor, accessible from west side of Casiano Rd.  
Park at lower parking (Lot 1) below the security kiosk**

In compliance with Government Code section 54957.5, 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](http://www.babcnc.org) or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, contact Cathy Palmer 310-479-6247 or email [council@babcnc.org](mailto:council@babcnc.org).

**For this evening's meeting, find enclosed the following supporting documents as listed:**

**General Meeting Agenda** for General Board Meeting of May 28, 2014

**Draft Minutes** from the BABCNC General Board Meeting of April 23, 2014 for approval

**Draft Minutes** from the BABCNC Special Board Meeting of April 23, 2014 for approval

**Exhibit "A"** E-mail by Farhad Ashofteh, Developer/Architect of 11767 Bellagio Rd. to Heather Bleemers

**Exhibit "B"** NCBA White Paper

**Exhibit "C"** Paper on Small Lot Subdivision Ordinance New Design Guidelines from WLANC

**Exhibit "D"** Email between Bruce Kuyper & Farhad Ashofteh RE: Bellagio Road from April 2014

**Exhibit "E"** Paper by Donald Loze urging opposition to 11767 Bellagio Road from April 2014

**Exhibit "F"** Wildlife Corridor Motion signed by Paul Koretz

**Pending:** Updated Bylaws to be Submitted to Empowerment for Approval (Will be sent upon receipt)

Cathy Palmer  
Administrative Assistant,  
Bel Air-Beverly Crest Neighborhood Council  
Municipal Building  
1645 Corinth Avenue, Room 103-4  
Los Angeles, CA 90025  
Office: (310) 479-6247

### OFFICERS

President  
**Gary Plotkin**  
Vice President  
**Robert A. Ringler**  
Treasurer  
**Alan Fine**  
Recording Secretary  
**Robin Greenberg**

### COMMITTEES

Executive  
Bylaws and Rules  
Planning and Land Use  
Outreach and Education  
Public Safety/Disaster Preparedness

### STAKEHOLDER GROUPS

Bel-Air Crest Master Association  
Bel Air Ridge Association  
Benedict Canyon Association  
Casiano Estates Association  
Faith Based Institution  
Laurel Canyon Association

Residents of Beverly Glen  
Roscomare Valley Assoc.  
Santa Monica Mt. Conservancy  
Members at Large  
Private Schools  
Public Schools

Mobile: (310) 323-304-7444

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Public Schools



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**General Meeting Minutes Draft**  
**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
<b>Bel Air Crest Master Homeowner Association</b>		
Irene Sandler	X	
<b>Bel Air Ridge HOA</b>		
Andre Stojka	X	
<b>Benedict Canyon Association</b>		
Michael Chasteen	X	
Alan Fine	X	
Don Loze (Notified of absence) (David Kadin sat in)		X
Nickie Miner	X	
<b>Casiano Estates Association</b>		
Gary Plotkin	X	
<b>Faith-Based Organizations</b>		
Lonnie Mayfield	X	
<b>K-6 Private Schools</b>		
Vicki Kelly (Notified of planned absence)		X
<b>K-5 Public Schools – Open Seat Pending</b>		
<b>7-12 Private Schools</b>		
John Amato	X	
<b>Laurel Canyon Association</b>		
Jamie Hall	X	
Cassandra Barrere (Notified of planned absence)		X
Monica Weil (Notified of planned absence)		X
Tony Tucci	X	
<b>Members-at-Large</b>		
Larry Leisten	X	
Chuck Maginnis	X	

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

#### **City Officials**

From DONE:	<i>Thomas Soong, Project Director:</i>	Not Present
	<i>Alisa Smith, Elections Advisor:</i>	Not Present
From CD5 Office:	<i>Jeff Ebenstein, Field Deputy:</i>	Not Present
	<i>Noah Muhlstein, Planning Deputy:</i>	Not Present
	<i>Gurmet Khara, Council Deputy:</i>	Not Present
	<i>Shawn Bayliss, Director PLU:</i>	Not Present
From CD4 Office:	<i>Sharon Shapiro, Deputy:</i>	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 Kahan*.
  - *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 10<sup>th</sup> Open House  
**MOTION:** That BABCNC participate in Fire Service Day at Fire Station 99 on Saturday May 10<sup>th</sup> 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).

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

- *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-Cards 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:** BABNC 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 18<sup>th</sup>** 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 2<sup>nd</sup> 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*

833 Haverford Ave.

Pacific Palisades CA 90272

farhad@att.net

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Phone:(310) 454-9995 Fax: (310)454-2266 Cell:(310) 210-2126

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](http://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](http://www.babcnc.org) or at the scheduled meeting. If you require assistance, please contact Cathy Palmer at [cpalmer@babcnc.org](mailto:cpalmer@babcnc.org) or at 310-479-6247.



Building A Better Community

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## SPECIAL MEETING AGENDA **DRAFT**

**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
<b>Bel Air Crest Master Homeowner Association</b>		
<i>Irene Sandler</i>	X	
<b>Bel Air Ridge HOA</b>		
<i>Andre Stojka</i>	X	
<b>Benedict Canyon Association</b>		
<i>Michael Chasteen</i>	X	
<i>Alan Fine</i>	X	
<i>Don Loze (Notified of planned absence)</i> <i>(David Kadin sat in but did not vote)</i>		X
<i>Nickie Miner</i>	X	
<b>Casiano Estates Association</b>		
<i>Gary Plotkin</i>	X	
<b>Faith-Based Organizations</b>		
<i>Lonnie Mayfield</i>	X	
<b>K-6 Private Schools</b>		
<i>Vicki Kelly (Notified of planned absence)</i>		X
<b>K-5 Public Schools – Open Seat Pending</b>		
<b>7-12 Private Schools</b>		
<i>John Amato</i>	X	
<b>Laurel Canyon Association</b>		
<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	
<b>Members-at-Large</b>		
<i>Larry Leisten</i>	X	
<i>Chuck Maginnis</i>	X	

2013 Stakeholder Groups / Certified Representatives	Present	Not Present
<b><i>Residents of Beverly Glen</i></b>		
<i>Robert A. Ringler</i>	X	
<i>Open Seat</i>		
<b><i>Roscomare Valley Association</i></b>		
<i>Robin Greenberg</i>	X	
<i>Michael Kemp</i>	X	
<b><i>Save Our Strip: Pending</i></b>		
<b><i>Santa Monica Mountains Conservancy</i></b>		
<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**

1. **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*.
2. **Call to Order:** Council President, *Gary Plotkin*, called the meeting to order at 9:05 p.m.
3. **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.
4. **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.
5. **Approval of Agenda.**
6. **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 31<sup>st</sup> 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 2<sup>nd</sup> 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, 1<sup>st</sup> 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](http://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](http://www.babcnc.org) or at the scheduled meeting. If you require assistance, please e-mail Cathy Palmer at [cpalmer@babcnc.org](mailto: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>
<ul style="list-style-type: none"> <li>• Bel-Air Crest HOA</li> <li>• Bel-Air Ridge HOA</li> <li>• Benedict Canyon HOA</li> <li>• Casiano Estates HOA</li> <li>• Laurel Canyon Association</li> <li>• Residents of Beverly Glen</li> <li>• Roscomare Valley Association</li> </ul>	1 1 4 1 3 2 2
<u>Publicly Elected Residential District Areas</u>	
<ul style="list-style-type: none"> <li>• Bel-Air Area</li> <li>• Bel-Air Glen Area</li> <li>• Beverly Park Estates Area</li> <li>• Franklin Canyon/Coldwater/Mulholland/Crest Area</li> <li>• Holmby Hills Area</li> <li>• North of Sunset Area</li> </ul>	1 1 1 1 1 1
<u>Privately Selected Non-Residential Stakeholder Groups</u>	
<ul style="list-style-type: none"> <li>• Faith-Based Institutions</li> <li>• Private K-6 Schools</li> <li>• Private 7-12 Schools</li> <li>• Open Space (Santa Monica Mountains Conservancy)</li> </ul>	1 1 1 1
<u>Publicly Elected Non-Residential Groups</u>	
<ul style="list-style-type: none"> <li>• Public K-12 Schools</li> <li>• Commercial Areas</li> </ul>	1 1
<u>At-Large Members</u>	1

## **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

<b>Farhad Ashofteh Inc.</b>	Architecture . Planning
<b>Farhad Ashofteh</b> <i>Architect</i> <a href="mailto:farhad@att.net">farhad@att.net</a> <a href="http://farhadashofteh.com">farhadashofteh.com</a>	<a href="#">833 Haverford Ave.</a> <a href="#">Pacific Palisades CA 90272</a>
Phone:(310) 454-9995 Fax: (310)454-2266 Cell:(310) 210-2126	

Attachments

- Bellagio Homes 04-10-2014.pdf
- Views.pdf
- TTM BELLAGIO.pdf

[Download All](#)

**Attachments will be provided upon request. Please Contact Cathy Palmer 310-479-6247 or 323-304-7444**

# Enterprise Solutions: A City of Disconnect



## FY2014-2015 Neighborhood Council Budget Advocate White Paper

April 7, 2014

After months of review, it is the consensus of the 2013-14 Neighborhood Council Budget Advocates (NCBAs) that although the Great Recession impeded revenue growth for the City of Los Angeles, our ongoing budget deficit issues are primarily the result of a wide ranging disconnect in policy decisions from economic and operational realities.

By placing a priority on the retention of staff and ongoing benefit increases, deferring conventional infrastructure maintenance, and not taking the opportunity to restructure organizationally and technologically, the city chose to respond to 21<sup>st</sup> century problems with a 19<sup>th</sup> century mentality.

The Information Age has introduced concepts such as bench marking, standards and best practices. We applaud the efforts of the Mayor's and Controller's Offices to gather and report performance measures, initiate performance based budgeting and demystify spending with Control Panel L.A. These are tools that will be required to begin to reverse disconnects of the past and piece together a smart, integrated and sustainable city.

The suggestions and recommendations that follow were distilled from interviews with various City of Los Angeles General Fund Departments and are limited to these departments. The appendices offer a more in-depth discussion of our conclusions and provide a basis for the recommendations made.

The areas of concern:

1. City Employees Direct Salaries

As noted above, salaries for City of Los Angeles employees are almost 95% of the total City budget, which does not compare favorably with the ratio of salaries to budget for any other large US City. Ten years ago, that ratio was 67.78% in Los Angeles. Salaries for City employees were raised 5% per year each year from 2008 to 2014 for a total of 35% for that time period.

Recommendation: the Budget Advocates recommend that there be no salary and COLA increases for city employees for the next 5 years. See Appendix 1.

2. Pension Reform and Employee Contributions

The financial condition of the City of Los Angeles Employees Retirement System ("LACERS") and the Los Angeles Fire and Police Pension System ("LAFPP") are presently the greatest threats to the short- and long-term financial health of our City and Los Angeles's future quality of life. This year, \$1,013 million - nearly 25% of Los Angeles's general fund budget - is allocated to the LACERS and LAFPP Funds alone for current and future pension benefits. This \$1,013 million allocation exceeds the combined budgets for city-wide Building and Safety, City Planning, City Attorney, LAFD, Bureau of Street Services and Bureau of Engineering. Despite claims that the city consistently meets its annual required contribution to both of the pension funds, the funds' unfunded liabilities have skyrocketed. We are now faced with addressing an \$11.5 billion burden, which equates to a liability \$3,000 for every man, woman, and child in the City of Los Angeles.

Recommendations

Any effective strategy to achieve sustainable reform must accept the reality that pension reform is among the most difficult political issues. The facts are complex, beneficiaries are well represented by effective advocates, the general public is largely uninformed and unengaged, and elected officials must make hard political choices. We propose a politically-sensitive, comprehensive program involving decision-making public officials, pension plan beneficiaries, community leaders, and the general public. Our recommendations begin with measures that we believe are easy for City leaders to implement and conclude with tougher suggestions (below are the 5 easiest recommendations, the tougher recommendations are in Appendix 2):

- a. Immediately form a Pension Reform Commission. Now is the time for Los Angeles to take the lead on pension reform. Around the country this issue has experienced roll-backs during the last year. We have seen voter initiatives over-ruled in courts in San Diego, San Francisco and San Jose. San Jose Mayor Chuck Reed appeared to have a progressive plan with the proposed Pension Reform Act of 2014; this initiative may not hit the state ballot until 2016, if at all.
- b. Commit resources for a public education program on pension reform for taxpayers. Los Angeles should form a communication committee, and bring in public leaders to explain the issue to taxpayers. Similar to Mayor Garcetti's Budget Town Hall meetings, this could take the form of town hall meetings with outside experts, actuaries and City Council representatives that are open to the public, along with educational webinars.
- c. Los Angeles (via the Mayor, the Controller, or some respected nonprofit entity), should set up a pension reform website with what-if calculators and interactive info-graphics to highlight the issues and benefits for both City employees and the general public. This may help generate grassroots support for reform.
- d. The LACERS/LAFPP Boards need administrative reform. We ask that the Boards of Investment at both Funds be combined. The Budget Advocates have voiced this recommendation for several years and we endorse the City Controller's recent recommendation to combine the Boards.
- e. We advise that the investment strategy for the Funds be allowed more flexibility to manage returns, yet maintain realistic assumptions. Los Angeles can save over \$10 million per year by shifting its current investments from high-cost, high-fee, money management firms or hedge funds to low-cost index funds that closely replicate broader stock and bond indexes. We believe that the Funds can shift their investments to reputable index funds which closely replicate the Funds' portfolio strategy for less than 25 basis points.

### 3. Updating, Repair and Replacement of Our Infrastructure

The Budget advocates are concerned about a ½ cent sales tax increase as it may place our City in a non-competitive position and may potentially max out the City's ability to raise sales taxes in an emergency. The accrual of \$7 to \$10 billion in deferred maintenance to City of Los Angeles infrastructure (streets, sidewalks, sewers, parks, buildings, and most critically, IT) has created \$250 to \$700 million in annual structural deficits. Appendix 3 provides background information.

#### 4. Health Care Costs

City of Los Angeles employees currently contribute on average less than 5% of their salaries to pay for healthcare benefits. On average, private sector employee contributes 22% or more to healthcare benefits. City Administrative Officer (CAO) Miguel Santana has called for all civilian non-sworn officers to contribute 10% of their salary towards healthcare benefits starting with the new fiscal year. This new contribution rate would save the City of Los Angeles \$22 million dollars per year.

The NCBAs support the CAO's recommendation. The 10% contribution must be incorporated into all new union contracts.

#### 5. Updating our information technology infrastructure

The concept of enterprise-wide planning has been proven necessary. Each of the City's departments operates programs that do not share data even within departments, which has created not only significant additional costs in back office time (much of which is spent on manual data transfers), but also leads to the stoppage of information and degradation of City services.

We recommend that an Enterprise Resource Planning (ERP) solution be created, to provide an integrated real-time view of core city processes, using a shared database. ERP systems can track resources (such as cash, raw materials, or production capacity), the status of commitments (orders, purchase orders, and payroll), and employee data, to name a few. ERP facilitates information flow between all city functions, and manages connections to other parties (such as City vendors).

Second, the City needs to use Enterprise Architecture to logically organize processes and IT infrastructure to reflect integration and standardized requirements of the city's operating model. This operating model is the desired state of process integration and standardization for delivering services. The Federal government recognized this fact. It is codified it as "the mission of an agency and describes the technology and information needed to perform that mission, along with descriptions of how the architecture of the organization should be changed in order to respond to changes in the mission". The City currently buys its IT products and hardware on an as-requested basis for a specific project without any thought of how any part will connect or serve the greater whole.

Enterprise resource planning (ERP) must be implemented to allow standards, best practices, and benchmarks to be set; communication between departments is critical to the success of any organization. In addition, long-deferred updating of equipment in every City department must be done. We also recommend that a bond measure is introduced to fund updating and maintaining the City's information technology infrastructure.

The Budget Advocates support the Inspector General's request for up to \$800,000 for IT upgrades for a centralized collections system.

6. Sustainability

Los Angeles is a world leader in sustainability in many different fields, but especially in the built environment. Sustainability efforts provide educated, well-paying jobs in an innovative industry. Last week, Mayor Garcetti announced that the U.S. Green Building Council will move its 2016 Greenbuild International Conference and Expo from San Diego to Los Angeles. This conference will bring 30,000 visitors from all sectors of the green building movement to our City. The mayor said "Our city is leading the way when it comes to making meaningful investments in a sustainable future... and the world is taking note."

The sustainability credentials of Los Angeles are impressive. Per the USGBC, Los Angeles is home to 268 LEED-certified commercial buildings, 1,431 LEED-certified residential units, and more municipal LEED-certified square footage than any other city. In addition, for the fifth year in a row, the EPA during 2013, ranked Los Angeles #1 with the most Energy Star certified buildings (528 buildings). Washington DC had 462 buildings, and third-place went to Chicago with 353 buildings. Energy Star certified buildings use an average of 35 percent less energy and are responsible for 35 percent fewer greenhouse gas emissions than average buildings.

We recommend that Los Angeles needs to connect more with building owners regarding sustainability. For example, other major cities (Chicago, New York and San Francisco) have recently required their commercial buildings to publicly disclose their energy use. Los Angeles needs to embrace this type of data collection and require all buildings to report their energy and water consumption, which will encourage further innovation and job creation in the cutting-edge fields of sustainability and environmental management. This program will ensure that Los Angeles remains the leader in sustainability and green technology.

7. Creating a fair and efficient system of contracts with City vendors

The City of Los Angeles should implement a fair and efficient system of vendor selection and awarding contracts. The first part of this is to have a single contract for a service or product that the City buys in bulk (such as cell phones or toner cartridges) to leverage spending. Currently each City department typically makes these purchases independently. This does not allow the City to achieve cost savings for purchasing in volume. The added benefit for single source contracting would be better oversight and tracking of the actual usage and billing.

The City of Los Angeles should allow the public to see and use the City's Business Assistance Virtual Network, on which all City RFP's are posted. Currently only City approved companies (not individuals) may register and use the site. There should be a process put into place that allows smaller companies to be authorized by the City to provide services for smaller scale projects. For low dollar cost minor projects we should not require a small business to spend thousands of dollars in fees or man-hours in an attempt to comply with regulations that are applicable for multi-million dollar projects.

This item cannot be fully implemented correctly without implementing item #5.

8. Living within our means

To save the City of Los Angeles from insolvency, our City Council needs to place on the ballot a charter amendment that will require the City of Los Angeles 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 (GAAP), and over the next fifteen years, fix our streets and the rest of our infrastructure and fully fund our pension plans.

#### 9. Efficient collections

The budget advocates support creating a central collection agency instituting the Administrative Code Enhancement (ACE) program fully as well as reviewing and updating LAFD medical billing procedures (see Appendix 9).

#### 10. Volunteerism

Each year thousands of stakeholders within the City offer their support and services to the City free of charge as volunteers. Many are professionals or people with special skills, but there are also score of people that would be happy to provide low-skilled labor or learn to provide a higher level of service. Many Angelinos see that their City is struggling under financial drains and a shortage of resources. They want to help, yet their offers languish unanswered. We have been told that union opposition is the cause, that there is a lack of manpower to process LAPD reserve officer applications, that Animal Control cannot offer appropriate training for the animal control reserve volunteers. Neighborhood Councils allocated \$27,000 of their fiscal budget for that training, which remains unspent. The Council 4 Councils (C4C) mentorship program's offer to help struggling Neighborhood Councils with training for governing remains blocked because of union opposition

We recommend that the City Council and the Mayor encourage volunteerism in our City by requiring all departments to support any such efforts and use the free labor offered to the City.

#### 11. DONE

DONE operations will be severely hampered if the following recommendations are not fulfilled:

Policy Team - one Project Coordinator to create and oversee the new Grievance Policy that the Department is to administer per ordinance. Without this person, we will not have the capacity to create this long awaited and needed grievance system. Within this budget package was the \$20,000 request for Congress and Budget Advocates as well.

Outreach Team - the Department has started partnerships with Nextdoor and NationBuilder this year with the additional staffing and funds for the election outreach. To continue outreach in non-election years, we will need funds and staffing. Specifically, we requested 2 Project Assistants and \$185,000 in outreach funds to hire a PR firm to conduct outreach for Neighborhood Councils next year.

#### 12. Fully implementing performance-based budgeting

The Budget Advocates recommend implementing by budget fiscal year 2015-2016. See Appendix 12 for supporting information.

### 13. Increasing business and creating new jobs

Los Angeles' major industries are entertainment, tourism and technology. New York is offering 10 years of local tax-free existence to new companies in specified areas. Texas runs ads in California boasting how much more business friendly they are.

We support Mayor Garcetti's recent suggestions to decrease or eliminate the business tax to attract new business to L.A. and encourage current businesses to remain in L.A. See Appendix 13 for supporting information.

### 14. Increased civilianization of LAPD and LAFD administrative and managerial positions

The Budget Advocates support the increased civilianization of the Los Angeles Fire Department and Los Angeles Police Department as discussed in the March 4, 2014 PA Consulting Report, Fire Department Deployment of Resources Study.

Increased civilianization will allow these departments to take advantage of skill sets not available, allow more sworn officers to be on duty, increase operating efficiency and response times, and save money.

### Putting the Pieces Together

We have identified areas of structural, physical and technological disconnects. As Mayor Garcetti stated in his inaugural address "These times demand a "back to basics" approach focused above all else on our economy and jobs". With an improved economy we can move from reactionary to thoughtful decision making. This year's budget provides the Mayor, City Council and all Angelenos with the opportunity to begin to piece together solutions that can set the City on a new course to restore our place as a beacon to the world.

***Respectfully Submitted By the 2014 Neighborhood Council Budget Advocates***

**The NCBAs look forward to working further to addressing and solving these financial challenges problem in continuing discussions with the Mayor, City Council, Council Committees, CAO, CLA and other key officials.**

	<b>Neighborhood Council</b>
Buashie Amatokwu	EC Southwest
Darlene Atkins	Voices of 90037 NC
Pamela Bolin	Northridge West NC
Scott Bytof	Downtown Los Angeles NC
Nelson A. Castillo	Westlake South
Gloria Castro	Historic Highland Park NC
Harvey Goldberg	Tarzana NC
Craig Goldfarb	Northwest San Pedro
Terrence Gomes	South Robertson NC
Jay Handal	West Los Angeles NC
William (Lance) Hilliard	Winnetka NC
Jeanette Hopp	Van Nuys NC
Hector Huezo	Historic Highland Park NC
Jack Humphreville	Greater Wilshire NC
Joan Jacobs	Harbor Gateway North NC
Thomas Johnson	NorthridgeWest NC
Travis Kasper	Downtown Los Angeles NC
Howard M. Katchen	Sherman Oaks NC
Danielle Lafayette	Emp. Congress West Area NDC
Matthew Lazansky	Mid City West
Linda Lee	Central Hollywood NC
Lana McLeod	Emp. Congress Central Area NDC
Kali Merideth	Central San Pedro NC
Erick Morales	Mid City NC
Edmund Novy	Sunland-Tujunga NC
Brandon Pender	Studio City NC
Edwin Ramirez	Pacoima
Ronee Reece	Rampart Village
Susan Reimers	Greater Echo Park Elysian NC
Marcello Robinson	Westwood
Olivia Rubio	Boyle Heights NC
Krisna Velasco	Granada Hills S
Janine Watkins	Watts
Greg Wilkinson	Panorama City
Daniel Wiseman	Van Nuys NC
Joanne Yvanek-Garb	West Hills NC

## Appendix 1 City Employee Direct Salaries

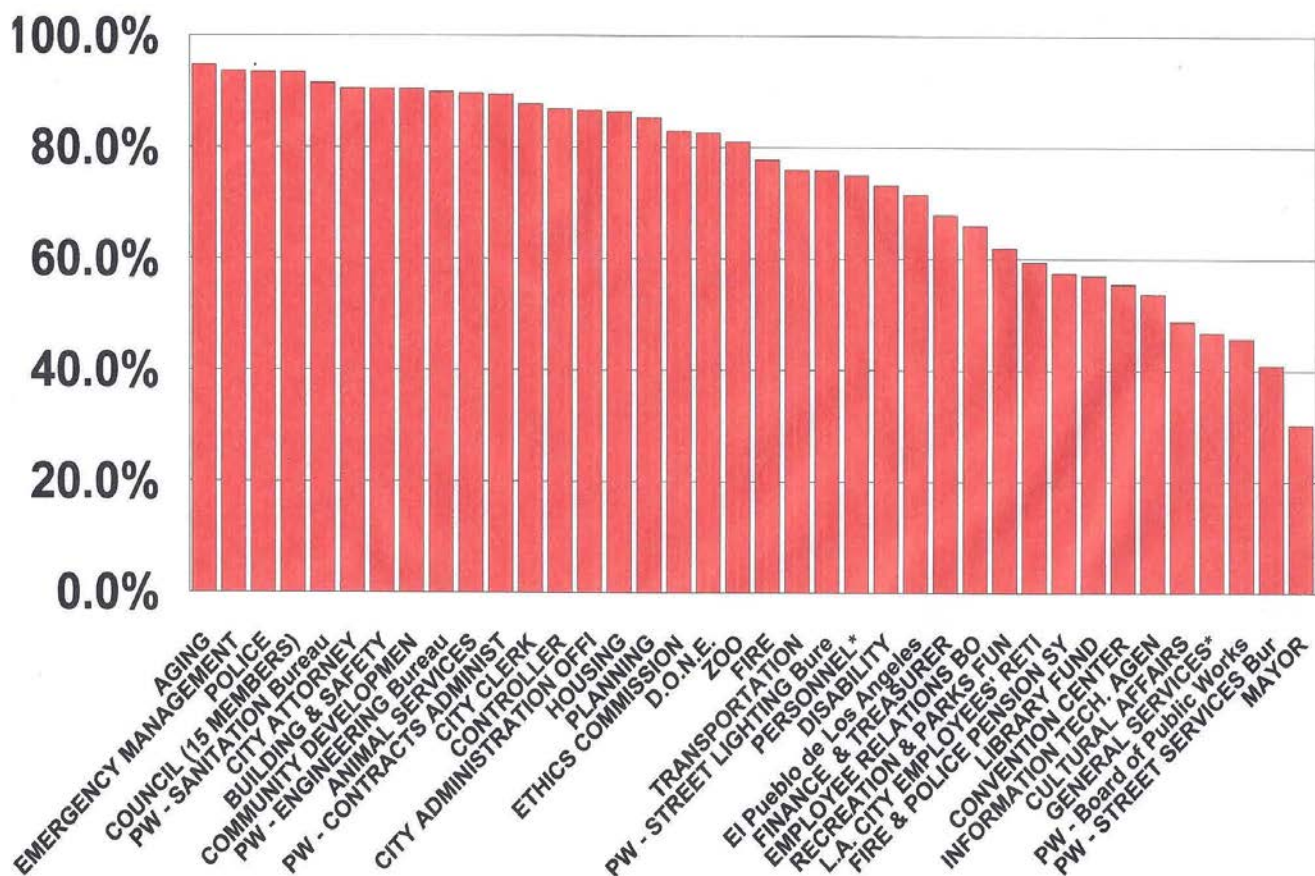
Every two weeks, the City Controller writes the checks to pay the City's bills. Ten years ago, employee compensation (direct salaries, health & dental, contributions to L.A.C.E.R.S. and the Fire and Police Pension Plans) were about 70% of the General Fund. In FY2012-2013, an amount equal to 95% of the General Fund went to pay the "total compensation" of our City's employees. Are our City employees earning their pay? Are they paid too much or too little in comparison to DWP employees? Compared to employees in the general public? Where are the reports that answer these questions? See performance-based budgeting.

We believe that the upcoming labor negotiations must hold these costs stable for at least 3 to 5 years if the City is to eliminate or even decrease its structural deficit.

	<b>FY2003-2004</b>	<b>FY2004-2005</b>	<b>FY2009-2010</b>	<b>FY2010-2011</b>	<b>FY2011-2012</b>	<b>FY2012-2013</b>
<b>Direct Salaries</b>	\$2,366,622	\$2,421,626	\$2,950,365	\$2,729,061	\$2,770,051	\$2,823,989
<b>Dental and Health Care Benefits (Active Employees)</b>	\$520,657	\$532,758	\$367,024	\$744,044	\$719,975	\$667,628
<b>Contributions to the Fire and Police Pension System</b>	\$97,466	\$135,854	\$250,517	\$277,092	\$321,593	\$375,448
<b>Contributions to the F&amp;Pps Health Care</b>	\$38,737	\$31,542	\$106,648	\$111,684	\$122,972	\$132,939
<b>Contributions to the L.A.C.E.R.S. Pensions</b>	\$120,057	\$175,947	\$266,240	\$306,737	\$308,712	\$346,350
<b>Contributions to the L.A.C.E.R.S. Health Care</b>	\$20,144	\$53,190	\$96,511	\$107,396	\$115,209	\$72,916
<b>Total Compensation</b>	<b>\$3,163,683</b>	<b>\$3,350,917</b>	<b>\$4,037,305</b>	<b>\$4,276,014</b>	<b>\$4,358,512</b>	<b>\$4,419,270</b>
<b>Total General Fund</b>	<b>\$4,667,233</b>	<b>\$4,667,233</b>	<b>\$4,415,491</b>	<b>\$4,297,032</b>	<b>\$4,389,244</b>	<b>\$4,667,233</b>
<b>Employee Costs As A Percentage Of The General Fund</b>	<b>67.78%</b>	<b>71.80%</b>	<b>91.44%</b>	<b>99.51%</b>	<b>99.30%</b>	<b>94.69%</b>

### Salaries as Per Cent of Total Direct Costs (Allocation)

The "AVERAGE" Per Cent for ALL of the City's 31,971 Employee's is 78.9%



## Appendix 2

### Pension Reform and Employee Contributions

#### Recommendations

Any effective strategy to achieve sustainable reform must accept the reality that pension reform is among the most difficult political issues. The facts are complex, beneficiaries are well represented by effective advocates, the general public is largely uninformed and unengaged, and elected officials must make hard political choices. We propose a politically-sensitive, comprehensive program involving decision-making public officials, pension plan beneficiaries, community leaders, and the general public. Our recommendations begin with measures that we believe are easy for City leaders to implement and conclude with tougher suggestions:

- a. Immediately form a Pension Reform Commission. Now is the time for Los Angeles to lead on pension reform. Around the country this issue has experienced roll-backs during the last year. We have seen voter initiatives over-ruled in San Diego, San Francisco and San Jose. Mayor Reed from San Jose appeared to have a progressive plan with the proposed Pension Reform Act of 2014, however this initiative may not hit the state ballot until 2016, if at all.
- b. Commit resources for a public education program on pension reform for taxpayers. Los Angeles should form a communication committee, and bring in public leaders to explain the issue to taxpayers. Similar to Mayor Garcetti's Budget Town Hall meetings, this could take the form of town hall meetings with outside experts, actuaries and City Council representatives that are open to the public, along with educational webinars.
- c. Los Angeles (via the Mayor, the Controller, or some respected nonprofit entity), should set up a pension reform website with what-if calculators and interactive info-graphics to highlight the issues and benefits for both City employees and the general public. This may help generate grassroots support for reform.
- d. The LACERS/LAFPP Boards need administrative reform. We ask that the Boards of Investment at both Funds be combined. The Budget Advocates have voiced this recommendation for several years and we endorse the City Controller's recent recommendation to combine the Boards.
- e. We advise that the investment strategy for the Funds be allowed more flexibility to manage returns, yet maintain realistic assumptions. Los Angeles can save over \$10 million per year by shifting its current investments from high-cost, high-fee, money management firms or hedge funds to low-cost index funds that closely replicate broader stock and bond indexes. We believe that the Funds can shift their investments to reputable index funds which closely replicate the Funds' portfolio strategy for less than 25 basis points.
- f. Freeze the current defined benefit (DB) plan. Current retirees would continue to receive benefits under the plan. Any employee within 5 years of retirement would have the choice to stay in the DB plan and receive benefits upon retirement or to have the same choices as active employees outlined in point 3 below;
- g. Create a new defined-contribution (DC) plan for existing employees and all new employees. All future retirement benefits would be through the DC plan. The employer contribution

amounts would have a maximum of the current Tier 2 rates and could be structured as a guaranteed amount and/or employee match;

- h. Active employees would have a choice of what to do with their earned DB benefits. This benefit would be calculated based on the employee's payroll contribution and the city's contribution for the years worked, credited with a moderate investment return rate. We would offer them the option of (a) converting their benefits to a deferred annuity, which would be payable upon retirement; or (b) convert their benefits to a cash amount that would be transferred to the new DC plan;
- i. The single most important reform for reducing the Funds' current unfunded liabilities is capping COLA at 1.5%. We estimate this will reduce the unfunded liabilities by about \$2.4 billion! The current practice of 3%-5% annual COLAs are, in our opinion, financially unsustainable. In contrast, U.S. Military pensioners receive a COLA of "Inflation minus 1%" on their pensions until they reach the age of 62, and then receive a COLA equal to the rate of inflation. Depending on the age of the retiree and the size of the retiree's benefit, COLAs should be varied. Older retirees with a smaller pension benefit should receive the maximum COLA available. Retirees with a pension in excess of \$80,000 per year should receive the smallest annual COLA. The youngest retirees retire in their 40s and 50s and possess who have 10-20+ working years available in their careers should also receive small COLAs. A "lowest" COLA, for example, might be the annual prevailing inflation rate minus a fixed percentage of 1.5% or 2%.

## **Conclusion**

The NCBA's have presented what we believe are principled and fair solutions that preserve financial peace of mind of retirees, limits the burden of taxpayers, and repositions the City of Los Angeles's finances for success. At the heart of our reforms is modernizing the system of retirement benefits provided to our family of city workers, our police and our firemen. To put it mildly, the first cities to truly face the full brunt of their pension problems, such as Detroit and Stockton (California), have not fared well. Los Angeles must take a different path to preserve our quality of life, which will fuel future economic growth.

### Appendix 3

#### Updating, Repair and Replacement of our Infrastructure

The Budget Advocates have serious reservations about the 15 year, half cent increase in our sales tax to 9.5% that will finance on a pay as you go basis the \$4.5 billion repair of our failed streets and only 40% of broken sidewalks.

This regressive tax that will average \$300 million per year will hit lower and middle income families disproportionately at the same time DWP is increasing its rates and the federal, state, and County are considering increases in transportation and gas taxes that will cost Angelenos over \$1.25 billion.

The increase in the sales tax to one of the highest levels in the County and State will also have an adverse impact on our economy and retailers, hindering job creation in our City.

A better plan would be for the City to finance the program with long term bonds serviced by the City's General Fund. The source of these funds would be the excess revenue generated by the 20% tax on DWP Power System revenues over and above what is already projected.

The proposed plan does not address the maintenance of our streets and the reconstruction of 350 miles of alleys. It does not consider any of the street plans proposed by the environmental community and city planners.

There are also questions about whether the City has the management team or organizational structure to make sure that the largest infrastructure project in the City's history comes in on time and on budget.

The proposed level of oversight is lacking independence and expertise and does not have the ability to take corrective actions to problems as they arise.

The Street Tax will be a divisive issue. The prospects of receiving two-thirds of the vote is unlikely, especially given that voters do not trust City Hall and that 55% of the voters rejected Proposition A in March 2013.

## Appendix 9 Efficient Collections

The City maintained its revenues stream for the last 5 years by increasing the charges for licenses, fees, fines and permits (especially, the onerous increases in street parking fees). The one-quarter percent increase in the sales tax rate only prevented the decreases in sales during the Great Recession.

The City is failing to fairly bill for its services and has great variations in collections between the departments.

#1. The City Controller estimated \$452 million in old, uncollected accounts receivable (AR). The Commission on Revenue Enhancement (CORE) estimated a gross \$ 271 million in old uncollected AR. The Inspector General has estimated that \$79 million in current or “annual” AR might be recovered (most of this in the DOT parking citations and LAFD Emergency Medical Services (EMS) with another \$10 to \$20 million in other potential collections, each year). These amounts are not comparable. They represent different types of “receivables.”

At present, it takes about two years (for a debtor to “exhaust their administrative options”) before the Office of Finance can begin a vigorous collection process. The reports of the Office of Finance confirm the wide gap between billings and receipts and the inefficiency of our collections processing.

#2. For several years, the NCBAs have supported establishing the Administrative Code Enhancement (ACE) program with Community Courts to help the City Attorney’s office able to quickly, efficiently and effectively resolve thousands of minor offenses. We do so, again.

#3. Last years’ NCBA white paper spoke of discrepancies in ambulance transport values; between the City’s costs (\$1,400 per transport), the payments provided by private insurance companies (~ \$ 1,000), the federal-state payments for Medi-Care patients (\$ 400) and the federal-state payments for Medi-Cal patients (\$ 120). The LAFD-EMS (Emergency Medical Services) has made little or no effort to recover better and more consistent compensation for these ambulance transports. LAFD bills only when there is an ambulance transport and makes no attempt to bill or collect for the significant amount of medical services, often life-saving care, given to patients, at the scene, by parameds and emergency medical technicians (EMTs).

**Examples of MEDICAL SERVICES provided by LAPD-EMS**

EXAM – 1	C-P-R, BASIC LIFE SUPPORT (BCLS)
EXAM – 2	C-P-R, ADVANCED LIFE SUPPORT (ACLS)
EXAM – 3	Defibrillation
EXAM – 4	IV MEDS – Nitroprusside
EKG Tracing	IV MEDS – Atopine
EKG Monitor ("hours" - minimum one)	IV MEDS - Decadron, Solu-Medrol
Oxygen – by nasal canula or mask	IV MEDS – Albumen
EPINEPHRINE Injection	IV MEDS -
GLUCAGON injection	ET placement
IV Placement and...	ET management
IV FLUIDS – Normal Saline, D5W, D5Lactate, etc.	BAG-MASK Ventilation
IV FLUIDS - Ringer's Lactate	BAG-ET Tube Ventilation
ORAL MED – Nitroglycerine	Neck Collar
ORAL MED – ASA	Immobilization (board)
Clean a wound	Splint extremity
Febrile measures (bath, cold towels, etc.)	

## ESTIMATES FOR UNBILLED LAFD-EMS MEDICAL SERVICES

NOT TRANSPORTED		TRANSPORTED			TOTAL
127,827		195,827			316,866
SERVICE LEVEL #1	SERVICE LEVEL #2	SERVICE LEVEL #3	SERVICE LEVEL #4	SERVICE LEVEL #5	
Basic exam or patient refused care or patient released at the scene.	Basic exam, no treatment or simple treatment (e.g. wound care) or patient released at the scene	General exam, patient worried, simple treatment transported for further evaluation	General exam, with or w/o treatment at the scene, patient transported for hospital admission	Crash exam, major trauma or Serious Illness, BCLS or ACLS given and/or Code 3 transport	1. 868 per day or 32 per hour from 106 Fire Stations 2. How much is a life worth? Your life?
10.0%	90.0%	65.0%	25.0%	10.0%	
12,783	115,044	127,288	48,957	19,583	<-- NUMBER OF CASES
\$50	\$100	\$200	\$300	\$500	<-- CHARGE per CASE (nominal)
\$639,150	\$11,504,400	\$25,457,510	\$14,687,025	\$9,791,350	<b>\$62,079,435</b>

The NCBA's support the Inspector General's recommendation that the City create a Central Collections Agency that will unify, expedite and regulate the Collection Processes and relieve the Departments from these "non-Mission" responsibilities.

## Appendix 12

### Performance Based Budgeting

Past budgets have been limited by item-based budgeting concepts, that is; “How many people can we afford to hire?” This is understandable when we look at area of concern #1 but it does not help the city plan for the future.

Performance-based budgeting concepts were introduced to the City in October 2011 by then – Controller Wendy Greuel and beautifully defined by Councilmember Englander. All the departments were asked to collect and report “metrics” for their activities but, even now, Councilmember Blumenfeld speaks of performance-informed budgeting; a backward-looking concept. The Bureau of Street Services has been operating using performance-based budgeting for 10 years. They are an example for all the other departments.

With the change to performance-based budgeting, the City can move to use:

1. Workload Analysis -- to determine how much City Service needs to be delivered.
2. Cost/Benefit Analysis -- to define the costs and set guidelines for efficiency.
3. Delivery of Service -- to test consumer satisfaction.

Obviously, this change in philosophy and attitude is dependent on state-of-the-art and competent Information Technology (AREA OF CONCERN #4) and, to the credit of the Mayor, City Controller, City Attorney and City Council, we are seeing major changes in outreach to the Public:

1. Multiple meetings throughout the City to sample public sentiment and comment
2. Publication of real-time data by the Mayor and City Controller.
3. Multiple new groups and offices that focus, process and report on financial issues (the NCs and the NC Budget Advocates, the DWP Ratepayer’s Advocate, the CAO-based Inspector General and the LA2020 Commission, etc.)

## Appendix 13

The elimination of the Community Redevelopment Act of the City of Los Angeles, California (CRA/LA) left the city without ready access to many economic development and finance in tools that are necessary to revitalize communities, generate economic growth and development, expand the job base within the city and increase City revenues. The Council adopted and the Mayor concurred with various recommendations to establish a new Economic Development Department (EDD). A Request for Proposal (RFP) was to be submitted, creating a City wide Economic Development Non-profit (EDNP) to provide economic development services on behalf of the City. The RFP identified five areas of services requested to be performed by an EDNP. The five areas are strategic planning and policy development, Business attraction and Retention, Economic Development Property Assets Management, Economic Development Transaction Services and Financing, and Workforce and Business Development. Of critical importance to the City, the EDNP will be requested to assist the EWDD in the development and preparation of a Citywide Economic Development Strategic Plan. Economic and Workforce Development Department has been established and assigned General Manager Jan Perry, the Economic Development Non Profit has not yet been established. EWDD has consolidated the City's Economic development into one department employing over one hundred and eighty employees.

>**Smart Negotiating** - 5% raises every year from 2008 through 2013 for the city workforce were negotiated because leadership thought property values would keep increasing. Upcoming union negotiations should be smarter than past negotiations by factoring in economic conditions. By being steadfast during upcoming negotiations and implementing smart policies to account for down economic times, the City of Los Angeles has the ability to send clear messages to the outside business world that Los Angeles is a smart and fair place to do business.

>**Economic and Workforce Development Department** - The EWDD should be the bedrock on which Los Angeles builds. With the elimination of the CRA Los Angeles has a clean slate on which to build and grow the local economy. High priority and extra focus should be given to grow, shape, and mature the EWDD to give Los Angeles the fighting chance to compete in an ever-increasing global economy.

>**Collaboration** - Avoid competition among Los Angeles's neighbors. The EWDD should have one dedicated personnel that coordinates with our neighbors (Beverly Hills, Santa Monica, etc) to increase tourism and highlight the benefits of traveling to our region. Increased visitors will create a larger demand for tourism-related jobs. Beginning collaboration efforts for tourism attraction with our neighbors can lay the foundation and be a benchmark for future collaboration efforts in other mutually beneficial industries.

>**Grant-writing Department** – In 2013 California received \$364.9 million in federal grants\*, to which Los Angeles only received 0.36%, \$1.3m\*\*. In 2012 California received \$864 million in federal grants\*, to which Los Angeles only received 0.09%, \$791K\*\*. EWDD should create a new grant-writing department staffed with three professional grant writers paid at national averages coupled with a success bonus structure. This is a low-cost solution to alternative revenue generation.

\* <http://www.usaspending.gov/> \*\* <https://controllerdata.lacity.org>

>**2015 Proclamation** - Announce a plan to attract one new fortune five hundred company to Los Angeles by 2015.

>**Green Tape Initiative (GTI)** – "Los Angeles is an unfriendly place to conduct business," is often a recurring theme, citing red tape and high taxes as top reasons. To combat this negative brand, focus should be given to the red tape, as lowering the business tax is an overly suggested/used argument with no real momentum.

The Green Tape Initiative (GTI) is an additional step to simple solutions, like consolidating departments, which would hold city departments more accountable. The GTI would set acceptable time parameters for project approvals, business licenses and permits, and other important needed elements for a business to run, start, maintain, and operate in Los Angeles. The best way to explain is with a simple hypothetical:

A new restaurant would like to serve beer and wine adding allure to it's outdoor dining. A new modern restaurant can revitalize an area, increase foot traffic, and improve surrounding businesses. The GTI would set an acceptable amount of time (7 months or less) for securing a beer and wine license in Los Angeles and an unacceptable amount of time (12 months or more). In addition, a sliding scale would be created to pro-rate a discount to the business owner between months 7 and 12 - against the costs of obtaining the license. If the total cost were \$10,000 to be paid by the business owner, then the GTI policy would dictate: If a department fails to efficiently process business needs in an acceptable time frame, then the sliding scale pro-rated discount to the business will be paid for out of the department's budget.

Month	Business Cost	Department/s Cost
1-7	\$10,000	\$0
8	\$9,500	\$500
9	\$8,750	\$1,250
10	\$6,875	\$3,125
11	\$2,185	\$7,815
12	\$0	\$10,000

The GTI is designed to make departments accountable for processing time. The challenges with such a policy is determining what are acceptable time frames, where responsibility lies during processing, and how to prevent departments from simply budgeting expected losses into the next year's budget. However, despite the challenges, making the general public aware that Los Angeles is having this conversation can start to shift the negative brand of an unfriendly business climate to one that is looking to make real improvements for the business community.

>**International Division** – Foreign direct investment (FDI) brings in capital, technical know-how, organizational and managerial practices, marketing strategies, and new global networks. EWDD should create an international division focused on attracting FDI that works directly with the international team in the Mayor's office.

>**FDI Fund** – City government can play a larger role in attracting both domestic and international companies to open new offices in Los Angeles by providing incentives. An FDI fund run by the

EWDD can include direct capital subsidies, subsidized loans, or dedicated infrastructure. It's time Los Angeles stops simply relying on weather alone to attract new business.

>**Clean-tech Corridor** – Invest heavily time and money, into the continued efforts to brand Los Angeles as the premier destination of green technology innovation and renewable jobs. Renewable Portfolio Standards (RPS) for California are 33% by 2020, with the rest of the United States following suit passing similar legislation, thus creating and growing the clean tech industry. The business community can go to Silicon Valley if they want to create apps, but will flock to Los Angeles for the Clean-Tech revolution with proper support from city leadership.

>**WorkSource** – \$9,015,701 was authorized and allocated in program year 2013-2014 Workforce Investment Act (WIA) reserved grant funds for existing WorkSource Center Operators. The City of Los Angeles Workforce Investment Board (WIB) approved the allocation of these grant funds. The EWDD anticipates that the selected WorkSource Centers will be strategically located in the areas of the City having the highest concentrations of poverty; having the greatest number of long-term unemployed individuals; and having the lowest educational attainment rates. Refocuses the WorkSource Development System (WDS) on developing Career pathways opportunities in high-demand employment sectors moving to living wage employment. The department agreed to Increase service levels for vulnerable populations (e.g., Returning Veterans; individuals with disabilities, English language learners; individuals experiencing homelessness; Mature/Older Workers; and ex-offenders) by mandating minimum service levels. **We recommend adding recent College graduates; individuals living below poverty level to the list of vulnerable populations.** This will by far cause sustainability by giving these individual the experience and resources needed.

## **List of Neighborhood Council Budget Advocate Recommendations**

Over the years a number of our suggestions and recommendations have found fallow ground: The Los Angeles Inspector General included 22 of our recommendations in his report. Los Angeles 2020 listed 18 of our recommendations. Lists of the NCBA recommendations made over the past three years follow.

### **2010-2011**

- Support and implement in a timely way the audit recommendations of the City Controller.
  - Controller's Office estimates that there were thirty-eight completed audits in the last twelve months that have not been acted on by City Council, resulting in a loss of at least \$300 million.
- Mandate that businesses must maintain valid business permits and must pay for such permits in a timely manner or be subject to suspension and/or revocation.
  - Amend City Ordinance so that permits may be suspended or revoked by the city after 30 to 45 days of non-payment and hearings.
  - Create a Board of Permits and Licenses with representatives from CAO, Office of Finance, LAPD, PW, CA, DOT, and LAFD (EMS).
  - Combine hearing efforts of Office of Finance, City Attorney, and CID (LAPD).
  - Make revoked permits subject to ACE citation.
- Aggressively reduce primary and secondary collection periods for all licenses, permits, fees and fines. Although C.O.R.E. has recommended seven months for primary collections, we recommend a shorter collection period not to exceed 120 days.
- Implement portions of the *C.O.R.E. Blueprint for Change*, including, but not limited to:
  - Research the value of creating the post of Inspector General for Revenue & Collection/Efficiency.
  - Take immediate action on C.O.R.E.'s upcoming report with recommendations for reforming and fixing the problems of the Parking Occupancy Tax.
  - Support a central billings and collection department that focuses on increasing efficiency and accountability.
- Require that all purchases of equipment and software citywide include all components necessary for proper operation, including those components required for maintenance and upgrades.
  - Moreover, the city should invest in cost saving technologies such as:
    - New software/management system for Personnel Department's Workers Comp Division, which will replace an antiquated 1985 LINX system.
- Institute strict management accountability.
  - Create a system that holds GM's directly responsible for reducing liability claims and employee civil suits in their departments.
  - Establish or revise enforceable departmental measures and standards.
  - Support interdepartmental efficiency and flexibility using methods such as the CAO's "cluster group" plan to foster cooperation among departments.
- Require the City to do an inventory of all unoccupied city owned property with the goal of moving city office/departments out of private rental properties and into city properties.
- Implement the City Attorney's Administrative Code Enforcement (ACE).
- Hire properly qualified commercial parking lot operators to run the City's parking facilities.

Enterprise Solutions – A City of Disconnect  
April 3, 2014

- Enforce the current permit/fee structure for city owned and operated facilities such as parks, and implement a two-tiered fee system for many city services.
- Improve support for business growth.
  - Expand tax relief incentives.
  - Encourage the occupancy of distressed or vacant commercial property for both large and small business owners.
  - Reactivate the Mayor's Business Development deputies. Encourage B.I.D.s to inventory all vacant ground level commercial space and target for infill.
- Support the CAO's efforts to study Los Angeles specific branding opportunities through LA, Inc.
- Immediately enact an ordinance to require veterinarians to check for proper licenses and sign-up appropriate animals for licensing.
- Create corporate sponsorship options to help support City services and maintain facilities in need.
- Promote the "Shop L.A." campaign and recruit more corporate sponsors.
- Consolidate all City police departments into one department under the leadership of the LAPD with a single Chief.
- Merge departments that can easily be combined, achieving both cost reductions and efficiencies.
- Minimize the impact of across the board budget cuts by considering a department's revenue generating potential.
- Implement ordinance changes to allow the City to sell services where feasible, including training services of the LAPD. In addition, any newly created revenue by any department should be reinvested into the department to enhance its services to the people of the City.
- Use best practices to measure all outputs of City provided services against outside contractor services; require city departments to bid against outside contractors.
- Document and enforce that all sales of City owned real property must be at documented market rate. Stop special treatment given to individuals who pay below market prices for property.
- Support, encourage, and promote the use of the Controller's "Whistle Blower Hotline".
- Immediately create a Citizen Commission on Public Employee Pension and Benefit Review.
  - A citizen's Commission would provide a balanced review of this contentious and complex issue.
  - The composition should be comprised of objective experts from academia, business, city government and labor, as well as informed citizen representatives from the general public and Neighborhood Councils.
  - Begin work as soon as possible to assemble and analyze data from Los Angeles as well as other cities around the nation. Look for realistic solutions that may have been missed in the current negotiating climate.
- Vigorously pursue immediate employee concessions and policy changes such as:
  - The healthcare co-pay should be raised to \$20 (below market rate), thereby saving the city an additional \$1.75M. (\$20 co-pay results in \$3.5M savings.)
  - Require current and retired employees to pay a reasonable market rate for dependent healthcare coverage.
  - Create Tier 2 for new civilian hires with recommendations contained in a resolution prepared by Councilmember Rosendahl.
  - Implement tiered cuts in salary for both sworn and civilian personnel to achieve a \$200 million reduction in payroll, not including pension and benefits. Suspend COLA adjustments as they should not be used to offset salary reductions.
  - Eliminate furloughs. When considering dramatic changes in employee compensation it is imperative that those changes result in financial sustainability that will not require more changes in the near future.

- Immediately pursue the possibility of shifting LACERS' administrative costs for city employees.
  - LACERS' administration is not a core function of the City and should not be funded by taxpayers.
  - The nearly \$10 million of annual administration costs should be funded by a surcharge to LACERS beneficiaries.
  - If necessary, this change should be mandated by electoral process.
- Increase all employee pension contributions to 11%.
- Create a program in which potential law suits can be settled in the field by LAPD supervisors and /or managers, similar to the program utilized by LA County Sheriff Department.
- To increase transparency, all City Council districts should be required to report all income streams and detailed expenses in an online real time manner.

### **2011-2012**

1. Declare a Fiscal Emergency for the City of Los Angeles thereby allowing the Mayor to invoke a one-year salary reduction in order to close the deficit.
2. Require the City to develop a five-year strategic operational and financial plan mandating multi-year balanced budgets based on Generally Accepted Accounting Principles that provides full funding for our infrastructure and pensions.
3. The City's prime priority is to control employee costs focusing on current and future employee compensation, benefits packages, pension contributions and worker's compensation.
4. Engage in real pension plan reform starting with raising the retirement age from 55 to 65 or 67
5. Investigate the replacement of the gross receipts tax with well-defined offsetting income.
6. Reach more specific definition of the City's "Core Services." Search for cost-effective Departmental consolidations. Reduce all expenditures for all "non-Core Services."
7. Implement Performance-based Budgeting which will quantitate the workloads necessary for each Department to fulfill its mission ... with parameters which are compatible across all departments and, once subjected to cost-benefit analysis, these data can be used to allocate the City's personnel, equipment, supplies and funds.
8. Define, describe and fund a 21st century, comprehensive information technology system (data collection, data storage & data processing) which will consistently document and improve the services of all City departments and enhance City government-public interaction. All systems analyses must integrate the programs involved with the expertise, staffing, hardware and software necessary to operate them.
9. Implement a public-private partnership for the Zoo and negotiate either public-private partnerships or more efficient management contracts for the Convention Center, the parking facilities, the golf courses, the animal shelters and other City facilities while expanding the definition of "partnerships" to include municipal sponsorships to bringing in corporate money and offering support to local non-profits working in the field on quality of life issues.
10. Recover the costs of judgments, settlements and contingent liabilities from the responsible department.
11. Promptly review and implement the unfulfilled recommendations in the Controller's audits,
12. Implement the Commission on Revenue Enhancement (CORE) recommendations! including (but not limited to) the newly established office of Inspector General.
13. Implement a comprehensive, efficient and effective Central Billing/Collections program which serves all City Departments.
14. Partner with international government non-profits as incubators of new small businesses.

15. Revert all (100%) of currently "split" funds from the sale of City-owned property, the oil franchise income, the street furniture funds, etc. to the General Fund.
16. Return DOT Parking Enforcement and Traffic Control activities to LAPD, if cost-effective.
17. Review the City's hiring policies ... currently under a "Managed Hiring" plan ... to assure that the City secures qualified personnel in all positions.
18. Fund new civilian hires with savings derived from a one-year (only) closure of the Police Training Academy in order to redeploy jailers and administrative staff LAPD officers.
19. Authorize private sector veterinarians to issue and collect dog license fees.
20. Reestablish and fund the 50-50% Sidewalk Repair Program and consider funding similar programs for tree trimming, pot holes, etc.
21. Bolster the Neighborhood Council System by bringing in a foundation as a partner, providing additional financial and training support and reinstate NCs to full \$50,000/year funding.

### **2012-2013**

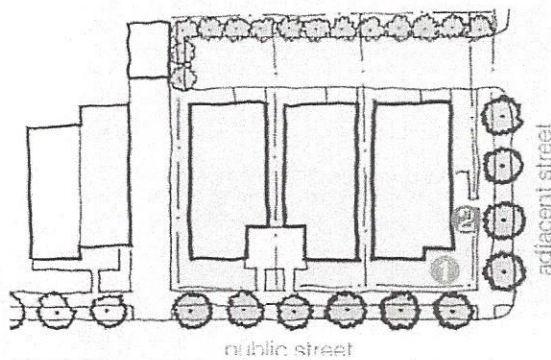
1. Negotiate City's (Active) Employees vacate FY 2013-2014 5% salary increases and modify future Cost-of-Living-Adjustments (COLAs) to be based on the Los Angeles Consumer Price Index (LA C.P.I.) ‘
2. Conduct a review of wage scales and withhold COLAs for overpaid employees
3. Require the managerial/executive staff take a 10% cut in their base salary
4. Review and reform LAPD and LAFD policies/practices for prevention/management of :
  1. Officer-related personal injury, wrongful death and property damage claims
  2. Inter-departmental harassment, discrimination and retaliation claims
  3. Workers' compensation claims
5. Reject the Bureau of Sanitation's (SAN) exclusive trash franchises proposal and implement a non-exclusive system
6. Start billing Medi-Care, Medi-Cal, insurance companies and transportees for medical services delivered by our paramedics and EMTs
7. Renegotiate, bill and receive adequate payment for LAFD-EMS ambulance transports
8. Implement an administrative citation enforcement (ACE) program
9. Consider the City Attorney's requests to stop furloughing City Attorneys and to allow the hiring of much-needed attorneys
10. Systematic review of City licenses and permits
11. Support investment in cultural tourism through DCA and Metro
12. Restore the annual NC allocation to \$50,000
13. Approve and fund the scheduled 2014 NC elections
14. Restore DONE funding – Approve the expanded FY 2013-2014 DONE budget
15. Repair, replace, install and maintain a world class City infrastructure
16. Institute performance-based budgeting in all departments
17. Draft a charter amendment which requires the City “lives within its means” and that the City annually reviews and updates a 5-year budget plan

Planning and Land Use Management Committee

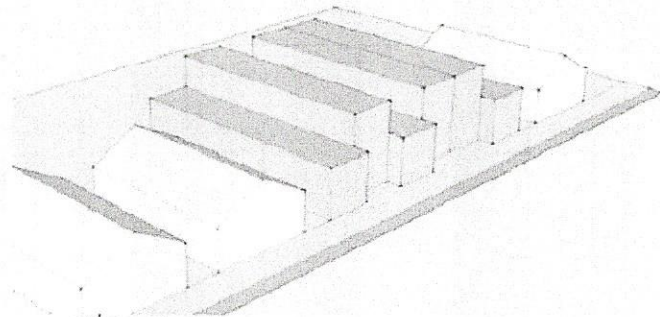
**To: Al Casas, Chair**  
**Fr: Jay Ross**  
**Date: Apr. 1, 2014**  
**Re: Report: Small Lot Subdivision Ordinance - new mandatory Design Guidelines**

Report: New Design Guidelines that are mandatory were made effective on Feb. 1, 2014, according to Allen Bell of the Planning Dept.

Planning Dept. has been instructed that these are mandatory. Previous version was option, and Planning staff ignored, which required stakeholders to file appeals (ie spend money out of their own pockets to enforce rules that Planning Dept. should have done in the first place). Many of these appeals were upheld, and the Variances were denied (after originally approved by Planning Dept.).



No driveways in front (garages in rear)



3<sup>rd</sup> level stepbacks next to smaller houses

New/main tenets:

1. Small Lot Subdivisions are permitted only on multi-family parcels (no R1, R2 zones).
2. Maximum lot coverage is 80%. Maximize green space and limit driveways.
3. Density may not be increased. In fact, it may be appropriate to decrease it to build a project more in character of the neighborhood.
4. New small houses will have separate ownership lots (like a regular subdivision). They must be separate structures but may be separated by a very short distance (0.5 ft. minimum).
5. The goal is not to maximize density, especially if it harms the character of the existing neighborhood. Poorly-design projects that impose on neighboring parcels shall not be approved.
6. Site planning/massing: Tall buildings next to small houses must have stepbacks on the upper stories.
7. Driveways and garages should be in the rear, so a pedestrian environment with grassy front yards and front doors line the sidewalks.
8. The front setback shall not be shorter than the prevailing setback on the rest of the block.
9. The rear setback may be shortened to 5 ft. (from the regular 15 ft.), but only if the majority of buildings on the block also have 5 ft. setbacks.
  - a. This setback is not "automatic" and it is not a "minimum allowable" setback.



Planning and Land Use Management Committee

10. Roof decks and balconies should not replace nor serve as an alternate to ground-level yards, only to enhance it.
  - a. Roof decks shouldn't peer into neighboring houses, and invade the privacy of the house occupants next door, who were there first.

Concerns:

1. The option of a rear 5-ft. setback is still in the code. Projects should ask for a formal Zoning Variance if they want to shortened the regular 15-ft. rear setback. It shouldn't be easily accommodated through this new ordinance.
2. Developers regularly threaten to build a 4-level block apartment if their 3-level block projects with no upper level setbacks and shortened setbacks are rejected, and go "straight to the Building counter" to get their permit.
  - a. However, developers would much rather build ownership housing that they can sell, instead of managing apartments for years (and having to deal with collecting rent, problem tenants, etc.).
  - b. In addition, they would have to start their design over, and would lose 6-12 months of time to re-start entitlements.
  - c. Finally, Building Permits for "by right" apartments can be appealed, and 4-level apartments on blocks with primarily 2-level buildings have been rejected by Zoning Administrator and Area Planning Commission.
    - i. At 1641 Stoner, the Zoning Administrator limited a proposed 4-level apartment to 3 levels in 2013, because of significant community opposition.

From:

"Bruce Kuyper" <bruce@kuyper.name>

To:

"Farhad Ashofteh" <farhad@att.net>

Cc:

"Gary Plotkin" <gplotkin@babnc.org> "Gary Plotkin" <gary.a.plotkin@gmail.com> "Gary A. Plotkin" <GPlotkin@prllplaw.com> "Cathy Palmer" <council@babnc.org> "CATHERINE R PALMER" <cathy-palmer@sbcglobal.net> [more ...](#)

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Dear Farhad,

Please excuse my delay in responding and for responding so soon before the board meeting tonight. I feel that it is necessary to respond to numerous misstatements. I'm responding as briefly as possible. I've ignored your rhetorical questions and your other sarcastic and dismissive comments. (They strike me as impolite, to say the least.)

1. No one's asking for random rules. We're merely asking for the existing requirements of the RD1.5 zone to be applied (e.g., 5,000-sf minimum lot size and 15-ft rear yard setbacks).
2. To the contrary, you're asking for a curb cut that is unlike everyone else. No one has a curb cut in the RD1.5 zone. Furthermore, none of the R3 dwellings further to the south on that side of Bellagio—nor the RE9 house to the north—has a single curb cut. They all use the alley. The alley obviously eliminates the need for a curb cut. The rest of Bellagio Rd to the north on that side is irrelevant because all of the homes have driveways that can accommodate the full length of a car parked in front without blocking the sidewalk, unlike your proposed project.
3. We asked you to remove the rooftop decks as part of a compromise offer, in an attempt to resolve our disagreements. We understand that you have refused our offer but that you have responded by moving the staircases and rooftop decks “back from the faces of the building.” (You've used the singular “building,” admitting that it's one structure.)
- (4. I don't feel the need to respond to your item #4.)
5. I deny and resent your impolite assertion that I used the words “Fire” and “Fire Danger” as “scary” words that “[I] like to use to create fear.” Fire danger is a legitimate concern, not one to be belittled.
6. I indeed will allow “the professionals” (i.e., the Department of Building and Safety, and all governmental reviewing bodies) to deal with the stair towers. I've never indicated the contrary. I've done nothing more than present my view that the towers exceed the height permitted by the Q condition and the provision of the municipal code section relating to roof structures for the housing of stairways.

7. You didn't meet with the neighbors until Mr. Muhlstein asked you to. That was long after the neighbors learned about the project for the first time by receiving the hearing notice in the mail.

8. No one has asked you to "accept random down-zoning of [your] property" and "random rules and regulations to only apply to [you]." Your victim mentality is unjustified. We neighbors are doing nothing more than ask that you respect the law: the requirements of the RD1.5 zone, the California Subdivision Map Act, and the City's small lot design guidelines. Please refrain from vilifying me and the other neighbors for exercising our democratic rights to argue for the proper application of the law to your project in our neighborhood.

9. Your statement that "the neighbors who came to the last Board meeting said that the Bel-Air Association does not represent them at all" is false. All that was said was what I said at that meeting, that we were unaware of the Association's architect's letter until Gary sent it to us. I also asked that it therefore not be attributed to us. The Bel-Air Association does represent many of us. For the purposes of tonight's meeting, which the Association is unable to attend, the Association has given me the attached letter to present to the board. As you know, the Association attended the Neighborhood's Council's March 18, 2014 special meeting concerning this project and spoke in opposition to it.

I'll see you tonight.

Sincerely,

Bruce

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

**Sent:** April 10, 2014 18:39

**To:** 'Gary-Gmail'; 'Bruce Kuyper'

**Cc:** 'Gary A. Plotkin'; 'Gary Plotkin'; 'CATHERINE R PALMER'; board@babcnc.org; 'Milton Miller'; 'Michael A. Kemp AIA'; 'Daniel Saparzadeh'; 'Farhad Ashofteh'; 'Noah Muhlstein'; 'Heather Bleemers'

**Subject:** Bellagio Project

Dear Bruce

No Need To apologize for anything. I had mentioned my five unit proposal in last Board meeting in which you were present and I know you have a copy of my letter that Mr. Plotkin had forwarded to you on March 22<sup>nd</sup> in which I mentioned my final position.

We have been working hard to Completely re-design the project from 6 to 5 units and in the revised design we have accommodated additional concerns that we could fit in our program. The design shall be completed by next week and at that time we will re-submit it to the Planning Department for their review and comments. At this point I believe we have done everything we possibly can to be sensitive to what we have heard from our adjacent neighbors that is reasonable. We have delayed our project and have gone through the time and expense of re-design. We have made ourselves available for every meeting. We will not accept random down-zoning of our property and will not accept random rules and regulations to only apply to us. It seems, at least on the surface, that this is an organized and united neighborhood. I would join the efforts of the community if they want to participate in a legal process to establish written design guidelines that will apply to everyone in the community, and re-zone the entire block to a lower or higher density. Until then, I will abide by the current rules and regulation and will resist individualized and made-up rules and/or suggestions that some elements in the community would like to only impose on us.

There are few unreasonable voices in the community with unreasonable demands that get repeated. Not every member of the community is present in the meetings or have spoken on the subject in fact the majority have remained quiet (please note that hundreds may be thousands live in the neighborhood). Although I have personally presented my views and responded to every comment I have heard, I will again take the time to respond to every item that you have brought up in your letter that you mention is "the response from the neighbors" to my proposal (Although I am not sure which neighbors you represent). The reason for this question is the last time I received a letter from the Neighborhood group called the Bel-Air Association, After I responded to the letter, the neighbors who came to the last Board meeting said that the Bel-Air Association does not represent them at all! In any case I do not want to ignore any voice and will happily respond to your letter too.

I highlight the items listed in your letter:

1- Number of Units: The neighbors who did not want to live in a multifamily zoned block should not have purchased property on that block. Can I ask to remove the freeway and block the traffic on Sepulveda now that I have purchased property there? Can I demand that a 2 story house shall be built across from me since I like their house to block the noise from Sepulveda? Random rules will create chaos and confusion and would give the right to others to demand other unreasonable rules.

- 2- Bellagio Curb cut: We have redesigned our project to only have one curb cut on Bellagio. Until the day that all curb cuts on Bellagio are illegal, we are entitled to have a curb cut like everyone else. Many have circular driveways and two curb cuts. If everyone agrees to remove their driveways we will eliminate ours. Also can I get a reserved parking spot in front of your property or anyone else on Bellagio because I am planning to have 3 cars and have converted my garage to a guest room?
- 3- Roof Top Decks: We have pushed the staircase way back from the faces of the building and did the same with the roof decks and now they are barely visible. The roof decks at all points are set-back considerably from the edges of the building. The current codes allow roof decks including on the single family homes and unless the codes change to restrict roof decks in the entire neighborhood, we will maintain them in our design.
- 4- Subterranean Parking: You have a massive Apartment building currently under construction on this block that has a subterranean Parking structure. Subterranean parking does not work with Small Lot subdivision that creates single family homes without common facilities. If we wanted to do subterranean parking structure with Common stair shafts, elevators, lobby, corridors, manager's office, community rooms, driveway ramp to the basement, etc. we would end up with a much larger building and your assumption of *"allowing for more square footage of living space to increase their sale value"* or reducing the bulk of the building, cannot be further away from reality. Since you are not aware of the requirements of a building with subterranean garage You cannot just suggest it and make false assumptions about it.
- 5- Fire Danger: Our project will be built with much higher fire safety standards than most other homes in the area. It will be equipped with a full fire sprinkler system and will be built with materials that will be much more fire resistive than most homes in the area. Although "Fire" and "Fire Danger" are "scary" words that you like to use to create fear, this building will most likely be a safe haven for its residents and will not be a threat to others. You may want to direct your fear towards homes with wood shingle roofs, open attic vents, wood burning fireplaces, dried and overgrown vegetation, Gutters full of dead leaves, unprotected openings, un-rated garages And yards full of dead wood and piles of dead leaves like the one directly across the alley from our property.
- 6- Stair Towers: Your belief of the illegality of the stair towers is respected, but please allow the professionals that deal with this issue everyday handle the legality of it. If it is Illegal it won't be done. There are public officials that work to enforce codes in fact one of the largest Departments in the City of Los Angeles called "The Department of Building and Safety" is established to do just that. I am sure you are aware that there are thousands of other codes that are applicable to any new building and while you may have time and would like to bring them up one by one and question their legality, unfortunately I don't have the time and I would rather spend my time learning them and then abide by them and make sure the buildings that I design meet all the prevailing codes and regulations.
- 7- Interest of the developers in continuing to attempt to reach a resolution: I have very much enjoyed meeting the members of this neighborhood even though we agree to disagree on several issues I am very glad that I was able to meet them. We have made every effort to work with the neighbors and re-designed the building twice and requested an extension of time. Our Final design will be presented to the Planning Department next week so they have time to review the project prior to the Board meeting and comment on it. I am afraid any further attempts to spend time with the neighbors will have to be during the construction phase of the building during my site visits and I'll be happy to invite everyone for Lunch at Manny's Pizza. I'll be happy to discuss all problems that this neighborhood is currently facing and help to solve them.

I am sorry about the long email but I need to have a full response to every comment. I still believe in the process and an open dialogue. The same way that I have responded in writing to your comments, I have responded in my architectural design and have taken the time to hear everyone, and carefully respond and be a responsible developer. I appreciate everyone's time and I am sure once the building is built, it will have a positive impact.

Warm Regards

Farhad Ashofteh

Architect

**From:** Gary-Gmail [<mailto:gary.a.plotkin@gmail.com>]

**Sent:** Thursday, April 10, 2014 2:26 PM

**To:** Bruce Kuyper

**Cc:** Farhad Ashofteh; Gary A. Plotkin; Gary Plotkin; CATHERINE R PALMER; <[board@babnc.org](mailto:board@babnc.org)>; Milton Miller; Michael A. Kemp  
AIA

**Subject:** Re: Deborah Kahan

Bruce

At this point Mike and myself will relinquish negotiations to Farhad and yourself and conduct a final vote at the next meeting

Gary

Sent from my iPhone

Gary

Gary A Plotkin

310-472-7286 L.A.

760-200-5468 P.D.

E-mail [gary.a.plotkin@gmail.com](mailto:gary.a.plotkin@gmail.com)

On Apr 10, 2014, at 1:34 PM, "Bruce Kuyper" <[bruce@kuyper.name](mailto:bruce@kuyper.name)> wrote:

Farhad,

I sincerely apologize that this email and your subsequent one the same day was caught in my spam folder on my email host's server, so I only found them now. (This has happened to me recently for emails from Gary and from at least 2 of my neighbors.) That's why I neglected to respond to your email until now. I've added your email address to the spam settings so that it shouldn't happen again. Again, I'm really sorry for not checking my spam folder more frequently and therefore not responding until now.

Mike subsequently forwarded to you the same day (last Thursday) my email to Gary and Mike the prior Sunday with the neighbors' thoughts. (I had thought that Gary and Mike would either react to it and respond to me, or forward it to you, just as they had forwarded to me your prior proposal that you had sent to them and not to me or any other neighbors.) I haven't seen or heard any response to the neighbors' thoughts from you or Gary or Mike.

Bruce

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

**Sent:** April 3, 2014 16:25

**To:** 'Gary A. Plotkin'; 'Bruce Kuyper'; 'Gary Plotkin'; 'Gary Plotkin'

**Cc:** 'CATHERINE R PALMER'; [board@babnc.org](mailto:board@babnc.org); 'Milton Miller'; 'Michael A. Kemp AIA'

**Subject:** RE: Deborah Kahren

Hi everyone.

I have not received a collective response from the neighbors to our latest revisions.

Please forward that email.

Regards

Farhad

**From:** Gary A. Plotkin [<mailto:GPlotkin@prllplaw.com>]

**Sent:** Thursday, April 03, 2014 3:03 PM

**To:** Bruce Kuyper; Gary Plotkin; Gary Plotkin

**Cc:** 'CATHERINE R PALMER'; [board@babnc.org](mailto:board@babnc.org); 'Farhad Ashofteh'; 'Milton Miller'; Michael A. Kemp AIA

**Subject:** RE: Deborah Kahren

**Bruce:**

I haven't heard anything from Farhad. I have asked all of the board members to do a drive by so that they can understand the project. Hopefully this can be resolved in the next couple of weeks because I don't have much time to deal with this issue on the April calendar.

*Gary A. Plotkin*

*President*

Bel-Air Beverly Crest Neighborhood Council

Municipal Building

1645 Corinth Avenue, Room 103-4

Los Angeles, California 90025

Office: (310) 479-6247

Office Fax: (310) 479-0458

Mobile: (818) 515-0333

**[gplotkin@babnc.org](mailto:gplotkin@babnc.org)**

**From:** Bruce Kuyper [<mailto:bruce@kuyper.name>]

**Sent:** April 03, 2014 2:56 PM

**To:** Gary Plotkin; Gary Plotkin

**Cc:** 'CATHERINE R PALMER'; [board@babnc.org](mailto:board@babnc.org); 'Farhad Ashofteh'; 'Milton Miller'; Michael A. Kemp AIA

**Subject:** RE: Deborah Kahen

Thank you very much, Gary.

I sent you and Mike an e-mail on Sunday at 8:00 p.m. with the neighbors' collective response to Farhad's and Daniel's proposed revision. I haven't received any response.

Bruce

**From:** Gary Plotkin [<mailto:gary.a.plotkin@gmail.com>]

**Sent:** April 3, 2014 09:48

**To:** [board@babnc.org](mailto:board@babnc.org); CATHERINE R PALMER

**Cc:** Farhad Ashofteh; [bruce@kuyper.name](mailto:bruce@kuyper.name); Milton Miller

**Subject:** Deborah Kahen

Last night I attended the City Planning Mobility Event and met Deborah Kahen, who works in the office of the Zoning Administration. Her expertise is Small Lot Subdivisions. She gave me a quick and valuable education on the subject and will together with an associate make a presentation at our next Board meeting. Hopefully we will all benefit from the presentation and better understand the process.

If you intend to vote on the Bellagio matter, I encourage you to view the project before the meeting.

Michael and myself are still available to meet with the neighbors.

*Gary*

Gary A. Plotkin

Financial and Business Consultant

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## DONALD LOZE

Dear Members of the BABCNC Board:

I urge you not to support the motion in favor of the Applicant for the project at 117670 Bellagio Road.

While I greatly respect the time and effort that the exercise of examining this Application has been given, as a matter of law the project does not qualify for support or approval.

1. This is a residential area. Any designations contrary to that presented by the applicant do not qualify under the General Plan which dominates. It is not consistent with the General and Community Plan as set out by the residents' filings with the Advisory Agency. In particular this project violates the Bel Air Beverly Crest Community plan which sets out "preserving single family residential quality..." in its goals. The proposed project would destroy one single family residence, would sit between two others and exist immediately across the street from other single family residences. This violation disqualifies this proposed project which should not be supported or approved.

2. The initial application for a Variance, which set this application before the Advisory Agency, does not qualify as the five elements necessary for a Variance cannot be met. For that reason the Applicant withdrew the request for a Variance and seeks an alternative submission as discussed next.

3. The Small Lot Subdivision Ordinance ( SLSO) is inapplicable as it is contrary to the General Plan and Community Plan and fails to satisfy the intent of the SLSO. It violates the residential character of the homes on either side of it and other residences on the street. Further, the purpose of the SLSO is not satisfied in that there are no adjacent amenities available for any occupants of the project. The underlying purpose of the SLSO is to encourage use of the adjacent commercial area for the convenience of the residents, to limit transportation, to activate street activities and provide affordable housing.. This site is not conducive to satisfying those purposes. The "conveniences " that exist are two gas stations opposite a meridian and two roadways from each other, and divided by roadway from the proposed project. These are not adjacent to the project. Further not adjacent to the project on the side of the most southerly gas station are two commercial establishments with limited use to residents- an upscale restaurant and bar open for limited hours, and a snack shop. To the west, opposite the gas stations, are one pizza restaurant, a beauty shop and cleaners which are situated across one of the most trafficked roadways in the City-Sepulveda Blvd- which has behind it to the west the 405 Freeway. These are not adjacent to the proposed project and do not conform to the intent of the SLSO. For all these reasons the SMSO does not qualify for to this application.

4. For the above reasons the Neighborhood Council, as mandated by the Planning Department, is authorized to make a determination on this voluntary application which is not a "by right" project. It does not qualify for any of the elements which would authorize it to be a by right project. The application is currently before the Advisory Agency for as a result.

Therefore, I urge you *not* to vote for the motion in support of the Application.

*Donald Loze*

# WILDLIFE CORRIDOR SANTA MONICA MNTS

14-0518 (Hillside Ord Zone)

APR 23 2014

## PLANNING & LAND USE MANAGEMENT

### MOTION

There are various communities throughout the city that are the location of natural lands and low density residential neighborhoods where wildlife exist— under the jurisdiction of the hillside ordinance. Unfortunately in these and other communities in the city, development activities often involve actions that detrimentally impact wildlife movements.

Without doubt private property interests and environmental considerations benefit by definite and consistent guidance on the environmental regulatory controls needed in any proposed land use development project.

The Santa Monica Mountains Conservancy have begun looking into wildlife corridors within its territories, which will prevent further injuries and deaths to wildlife, and protect the remaining open spaces and wildlife linkages that exist. Incursions into the habitat of wildlife in the city is counter to the intent and protections offered under the California Environmental Quality Act (CEQA).

The city needs to preserve the wildlife corridors in the eastern area of the Santa Monica Mountains (Hillside Ordinance zone), and to designate this area as a Regional Wildlife Habitat Linkage Zone, and to develop the necessary land use guidelines and measurable metrics to protect this region and dwindling habitat areas citywide.

I THEREFORE MOVE 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 Citizens for Los Angeles Wildlife (CLAW) and the Mulholland Design Review Board (MDRB), to prepare and present an ordinance to create a Wildlife Corridor in the eastern area of the Santa Monica Mountains (Hillside Ordinance zone) that requires the following:

1. Do not issue any building or grading permits until project applicants ensure that they will permanently accommodate wildlife habitat connectivity as part of their development projects.
2. Require easements and deed restrictions in perpetuity to protect wildlife habitat connectivity.
3. Formally designate the area as a Regional Wildlife Habitat Linkage Zone in the Municipal Code, in as much as just one single family residential project can cause adverse impacts to the existing and threatened wildlife populations.
4. Require a Biological Constraints Checklist as part of every new building project will undergo a 'habitat connectivity and wildlife permeability review' within areas of concern.

PRESENTED BY:

*Paul Koretz*

PAUL KORETZ

Councilmember, 5<sup>th</sup> District

SECONDED BY:

*Heidi*

*Michael O'Zurek*

*David Brown*

APR 23 2014

ORIGINAL