



Building A Better Community



MINUTES

**Bel Air-Beverly Crest Neighborhood Council Monthly Board Meeting (Virtual)
Wednesday March 24, 2021 7:00 pm – 9:00 pm**

Present: 28 (Quorum 15)

Attachment “A”

| 2020/2021 Stakeholder Groups / Representatives | <u>Present</u> | <u>Absent</u> |
|---|-----------------------|----------------------|
| Bel Air Crest Master Homeowner Association | | |
| <i>Irene Sandler, Traffic Committee Chair</i> | X | |
| Bel Air Association | | |
| <i>Gail Sroloff</i> | X | |
| Bel Air District | | |
| <i>Mark Goodman, M.D.</i> | | X |
| Bel Air Glen District | | |
| <i>Larry Leisten, Bylaws, Rules & Elections Chair</i> | X | |
| Bel Air Hills Association (BAHA) | | |
| <i>Robin Greenberg, Board President</i> | X | |
| <i>Wendy Morris</i> | X | |
| Bel Air Ridge HOA (Alternate is Ed Cain) | | |
| <i>André Stojka</i> | X | |
| Benedict Canyon Association (BCA) (Alternate is Matt Post) | | |
| <i>Robert (Bob) Schlesinger, PLUC Chair</i> | X | |
| <i>Donald Loze</i> | X | |
| <i>Nickie Miner, Asst. Treasurer, Budget & Finance Chair</i> | X | |
| <i>Mindy Rothstein Mann, Environmental Cmte. Chair</i> | X | |
| Casiano Estates Association | | |
| <i>Robert Garfield, DDS</i> | X | |

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|--|----------|----------|
| Commercial or Office Enterprise Districts (Alternate is Rob Farber) | | |
| <i>Jacqueline Le Kennedy (Treasurer)</i> | X | |
| Custodians of Open Space | | |
| <i>Travis Longcore, Ph.D., Parliamentarian</i> | X | |
| Doheny-Sunset Plaza Neighborhood Association (Alternate is Barbara Dawson) | | |
| <i>Ellen Evans, VP Operations; Outreach Committee Chair</i> | X | |
| Faith-Based Organizations | | |
| <i>Jackie DeFede</i> | | X |
| Franklin-Coldwater District (Alternate is Steven Weinberg) | | |
| <i>Maureen Smith</i> | X | |
| K-6 Private Schools | | |
| <i>Teresa Lee</i> | X | |
| 7-12 Private Schools | | |
| <i>Jon Wimbish</i> | | X |
| Public Educational Institutions (K-12) | | |
| <i>Kristie Holmes</i> | | X |
| Holmby Hills Association | | |
| <i>Jason Spradlin</i> | X | |
| Laurel Canyon Association (LCA) (Alternates are Anne Alexander & Kris Le Fan) | | |
| <i>Jamie Hall, VP of Legislative Affairs</i> | X | |
| <i>Stephanie Savage, PLUC Vice Chair</i> | X | |
| <i>Cathy Wayne</i> | X | |
| <i>Heather Roy</i> | X | |
| Members-at-Large | | |
| <i>Chuck Maginnis, EP Committee Chair</i> | X | |
| <i>Maureen Levinson joined at 8:03 when appointed</i> | X | |
| <i>Shawn Bayliss</i> | X | |

| | | |
|---|--------------------------------------|-----------------|
| Member-at-Large / Youth Seat | | |
| <i>Philip Enderwood, Public Safety Liaison</i> | X | |
| North of Sunset District (Alternates are Stella Grey and Barbara Dawson) | | |
| <i>Yves Mieszala</i> | X | |
| <i>Patricia Murphy</i> | X | |
| Residents of Beverly Glen (RoBG) | | |
| <i>Robert A. Ringler, Secretary</i> | X | |
| <i>Dan Palmer</i> | | X |
| Total: | 28 (vacancy filled @ 8:03) | 5 absent |

- 1. Call to Order/Roll Call** (Quorum 15) Robin Greenberg called the meeting to order at 7:00 pm. Robert Ringler called the roll with 26 present initially; Irene and Larry arrived shortly thereafter for a total of **28 present**. [Robert Ringler left at 8:00pm; Maureen Levinson was appointed to fill Marcia Hobbs' At-Large seat & joined meeting at 8:03. Jason left by 8:23 with 27 present; Philip left at 8:45 with 26 present until 9:10 when Ellen & Wendy left with 24 present.]
- 2. MOTION:** Approve March 24, 2021 Agenda (per Bylaws, Article VIII, Section 2) **Moved** by Bob; **seconded** by André. Larry noted that the funding motion below is not just for an email address but for a Google Workspace Account, which includes an email address among other things, to end by the end of the fiscal year. He recommended considering extending it to the end of Fiscal Year 2022 - June 30, 2022. **26 yes; 0 no; 0 abstentions; Agenda approved as amended.**
- 3. MOTION:** Approve February 24, 2021 Meeting Minutes (**Attachment A**) **Moved** by Bob; **seconded** by Robert; **26 yes; 0 no; 0 abstentions; approved as written**
- 4. Public Comments:**
Jamie Hall pointed out the Black Walnut trees in his Zoom background and encouraged people to go out safely to experience nature and treasure where we live and how nature comes back and gives us this gift every spring.
Wendy Morris related that more people are experiencing the significant air noise. There is a lot of movement at the congressional level and legislation is required to promote the idea that people on the ground matter as much as people in the air. She invites us to avail ourselves of the "Save Our Skies LA" website <https://sosla.org/> & the "Studio City for Quiet Skies" website <https://www.studiocityforquietskies.com/> and email your questions to her.
- 5. Representatives of Elected Officials & City Agencies**

- **Assemblymember Laura Friedman, District 43** – <https://a43.asmdc.org/?linkId=39530048&page=11>
Robin introduced Assemblymember Friedman, noting that she was elected to the California Assembly in 2016; she represents, among other things, neighborhoods of Beachwood Canyon, Los Feliz, East Hollywood, Franklin Hills, Silverlake and Atwater Village. Her primary focus is on housing affordability, homelessness, combating climate change and protecting vulnerable communities. She is the new Assembly Transportation Committee Chair.

Assemblymember Friedman related that she had previously been Chair of the Natural Resources Committee for a year and a half. In Sacramento she does a lot of work around climate change, preservation of natural resources, clean air, clean water, and water efficiency, having served on the Board of the Metropolitan Water District for several years when she was a City Council Member in Glendale. She worked on the recycling crisis, clean energy and the transition to clean energy. Earlier this year, she left the Natural Resources Committee to Chair the

Transportation Committee. She noted that overall, they have been doing really well transitioning to clean energy, with a lot of solar on the grid now and agencies and power suppliers transitioning quickly off of coal, and, in some cases, natural gas, to more sustainable power generation. Transportation Committee allows her to make a greater difference, to be a part of the transition to Zero-Emission Vehicles, getting people out of cars and into public transportation, and encouraging active transportation, e.g., walking and cycling, and creating more livable cities.

Her 1st bill this year AB43 https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB43 is to give cities and municipalities more tools to deal with traffic collisions and traffic safety. She discussed the problem of how we set speed limits in California: Every 10 years, in order to give traffic tickets, they have to do a speed survey and cannot set speed limits to less than 80% of what speed surveys showed. During the pandemic, traffic surveys came back and they had to raise speed limits 10 miles an hour on residential streets as a result of the surveys. Asm. David Chiu has legislation to allow for automated speed enforcement cameras, which she is supportive of but expects it will be a heavy lift to get this passed. She suggested weighing in as a neighborhood council. Robert Ringler interjected that there is need for the presence of a traffic officer in order to enforce speed.

Assemblymember Friedman discussed the task force set up two years ago on “**Vision Zero**” to set speed limits to reduce traffic deaths. Vision Zero was funded; they came up with robust recommendations of how to reach Vision Zero with 85 percentile reform being one. They are introducing other suggestions from the report in AB43 on how to engineer roads, change vehicle codes to center on traffic safety rather than moving cars quickly through communities; giving municipalities more guidance and tools about slowing down traffic where appropriate and make sure the roads are safer for walking and riding bikes.

The Assemblymember noted that traffic accidents are the leading cause of death of children. This is a public health crisis that we can do something about. She asks that we take a look at AB43 and come out to support it. She represents Hollywood, where homelessness is a huge crisis, and is happy to talk about that.

Climate and the environment legislation is a huge issue of hers. She has legislation on protecting state rivers, and is working on building on water-efficiency legislation. They are going into allocations now and will have to reduce water usage. She has been working successfully on having a water budget throughout the state, so everyone is as water efficient as we are in California, and look at water as a precious resource.

Assemblymember Friedman related that she does a lot of work with fire prevention; has worked on fire bills last year, making nursing and other congregant homes more fire resilient, with emergency plans. They did successful legislation last year on “defensible space” in High Fire Severity Zones (HFSZs), the most effective way of dealing with wildfire resiliency as embers are the primary cause of ignitions of structures. This year they are working on fire resiliency with a goal to expand use of prescribed burns in the state’s forestry areas and updating codes, making sure all new construction in HFSZs have the highest standards for fire so communities understand where fire results in the era of climate change.

The Assemblymember co-authored a bill on plastic pollution and recycling, to include that no large online shippers can use plastic or polystyrene in their packing material, to not use non-recyclable single-use plastic that fills up our landfills and oceans. She thanked us for the work we do. Robin thanked her and Q&A followed.

Larry Leisten asked about a bicycling issue, to which the Assemblymember related that she is a joint author of legislation which allows for bicycle riders to yield and slow down at stop signs, which reduces traffic accidents. It is a one-year pilot to collect data; allows cyclists under conditions where they can clearly see all other vehicles at a four-way stop to treat it as a yield. If they can see no one else there, they can slow down and yield. For further questions, write to her at: assemblymember.friedman@assembly.ca.gov You can also email her through her website. <https://a43.asmdc.org/?linkId=39530048&page=11>

Jamie Hall urged the Assemblymember to vote NO vote on SB9 unless there is an exception for Very High Fire Hazard Severity Zones (VHFHSZs) as this bill will cause tremendous harm to the natural environment, including in the Santa Monica Mountains where the City has decided to do zero environmental review for the overwhelming majority of new projects in the mountains. Asm. Friedman noted that a few assemblymembers voted against this last year, and it passed but didn’t make it in time.

Don Loze asked for her solutions on the homeless problems in LA, to which Assemblymember Friedman noted that Los Angeles County has been doing a pretty okay job of moving people from the streets into shelters and permanent housing recently; however, more people are becoming homeless every day and need to be helped with support services to stay housed. She doesn't know how to solve problems that contribute to homelessness such as substance abuse, as the drugs on the streets are addictive, and the chronic homeless are suffering with a substance abuse and mental illness component.

The Assemblymember noted that in addition to needing to find a way of getting drugs off the street there is the need to increase housing. She stated that we don't have enough housing in this region to house the population that we have. We must allow for housing to be built that adds to quality of life for living and working here. Rents are too high and though LA has rent control, a lot of the people in our homeless shelters did not have rent control. They work during the day and come home to shelters. She feels that we need a coordinated effort to tie the efforts together; we have too many non-profits, different approaches, and need a lot more coordination. We need metrics to evaluate all of those programs to see which ones work; we need cost control and should not be spending \$700,000 a unit. She noted that we do not have a housing czar or one central location to oversee all of this. Robin expressed appreciation for Assemblymember Friedman and thanked her for coming this evening.

- **CD4 Rachel Fox, Deputy Representative for Councilmember Nithya Raman:** Rachel Fox gave updates on the following: Emergency Rental Assistance Program (between City & State) Application opens 03/30. Recipients must live in City of LA and demonstrate that they have been affected by COVID-19.
- Tenants Protections Clinic with CM Raman & Bet Tzedek was scheduled for 03/30 but is pushed back (pending).
- They completed their first project for the Volunteer Core, calling folks over 65; made about 12,000 calls, now calling for winter shelter bed availability.
- CM Raman co-signed a motion to address all the AAPI hate and violence that hit the city and country recently, and is requesting a report back on data & possible mitigations for victims when those instances occur.

- **Octaviano Rios, NEA from DONE:** Virtual Meetings: Octaviano asked us to let BONC know how we feel about virtual meetings for the NC system. They would like to think about whether to develop a hybrid system, to go back to in-person or go back to exclusively virtual meetings. They're starting to collect feedback. Send to commission@empowerla.org Updates on Facebook and Instagram: On March 4th the ban was lifted for paid political ads. We can use NC funds to promote our NC elections. He warned that there have been occasional emails to defraud NCs. If you got an email that sounds suspicious, requesting transferring funds to an individual posing as a board member, call your colleague and verify that the email is coming from them.

- **Ethan Weaver, Hollywood Neighborhood Prosecutor** noted that party houses remain a big issue. Keep him and Veronica de la Cruz in the loop. They are preparing for business re-openings along Hollywood Boulevard.

6. Reports of Officers

- a) President – Robin Greenberg loves having dynamic special guest speakers as we had this evening.
- b) Vice President of Operations – Ellen Evans invited those who need help accessing Google Drive to ask her.
- c) Vice President of Legislative Affairs – Jamie Hall asks that we think about SB9 and how it will affect us. He noted that the LA Times Editorial Board says to “Stop the Insanity” in terms of development in Very High Fire Hazard Severity Zones, which idea is getting traction.
- d) Secretary – Robert Ringler thanked Robin for having Laura Friedman and noted that we need to support traffic safety.
- e) Treasurer – Nickie Miner: (Update, Discussion & Possible Action)

MOTION: Approval of February 2021 Monthly Expenditure Report (MER) (**Attachment B**)

Moved by Nickie; **seconded** by Jacqueline; **27 yes; 0 no; 0 abstentions; 5 absent & 1 vacancy; passed**

7. **MOTION:** To fill Board Vacancy of Marcia Hobbs' At-Large Seat on an Interim Basis until Board Election June 8th: Individuals interested in filling the vacancy created by Marcia Hobbs who resigned her At-Large seat include but are not limited to Robinson Farber, Maureen Levinson, Barbara Dawson. The following individuals introduced themselves:

- **Maureen Levinson:** Maureen is interested in occupying the At-Large seat. She cares about issues of the hillsides, and has been on this board previously. She is with the Bel Air Association, as their webmaster. She is an EMT, is on CPAB with our WLAPD. She is on the BABCNC's PLU Committee, Emergency Preparedness Committee, Environmental Issues Ad Hoc Committee, and the Ad Hoc Committee on Party Houses as well as the LADBS Ad Hoc Committee.

- **Robinson Farber** was a board member from 2017-2019; has been a member of the Traffic Committee; is a member of the Budget & Finance Committee and the Emergency Preparedness Committee. He has been Assistant Treasurer. He is the newly-appointed WRAC Homelessness Committee member, about which he is available to give update tonight. He is being considered for CD5 Homelessness Committee. He'd like to help in any way he can.

- **Alisha Bauer** is a resident of Bel Air and a BAA member. She became aware of the BABCNC a few years ago, shared concerns with neighbors regarding native trees; is passionate about improving the city, and hopes to represent the voices of the community. She will remove her application.

Maureen Smith asked if the person running for this temporary seat can also run for the election, to which Larry related that if one is currently a candidate one can run for the seat but if successful, would ask that said individual remove their candidacy. For this position, the individual would serve for a few months and not have an opportunity to run for a seat in this current election; however, one could strengthen one's candidacy for the following election.

Ellen announced that Barbara Dawson is withdrawing her candidacy because she is running in the upcoming election.

As to the voting procedures, Larry noted that the Brown Act requires an open ballot. The public, if they wish, can see who votes for whom. He noted that in face to face meetings there has always been a reluctance for people to raise their hand; we would previously have a slip of paper, and, if someone wished, they could ask the individual who tabulates votes who voted for whom. In this format, we could go to the chat function, click the dropdown menu and send a direct message to the Moderator, Ellen, with the name of the candidate voting members wish to vote for.

The board was given a chance to vote for the three candidates, Maureen Levinson, Robinson Farber and Alisha Bauer, Following a tally by the Moderator, **Maureen Levinson** had the majority. President Greenberg **seated** Maureen Levinson to be the At-Large replacement for Marcia Hobbs, as **moved** by Nickie, **seconded** by Bob, and **approved** unanimously by the Board. *[Attention was turned to #9.]*

8. BABCNC Elections & Selections – Important Dates: (Candidate Filing Period closed March 23rd) L. Leisten

- Vote by Mail Application (period stakeholders can request a ballot) opens April 9 & closes June 1
- Region 11 BABCNC Election Date is Tuesday June 8
- **New drop box location is at Barrington Recreational Center 333 S. Barrington Ave., Los Angeles, CA**
- Mail-in Ballots needs to be postmarked by Election Day and received within 10 calendar days thereafter.
- Selection Candidate Filing Period: March 6 – April 6
- Meet & Greet for Selected and Elected Seat Candidates – Prior to start of the April 28th Board Meeting
- Town Hall Selection – Prior to start of the May 26th Board Meeting

Larry gave updates to include but not limited to:

There has been a glitch where candidates who don't live within the area are not being challenged yet. We need to verify that their residential address is outside of the district and that they don't own property in the area.

The City is using County General Election Drop Boxes, and, as none were available within our territorial boundaries, we were assigned one originally at the library on San Vicente. It was overly burdensome for our stakeholders on the eastern portion of the territory and we requested another option, e.g., the drop box used by Hollywood Hills West NC (HHWNC), which request was denied. We now have a new location in front of the Barrington Rec Center, in front of the tennis courts on Barrington Avenue, which is much easier to get to for those who do not want to rely on USPS.

The Clerk's office has extended by 7 calendar days the date by which mail-in ballots need to be received. Ballots must be postmarked no later than Election Day and can be received within 10 calendar days of Election Day. Votes have to be counted and results certified. We will likely need to seat the new board in July as Raquel Beltran has advised and have officer elections at the August or if dark in August September meeting. This is up to the president.

We have a Meet & Greet for Selected and Elected Seat Candidates prior to start of the April 28th Board Meeting
Larry noted that Ellen has been doing a really good job in outreach and in assisting in the management of this election.

Philip asked about the changes to the At-Large Youth Rep seat to 14-17, while our bylaws state 18-25, to which Larry related that the City, by ordinance, made the change. When the Youth seat was created, it was the option of each NC to establish a Youth seat on their board. We determined the range should be 18 years of age to no greater than 25 years of age. When the city lowered the voting age to 16, it made a change to the Youth seat citywide for each and every NC to lower the age range with which you could run for that seat from 14 to no more than 17. He noted that we were powerless to challenge it, as it is per city ordinance.

Larry noted that if a higher law such as a city ordinance, state law, or other goes into effect, by operational law that changes the rules of a document, e.g., bylaws, HOAs' CC&Rs, etc. The rule for Youth seat is now 14-17. The option that is reserved with each NC is that it can eliminate the Youth seat; it is not a mandatory seat but is an optional seat.

Philip noted that through the City Charter, we were given autonomy in to establish At Large seats. Philip found Ordinance 186760 re Youth seat https://clkrep.lacity.org/onlinedocs/2018/18-0467_ORD_186760_10-16-2020.pdf and #186761 with definitions of stakeholder, a community interest stakeholder and community organization, which for a long time was defined by each NC https://clkrep.lacity.org/onlinedocs/2018/18-0467_ORD_186761_10-16-2020.pdf

Philip asked that everyone tell their neighbors to get their ballots and make sure they go out and vote.

Nickie expressed concern that in recent weeks, she has not been able to see the postmarks, and questions the validity of ballots getting there by a certain date according to a postmark.

Don suggested we write a letter to DONE to protest having just one drop box for our NC, noting that the purpose of the NC is to encourage participation.

Wendy asked for clarification on the age of voting being 16, while the Youth seat reps age is 14-17, to which Larry noted that the Youth Seat voting age is 14 years or older. They lowered the voting age to 14 only for the Youth seat so if you are 14 or 15 you can only vote for this seat. He expects the Clerk will have this set up in the portal. He related that he was at the BONC meeting with Robin and expressed his concerns to Sofia at the Clerk's office because of the unique governmental structure of our board. Asked if the 14-15 year olds once elected can vote for all the things we vote for, Larry responded in the affirmative, noting that if they are a board member, they are on the same level as each board member with regard to voting as well as responsibilities.

Ellen added that the Selection form is open until April 6th. Selection seats are: Open Space, the two Private School seats and Religious Institutions. Spread the word. We currently have one candidate for Open Space.

As to Don's request for a letter, Larry noted that Ellen crafted a letter to the Clerk's office in response to the initial assignment to the Brentwood Library and requested possibly relocating the drop box location to an area more central east/west wise. Larry had drafted an email questioning their rationale for rejecting our proposal for a second drop box location. He wonders whether we should do this now or further along in the election. He will work with Ellen on this. He noted that they have been in communication with Nathan Singh, our liaison in the Clerk's office, along with his superior, Renée McDade, and Sofia. He has written to Holly Wolcott. He thinks we should send a letter to Holly, our Councilmembers and the Mayor's office. Don thanked Larry and Ellen for taking on what should have been a ministerial task, noting that this is not the way neighborhood councils should be treated. *[Attention was turned to #7.]*

New Business (Discussion, Possible Action, Letter &/or CIS Submission)

9. **MOTION:** Appoint Rob Farber, Patricia Murphy & Mindy Mann as BABCNC Reps to CD5 Homelessness Committee **Moved** by Cathy Wayne; **seconded** by Larry; **25 yes; 0 no; 1 abstention; passed** *[CD5 later chose Rob Farber only.]*
10. **FUNDING MOTION:** To issue a BABCNC email address for Stella Grey, per motion approved at the 02-24-2021 meeting for selected individuals who are significantly involved in the NC to have an email address. Stella is a North of Sunset District Alternate who regularly attends board meetings. She is a member of PLU Committee and several ad hoc committees. Cost is \$6.00/month = \$72.00/year **Moved** by Chuck **seconded** by Larry. **Amended motion:** To issue a BABCNC Google Workspace Account to Stella Grey, and to extend the term to the end of the fiscal year FY 2022, to June 30, 2022 in light of the motion that the council adopted last month. **Moved** by Larry; **seconded** by Chuck; **24 yes; 0 no; 1 abstention; 8 absences; Passed as Amended** *(Attention was turned to PLU)*

Items #11, 12, 13 & 14.a were deferred due to time constraints

11. **CARE+ Cleanups / COVID-19 Crisis / Homeless Encampments / Centers for Disease Control (CDC) Guidelines**
Council File Link: <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=21-0031>
Bonin/Raman Motion: https://clkrep.lacity.org/onlinedocs/2021/21-0031_mot_01-12-2021.pdf (**Attachment C**)
DISCUSSION & POSSIBLE MOTION: Consider Council File #21-0031 motion introduced by Councilmembers Bonin and Raman on January 12, 2021, which instructs the City Council to direct LA Sanitation to develop voluntary, service-based protocols for CARE+ operations citywide.
12. **CF#20-0995 Short Term Rental Ordinances / Short Term Rental Companies / Implementation and Enforcement**
Council File Link: <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-0995>
Related Council Files: 14-1635-S2; 18-1246
Blumenfield/Ryu Motion: https://clkrep.lacity.org/onlinedocs/2020/20-0995_mot_08-11-2020.pdf (**Attachment D**)
DISCUSSION & POSSIBLE MOTION: To submit a CIS to *support* or *support if amended* Blumenfield/Ryu relative to having the City Attorney instruct the Department of City Planning, the Department of Building and Safety, and other relevant city agencies to report on the progress of implementing and enforcing the City's Short Term Rental ordinances and advise if more remedies are needed to ensure Short Term Rental companies and users abide by established law. (*Passed in the LA City PLUM 02/16/2021 – Passed City Council on 03/03/2021*)
WHEREAS the current ordinance requires hosts to be primary residents and this is often fraudulently claimed and is easily "proved" by the required documents
WHEREAS the ordinance should require that any site that publishes listings or provides a means to reserve short-term rental must have a platform agreement, or hosts cannot list on that site
WHEREAS most homeowners insurance doesn't cover home sharing activities and this is especially a problem in very high fire hazard severity zones where partying visitors could start a fire
WHEREAS fines meted out have been at the extremely low end of what is allowed under the ordinance and there is no automatic communication of violations to Planning
WHEREAS the ordinance is meant to allow only primary residences to be utilized as home sharing facilities, and whereas neighbors frequently find that absentee owners and absentee renters are granted home-sharing permits, BABCNC suggests that means for proving primary residency be restricted further, particularly as follows: 1) Primary residence by owners can only be given to those homes recorded by the County Assessor as primary residences and 2) Landlord affidavits can only be used in conjunction with a method of confirmation by neighbors that the lessee resides in the home.
BABCNC therefore advises that Short Term Rental companies and users abide by established law and we recommend that greater enforcement of existing remedies are implemented by the City Attorney.
13. **DISCUSSION & POSSIBLE MOTION:** Send letter to the City Planning Commission and Planning Department RE: All vacant/excess lands owned by the city and its subsidiaries (such as the LADWP) to be **designated Open Space**. The Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority frequently purchase parcels of land as they become available to preserve open space. The zoning of the parcel, regardless of its zoning prior to the purchase, needs to be changed in all official records to Open Space.
14. **Westside Regional Alliance of Councils (WRAC) (Discussion & Possible Action) – Robin Greenberg**
- a) **Affordable Housing Legislation/Support for SB 15 (Portantino) and SCA 2 (Allen & Wiener)**
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB15 (**Attachment E = from WRAC**)
DISCUSSION & POSSIBLE MOTION: To support position that there is a need for positive solutions to the state's affordable housing crisis, specifically as it relates to workforce and low-to-moderate income housing. Solutions should involve legislation that 1) focuses on increasing the production and supply of truly affordable housing; 2) does not compromise public safety or the environment; and 3) respects principles of democracy, local land use control and self-determination of local governments to expand housing opportunities unique to their jurisdictions. THEREFORE, BABCNC supports Senate Bill 15 (Portantino) & Senate Constitutional Amendment 2 (Allen/Wiener) as examples of positive legislation that forward the goal of achieving more affordable housing consistent with these principles.
- b) **Oppose Proposed Land Use Decision Appeal Fee Increase**
Council File: <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=09-0969-S3>
DISCUSSION & POSSIBLE MOTION: The BABCNC OPPOSES the proposal by the CAO in CF 0-0969-S3 that replaces the current \$89 appeal fee with a 'cost recovery' amount of up to \$16,097 for filing an appeal with the

Planning Department. This enormous increase would effectively prevent the vast majority of constituents, especially low-income residents, from exercising their right of appeal and challenging decisions that may negatively impact them permanently. The City should instead adopt the fee schedule recommended by the Planning Dept. for the next two years to take into account COVID-19 conditions, and beginning in 2023 adopt a tiered fee schedule that would include: 1. Fee waivers for individuals or organizations with incomes less than \$35K annually (including organizations with a formation date of Jan 1 2021 or earlier) effective immediately. 2. Tiered fee structure for residents, HOAs and nonprofit organizations should top out at \$750 starting on Jan 1, 2023.

- Jamie noted that the CAO has been advocating for this for several years, for a full cost recovery, while Planning wants to up it to \$158.00. **Moved** by Bob; **seconded** by Gail; **23 yes; 0 no; 0 abstentions; passed**

- c) **DISCUSSION & POSSIBLE MOTION:** To appoint BABCNC Representatives to the WRAC Homelessness Committee: Primary Robinson Farber, Alternate Patricia Murphy and 2nd Alternate Mindy Mann. **Moved** by Cathy; **seconded** by Andre; **25 yes; 0 no; 1 abstention; passed**

Reports of Standing Committees

15. Outreach Committee – Ellen Evans, Chair (Discussion, Possible Action, Letter &/or CIS)

- a) Update/Report by Chair: The Outreach Committee met on Zoom on Monday March 1st and March 8th, and unanimously recommended that the board take the following action:

DISCUSSION & POSSIBLE MOTION: That an Ad Hoc Committee be convened to organize a town hall to take place during April or May for board members and stakeholders to learn more about Metro's Sepulveda Corridor plan. Robin related, on behalf of Ellen, who had just left, that Ellen would work with the Transportation/Traffic Committee on this. Robin has spoken with Bob Anderson whom she asked to come for 10 minutes next month, to say hello to us. **Moved** by Bob; **seconded** by Cathy.

MOTION: To table this until we hear from all of the committees, Transportation/ Traffic, Outreach, and Land Use, who should get together to work on this before we take an action. **Moved** by Travis, **seconded** by Andre; **21 yes; 0 no; 2 abstentions; passed**

16. Planning & Land Use – Schlesinger, Chair / Savage, Vice Chair (Discussion, Possible Action, Letter &/or CIS)

- a) The PLUC had a meeting on Zoom on Tuesday March 9th and recommended that the board take the following actions:

i. 9230 NIGHTINGALE DRIVE 90069 ZA-2020-7070-F

Entitlement Requests: Pursuant to LAMC Section 12.24X.7, a Zoning Administrator's approval to grant relief from lamc 12.21C.1(g) & 12.22 C.20 (f) to permit the construction, use and maintenance of one 5'- 0" max steel slat vehicular gate and one 5'- 0" max steel slat pedestrian gate flanked by 5'- 0" steel slat fencing, all of which are over-in-height, within front yard of a SFD in lieu of the 42 inches which is otherwise permitted in the front yard by LAMC. **Applicant:** LULU REAL ESTATE LLC **Representative:** TONY RUSSO [CREST REAL ESTATE]

PLU Committee MOTION: To approve. Stephanie introduced the project, entitlement requests that the PLU motioned to approve. Tony Russo showed images of the house, the location, the site plan with a fairly large front yard setback. He noted that many properties have gates that exceed the height requirement on Nightingale. He showed other projects on the street that have over in height fencing, including 9312 with 67", 9280 with 6' fence, on Robin 9' and 10'8" fence. Landscaping was discussed.

- Travis noted that one of the issues that sometimes arises with fences is when deer try to jump the fence and don't make it, and if the fence is designed in a way that they can either impale themselves or get stuck, it is an issue. He asks that from a design perspective, think about what happens when a hundred-pound deer lands with force on top of it. Tony acknowledged the comment and said he would bring that up to the team.

MOTION: To approve this project with the addition of solving design problem so that the fence is capped to prevent any possible danger to the deer or other wildlife jumping across **Moved** by Stephanie; **seconded** by Cathy **21 yes; 3 no; 1 abstention; passed**

ii. 1501 MARLAY DRIVE 90069 ZA-2017-2328 ZAD ZAA

Entitlement Requests

A) Zoning Administrator's Determination for a front yard setback post-required DOT & LAFD dedications ranging from 2" (DOT) and 20'8" (LAFD.)

B) Zoning Administrator's Determination for waiver of requirement of continuous paved roadway 20' in width from

the residence to the boundary of the hillside area.

C) Allow for 3 retaining walls with maximum height from 22'2" – 35'4" in lieu of permitting 2 retaining walls within a maximum height of 10' or one 12' height retaining wall. Zoning Administrator Adjustment to allow fences or walls in the required yard areas as prohibited by LAMC Section 12.21.C.1 (g) and which also exceed 8' in height.

Applicant: SARA SCHUSTEROW Representatives: VALERIE SACKS [BROKERAGE ZONING DEVELOPMENT GROUP] valerie@bzdgroup.net PAUL COLEMAN paul@lucol.com

PLUC MOTION #1 of 2: To deny approval of the proposed project's request for C) and ask the applicant to rework the design to decrease deviation from the current code, primarily as to the retaining wall.

PLUC MOTION #2 of 2: To approve the request for A) & B) e.g., where the roads are less than 20 feet and the front-yard setback less than what is allowed because of the fire truck turnaround. (**Attachment F**)

Stephanie explained details of the project, a single family home on a street less than 20' wide, requesting essentially three entitlements: One is to have a smaller than normal front-yard setback, due to requirements from the DOT and LAFD, in order to provide a type of turnaround for vehicles to turn around at the end of that street; the other entitlement is a ZAD since the access to the property is less than 20' along Marlay, and the third entitlement is multifaceted, to allow three retaining walls with a maximum height of 22'2" to 35'4" in lieu of permitting two retaining walls within the maximum height of 10' or one 12' high wall, and the ZAA to allow fences or walls in the required yard areas, front yard, as the municipal code requires.

Stephanie mentioned that this property is an approximately 3,000 square foot home, while the slope analysis allowed about 1200. These requests are because they are trying to provide road improvement at the end of the street. They will also be including a fire hydrant along with this work, all part of this ZA case. She noted that at our PLU meeting, there were two motions: one to deny item 3, for the retaining wall request, over-in-height in the location, and a second motion to approve the other items.

Stephanie introduced the presenter, Paul Coleman, who had provided images and renderings.

Jamie noted that, from a CEQA point of view, he doesn't think this is a categorically exempt project. He described this as a situation where more than the maximum number of retaining walls is being sought... He runs and sees homes built with giant retaining walls, where all the landscaping that is supposed to be implemented never occurs. He doubts that this is going to be screened as the photo simulations demonstrate. He noted that this project is located adjacent to a building that is historical and that there is a real issue if it can be categorically exempt because significant adverse impact to historical resources, because of slope stabilization and then there is also the displacement of habitat, as this is in a designated habitat block in the SMMC. There are three reasons why he thinks this project is not categorically exempt, and that you cannot reach any decision on the project unless CEQA is complied with.

Travis agreed with Jamie, noting that this is why we have a Hillside Ordinance and why we have slope analysis. He could not support any aspect of this project, given its scope, plus it has a wall of windows, glass walls outside the patio, which are a great way to kill birds. He votes no on every aspect of this proposal until it comes back at a size that fits in with the zoning. Maureen L. asked and Ellen related that the Stahl house people are waiting for hearing.

Don believes we have taken an approach to approve the tail but not paying attention to the dog. In this case, the slope analysis allows 1200 feet and the argument of the applicant is that the turnaround requires them to push this building back, and that's why they need this wall. The purpose of the slope analysis, the Hillside Ordinance and our obligation as an observer of those things is to prevent overbuilding and situations that are not justified. You cannot go to the Fire Department for a turnaround so I can build a bigger house, which he describes as the essence of what this is about. He acknowledged the hard work that was done by the architect on behalf of the applicant; however, noted that the demands are out of place in terms of serving the Hillside Ordinance. He is opposed to the entire project.

Heather asked if other than the Stahl house, we had any other neighborhood feedback available. Ellen related that DSPNA stated that their position is the same as Jamie's and Travis'. Nickie agrees with Don, Travis and Jamie, who oppose it; however, noted that you would like to not oppose it because of the architect's creativity, but in reality, it is a very bad project for the hills.

Motion: To deny the project. **Moved** by Stephanie; **seconded** by Mindy; **26 yes; 0 no; 0 abstentions; passed**

- iii. **DISCUSSION & POSSIBLE MOTION** To approve a letter re Board of Forestry Proposed Regulations on Street Standards - Draft Fire Safe Roadway Regulations that will impact very high fire hazard severity zones (VHFHSZs) within the City of Los Angeles. (**Attachment G**) Robert introduced this and provided an updated letter.

Jamie related that they just voted this week to begin a formal rule-making process with a 45-day public-comment process. These will be statewide regulations. If you submitted a comment before, you have to resubmit it to be part of the comments. He would encourage all of your local associations to review this and contribute feedback. There is opportunity to get some changes. The goals are to get thresholds that include our communities. Jamie considers this a worthwhile cause. Robert noted that the focus is on HFSZs because that's where we live. However, Jamie recommended that our comments need to be more focused; e.g., we don't think there should be an exception to certain rules proposed, and as to dead-end roads, they say there is only a ban if the dead-end road is a mile or longer. We need to dig into the details if we want the regulations to work for us.

Travis raised the issue that according to DONE we are only to communicate with the City. Bob noted that we are including Councilmembers, CD4, CD5 and CD11, along with the City Attorney and the Mayor. We are a part of the City of Los Angeles and advisory to the city. Travis suggested directing this to the council districts and copy to the Board of Forestry (BOF) as our role under the Charter is advising the City on issues that impact our neighborhoods.

Maureen Levinson noted that she has been listening to the BOF and agrees with Travis that this is minimal requirement that the state is putting out and that we need to amp up ours in the Los Angeles area. She noted that when you listen to the public comment, your heart breaks for the people who lost their homes in the wildfires who can't afford to widen the roads. She would like to focus more on Los Angeles, use what BOF passes & amp up for our area. Bob noted that one of the things they are suggesting is that you can build an ADU back that was lost to fire but increase it by 25% in a high fire severity zone, which was one of the things that was objected to. Maureen believes that those individuals would have to sell their property and could sell to a developer. Cathy Wayne agrees with all the comments and would like to discuss 14.b. on the agenda.

Motion: Support the content of the letter addressed to our Councilmembers asking them to convey these concerns to the state, and cc State BOF to include Laura Friedman. **Moved** by Bob; **23 yes; 1 no; 0 abstentions; passed**

- iv. **Update & Discussion: Sepulveda Transit Corridor Project** Scope of Tunneling with BABCNC boundary For Fact Sheets, Reports & Info: <https://www.metro.net/projects/sepulvedacorridor/>
- The PLU Committee has taken a consensus and the majority supported the most cost effective option, the Skyrail Express that allows for the earliest completion.
Motion: Larry & Cathy would like to have a town hall on this. **Motion:** Travis moved to **table** this until we hear from Outreach, Land Use, and other committees before we take action. **Second** Andre; **21 yes; 0 no; 2 abstentions; passed**

17. **Executive Committee** -- Robin Greenberg, Chair
18. **Budget & Finance Committee** – Nickie Miner, Chair
19. **Emergency Preparedness Committee** – Chuck Maginnis, Chair
20. **Public Works and Telecommunications Committee** – Patricia Murphy, Chair
21. **Traffic Committee** – Irene Sandler, Chair
22. **Neighborhood Purpose Grant Standing Committee** – Ellen Evans, Chair

Reports by Chairs of Ad Hoc Committees (Discussion, Possible Action, Letter &/or CIS Submission)

23. **Ad Hoc Committee on Environmental Issues** – Mindy Mann, Chair committee had a meeting on Zoom on March 5th and recommended that the board take the following actions:
i. **MOTION:** For the BABCNC to hold a series of environmental webinars with biodiversity experts.
ii. **MOTION:** To request that the LAFD include in their website information on helping to protect nesting birds in the brush clearance process and to get the word out to the public by other means.
Moved by Mindy; **seconded** by Robert; **25 yes; 0 no; 0 abstentions; passed**
24. **Ad Hoc Committee on LADBS Policies** – Stella Grey, Chair – Stella sent written update via email that the committee currently consists of 10 members and already had two meetings. She noted that they are in the process of defining their scope and dividing responsibilities for each of the topics that they collectively decide to include. There is no substantive progress to report yet but the committee is hopeful that they can make a difference in the future.

- 25. **Ad Hoc Committee on Home Sharing & Party House Ordinances** –Ellen Evans, Chair & Stephanie Savage, Vice Chair
- 26. **Ad Hoc Committee on Film Permits & Content Houses** – Stella Grey, Chair
- 27. **Ad Hoc Committee on Continuing Teleconference Meetings after Safer-At-Home Order** – Jamie Hall, Chair
- 28. **Ad Hoc Committee on Tree Removal and Notification** - Mindy Mann, Jamie Hall & Travis Longcore, Ph.D.
- 29. **Task Force on Redistricting** – Nickie Miner, Cathy Wayne & Ellen Evans

30. **Reports from BABCNC Representatives, Liaisons, Budget Advocate, Budget Representative & C-PAB Reps**

31. **Congress of Neighborhoods Digital Event Saturday September 25, 2021 @ 9:00 am.** <https://www.nccongressla.com/>

32. **Good of the Order:** Robin thanked Chuck for everything he stood up for and thanked him for his work on the Emergency Preparedness Committee as he has resigned from his role as Chair of that committee. Chuck thanked everyone, noting that the committee will have another meeting. Someone will be taking on the role of the committee chair. Let him know if you have someone to be chair. Chuck thanked Robin and all of us.

Robin related that Lauren Sand who says she grew up on Casiano is moving.

Brentwood area told us that Archer School received a Lemelson-MIT Award for an invention to prevent wildfires: an automatic sprinkler system, by using infrared technology to detect and extinguish approaching embers at any approaching hot spots. This is a Youth representative.

Don announced that the councilmembers have notified us that there is a Public Works hearing tomorrow 6-9 on agenda issues with regard to sidewalk repair and road repair. He hopes everyone attends and express our concerns about problems brought about by Planning and Building & Safety. To come together to avoid degradation to our roads.

Robin related that Irene has worked for years on traffic, and expressed the appreciation of the board for her. Robin noted that Irene has needed a little more help, and is looking for someone on the board to help her. If one or two of you will assist Irene, let us know.

33. **Adjournment:** Meeting adjourned at 9:21pm.

Next Board Meeting: Wednesday April 28th @ 7:00pm

Meet & Greet for Selected and Elected Seat Candidates will take place prior to start of the April 28th Board Meeting.

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