

Attachment "A"



**Bel Air-Beverly Crest Neighborhood Council Regular Monthly Board Meeting (Virtual)
Wednesday May 25, 2022, 7:00 P.M.**

DRAFT MINUTES

NAME	BOARD SEAT	Present	Absent
Barondes, Asher	At-Large Youth Rep (2023) <i>(arr. 8:30 P.M.)</i>	X	
Bayliss, Shawn	Commercial or Office Enterprise Districts (2023)		X
Cobb, Bradford	North of Sunset District (2023) <i>(as of 01/26/22)</i>	X	
Evans, Ellen	Community Interest At-Large (2023)	X	
Garfield, DDS, Robert	Casiano Estates Association	X	
Goodman, MD, Mark	Bel-Air District (2023)	X	
Greenberg, Robin	Bel Air Hills Association	X	
Hall, Jamie	Laurel Canyon Association	X	
Holmes, Ph.D., Kristie	Public Educational Institutions (2023)	X	
Kadin, David Scott	Benedict Canyon Association	X	
Kennedy, Jacqueline Le	Faith-Based Institutions (2023)		X
Kwan, Robert (Bobby)	Laurel Canyon Association <i>(as of 01/26/22)</i>	X	
Levotman, Vadim	Doheny-Sunset Plaza Neighborhood Assn.	X	
Longcore, Ph.D., Travis	Custodian of Open Space (2023)	X	
Loze, Donald	Benedict Canyon Association	X	
Mann, Mindy Rothstein	At-Large Traditional Stakeholder (2023)		X
Miner, Nickie	Benedict Canyon Association	X	
Morris, Wendy	Bel Air Hills Association	X	
Stella Grey for Murphy	North of Sunset District (2023)	X	
Palmer, Dan	Residents of Beverly Glen		X
John Otto for S. Prothro	Private K-6 Schools (2023)	X	
Ringler, Robert	Residents of Beverly Glen <i>excused absence</i>	X	
Sandler, Irene	Bel Air Crest Master Association	X	
Savage, Stephanie	Laurel Canyon Association	X	
Schlesinger, Robert	Benedict Canyon Association	X	
Spradlin, Jason	Holmby Hills HOA		X
Sroloff, Gail	At-Large Traditional Stakeholder (2023)	X	
Steele, Tim	Bel Air Glen District (2023)	X	
Stojka, André	Bel Air Ridge HOA	X	
Tanner, Blair	Bel-Air Association	X	
Wayne, Cathy	Laurel Canyon Association	X	
Weinberg, Steven	Franklin-Coldwater District (2023)	X	
Wimbish, Jon	Private 7-12 Schools (2023) <i>excused absence</i>	X	
Total:		28	5

President Longcore reviewed instructions on the agenda, led the Pledge of Allegiance to the Flag and called the meeting to order at approximately 7:05 P.M. Secretary Miner called the roll with 24 members present initially. Members Weinberg, Sandler & Holmes arrived shortly thereafter for a total of 27, and Member Levotman one hour into the meeting for a total of 28 present.

Prior to starting Board business, President Longcore led us in a moment of silence, following recent tragic events in the country.

1. The agenda was **approved** as written.
2. The April 27, 2022 Meeting Minutes (Attachment A) as circulated and posted online were **approved**, as **moved** by Member Stojka with one abstention from Member Morris.
3. **General Public Comment**
Maureen Smith spoke in support of CD5 Candidate, Jimmy Biblarz.
André Stojka mentioned a letter from April which maligns the neighborhood council.
President Longcore noted that this was not agendized.
4. **Comments of Representatives of Elected Officials & City Agencies**
Rachel Sherrell, from the Office of Supervisor Sheila Kuehl, gave update including but not limited to that COVID cases are rising and to be mindful; DA Gascon is hosting a town hall on June 8th. The Board of Supervisors approved \$532.6 million for homeless initiative for FY 22-23; sent a five-signature letter to the State of California, encouraging & supporting a bill that would codify a right to abortion in our State Constitution, noting that in her former life as State Senator Kuehl, she passed the law passing abortion rights in California. This puts it into our State Constitution. Go to www.lavote.net re voting.
Jarrett Thompson, CD5: President Longcore related that, per an email, Jarrett apologized that he could not attend but mainly suggested that we please review the Wildlife Ordinance.
Octaviano Rios, Department of Neighborhood Empowerment was also present this evening.

Reports of Officers

5. President – Travis Longcore

Nomination of an Alternate for the Private School K-6 Seat. Board member, Steve Prothro, has nominated John Otto to be his Alternate. There was no public comment on this. Mr. Otto introduced himself, noting that he is a recent hire at the John Thomas Dye School, has a facilities background, a cabinet-maker by trade and handles daily operations & facilities-related matters at JTD. The Board voted unanimously to confirm Mr. Otto. President Longcore thanked and welcomed him, noting he could vote on all but financial matters, pending completion of trainings, as he sits in for Mr. Prothro.

Hillside Construction Regulations (HCRs) – The City is proposing to extend the HCRs to include Beverly, Franklin and Bowmont-Hazen area, and a representative from Planning would like to get input from us; they were asked to come to the upcoming PLU Committee or our next Board meeting. A link to FAQ sheet will be sent for prior to his presentation.

Reminder to do your trainings. Check if up to date at www.empowerla.org/babcnc. You need to check those dates and make sure that you are up to date.

Workshops: Tomorrow: Roberts Rules Made Simple & May 31st Brown Act & NCs.

Presentation by Nurit Katz, Chief Sustainability Officer at UCLA Sustainability: Call for Volunteers for Los Angeles Raptor Survey Nurit gave a presentation on the LA Raptor's Survey, on birds of prey, as to hawks & owls in the hillsides; goal of survey is to establish a baseline, learn

how raptors are adapting to the urban environment. See <https://friendsofgriffithpark.org/raptor-study>

LA Wild <https://lawild.org/> if anyone knows of a 1-2 acre property available to host a wildlife rehab location, please contact her at nkatz@fm.ucla.edu or at raptors@friendsofgriffithpark.org and save her cell number for wildlife emergencies: 818-384-9493. Calls & texts with hawk tips or questions about the raptor study are welcome.

Nurit noted that it is a violation of law to remove raptor nests. Additional information can be found at www.treecareforbirds.com which has great resources on how to trim your trees and make sure you are *not* violating laws. This website is most supportive of birds. Nurit took comments from Board members, and President Longcore thanked her for coming.

[Attention was next turned to agenda item #22]

6. **Vice President – Operations** – Robin Greenberg gave update on next weeks’ committee meetings.
7. **Vice President – Legislative Affairs** – Jamie Hall noted as to the State bills we’ve been monitoring, unfortunately SB1404, Mitigation for Loss of Oak Woodland, died last week in committee. Meanwhile, SB1425 passed in the Senate on Monday to require all cities and counties in California to update their Open Space Elements by January 1, 2026. This moves to Assembly, then to the Governor. The new Wildlife Ordinance emerged; the Ridgeline Ordinance is out. A subcommittee of the BABCNC Planning and Land Use Committee has been created, chaired by Ellen Evans.
8. **Secretary** – Nickie Miner – No report
9. **Treasurer** – Vadim Levotman
The April 2022 Monthly Expenditure Report (MER) (Attachment B) was **approved** by 22 yeses, 0 noes, 1 abstention by Grey, and 4 ineligible as **moved** by Secretary Miner, with no public comment.

Reports of Standing Committees

Neighborhood Purpose Grant Committee

André Stojka, Chair

10. **Report of the Neighborhood Purpose Grant Committee** Chair Stojka explained the purpose of NPGs, what outreach has been done and the NPG that has been placed on the agenda, under Item #11, to address the serious traffic problem on Beverly Glen with traffic calming measures.
11. **Motion** to approve an NPG in the amount of \$2,300 to fund partial CAD design permit fees (drawings) for proposed traffic calming measures on Beverly Glen, submitted by the Les River Memorial Center, with primary contact, Beverly Glen Stakeholder, Graham Green (Attachment C) was **moved** by Stojka/Committee. Questions were asked and answered. Following discussion, and support from Traffic Chair, Irene Sandler, and Residents of Beverly Glen Rep, Robert Ringler, the motion was **approved** by 20 yeses, 0 noes, 2 abstentions from Sandler & Wimbish and 4 ineligible.

Planning & Land Use

Robert Schlesinger, Chair & Stephanie Savage, Vice Chair

12. **Report of the Planning & Land Use Committee** Chair Schlesinger noted that Vice Chair Savage has let him know that this is too time consuming for her currently. Chair Schlesinger discussed the idea (of which it was noted has already been in place) that projects begin at the homeowner association level. He will send project plans to associations when he gets them & send contact information to presenters. He will also get advanced notices for demos and provide them to the associations. Going forward, there will be a Standing Rule that project goes there first and when done there, comes to the PLUC.

Member Hall would *not* agree to *not* have projects come before the formal PLU Committee even if unopposed by neighborhood association or HOA. Chair Schlesinger confirmed that applicants seeking discretionary land use permits will come before PLUC.

Vice Chair Savage asked that all PLUC members sign up for the Early Notification System of projects at <https://planning.lacity.org/resources/case-reports> noting that we should all be looking at them.

[Attention was turned back to Item #5 to hear from Nurit Katz on the LA Raptor's Survey.]

13. Report of the Ad Hoc Subcommittee on Proposed Wildlife District – Chair Ellen Evans noted that the subcommittee met one time to talk about the rules of engagement, with plans to go through the draft Wildlife Ordinance painstakingly, take public comments and draft a comment letter. She asked that all HOA reps encourage neighbors to get involved. We have a committee page on our website with everything you need to know + feedback forms and spreadsheets reflecting public comment. She is looking for people to provide feedback both written & orally and make sure everyone is heard in the process. There were no questions from the Board nor comments from the public.

**14. Two Connected Projects at 1804 and 1816 Rial Drive
ZA-2021-10493-ZAD 1812-1824 RIAL DRIVE 90077**

Project Description: Applicant is requesting a Zoning Administrator's Determination for relief from continuous pathway requirement in conjunction with the active construction of a new single family dwelling (per LAMC Section 12.21C10(i)(3) and LAMC Section 12.24X28).

<https://planning.lacity.org/pdiscaseinfo/search/encoded/MjUzNjA50>

See Link: [1816 Rial Ln](#)

ZA-2021-10494-ZAD 1800-1810 RIAL DRIVE 90077

Project Description: Applicant is requesting a Zoning Administrator's Determination for relief from continuous pathway requirement in conjunction with the active construction of a new single family dwelling (per LAMC Section 12.21C10(i)(3) and LAMC Section 12.24X28)

<https://planning.lacity.org/pdiscaseinfo/search/encoded/MjUzNjEw0>

See Link: [1804 Rial Ln](#)

PLU Committee Motion: To approve the projects at 1804 and 1816 Rial Drive contingent upon the B-permit work to improve the streets' frontage along the entire properties to an improved width of 20 feet with concrete curb and gutter (on both sides of the street) and a 4' dedication onto the properties, and subsequent improvements that may be required such as lighting and electrical vaults, including requirements for lighting under MC 93.0117.

Vice Chair Savage introduced the two connected projects that had started in Plan Check in 2010 and construction started in around 2012. There was a delay over many years; they found there was an issue with entitlements in that they didn't have proper access of 20-foot wide roadway to the subject properties so they asked for this entitlement in 2021. These projects have been sitting partially constructed (60-70% constructed). The representative and owner were present to answer questions.

Vice Chair Savage noted that the PLU Committee moved to recommend approving these projects at Rial Drive contingent upon the B-permit work to improve the streets' frontage along the entire properties to an improved width of 20 feet with concrete curb and gutter (on both sides of the street) and a 4' dedication onto the properties, and subsequent improvements that may be required such as *street* lighting and electrical vaults, including requirements for lighting under MC 93.0117 (for down-lighting and not to have some of the structures lit.)

Benjamin Eshaghian, of Crest Real Estate, took questions. There was no public comment on this. Mr. Eshaghian noted that the homes are about 5,700 square feet each. He was unsure about the regulations on the decks and whether they fall within the slope band envelope of the current Hillside Construction Regulations. Vice Chair Savage noted that the permit was vested in 2010 within the

original Hillside Ordinance. Now we are many ordinances after that for the hillsides. Their house was approved as allowed way back when. She doesn't believe the City will make them take down the deck, which she described as "unusual" but noted that this is what happens over a 12-year period.

Mr. Eshaghian noted that the issue for his request came up when applying for the B-Permit to improve the roadway. The original project was not owned by the current owner and the current owner has volunteered to go through this process due to a pinch point down the street that is not 20 feet, the reason for this current request. He apologized for not having the information on the deck.

Chair Schlesinger and President Longcore asked what about this project that is now being approved anew, and what is or is not consistent with current code, noting if it's minor or negligible... we have the discretion to say yes, it is a reasonable exception to make; if egregiously different than current code, we might say maybe you want to revisit this given that it is not completely constructed and if there is a discretionary action here that has to approve the project for it to go forward, then consider what those deviations are but we don't know the difference between what is going to be built and the current code; this started in 2010.

Motion to postpone this to next month to get the answers to our questions was **approved** as **moved** by Stojka. *[Attention was turned back to Item #12 to hear PLU Chair Report.]*

Items #15 through #21 were deferred due to time restraints.

Bylaws, Rules & Elections Committee
Cathy Wayne, Chair

15. Report of the Bylaws, Rules, and Elections Committee – Deferred

Emergency Preparedness Committee
Vadim Levotman, Chair

16. Report of the Emergency Preparedness Committee – Deferred

Outreach Committee
Robin Greenberg, Chair

17. Report of the Outreach Committee – Deferred

Traffic Committee
Irene Sandler, Chair

18. Report of the Traffic Committee – Deferred

Reports of Ad Hoc Committees

Ad Hoc Committee on Los Angeles Department of Building and Safety
Stella Grey, Chair

19. Report of the Ad Hoc Committee on Los Angeles Department of Building and Safety – Deferred

Ad Hoc Committee on Home Sharing & Party House Ordinances
Ellen Evans, Chair

20. Report of the Ad Hoc Committee on Home Sharing & Party House Ordinances – Deferred

Ad Hoc Committee on the Environment
Mindy Mann, Chair

21. Report of the Ad Hoc Committee on the Environment – Deferred

New Business

22. Request for Modification of Hillside Construction Regulations – Loze

Motion: To request that the Hillside Construction Regulations be amended to address a range of loopholes and oversights, including total height in slope banding, definitions of a retaining wall, validation of continuous paved roadway width, bonding, conditions of performance, construction parking, enforcement, and penalties (**Attachment D**).

Member Loze gave historical background on this, noting that there are things we are trying to get clarified, and that he feels the letter is ready for the councilmembers, in an attempt to push forth that which has remained fallow for a long time. He credited the work of Stephanie and Bob on this.

Member Loze moved the motion as noted above, which was seconded by Schlesinger. Discussion was held, and questions were asked and answered. Comments included but were not limited to that this is to support the Bel Air Overlay and to amplify it.

Member Weinberg noted that presently he would vote “no” on this, as he thinks the emphasis should first be on extending the boundaries to cover Coldwater and Bowmont Hazen area and that combining all those things in one letter will get it bogged down in Planning. PLU Chair Schlesinger explained that Planning and various individuals are already working on bringing these areas into the HCR, of which Weinberg was not yet aware. President Longcore noted that we’ll have a presentation next month from Planning about this specific action of adding Bowmont-Hazen, Coldwater and Beverly to the HCR, and given that they are moving forward with that and coming to us for input, he’ll put Steven in touch directly with the Planner who is soliciting input to make sure that he and his stakeholders have that voice with them. Longcore asked if it would be appropriate to exclude the footprint of the HCR from this proposed letter, given that it is already going forward... Weinberg noted that if this is already in the works he’d change his position on the letter; however, thinks it should still be in the letter, to keep it on everybody’s radar but that he had thought it wasn’t emphasized enough. Schlesinger noted that this has to do with the entire boundary and border of the NC be included, which includes Bowmont-Hazen and Upper Coldwater Canyon. Longcore related that he only recently heard from the City about that moving forward, not in enough time to agendize it for this meeting and he will make sure Weinberg gets all the information.

Member Morris noted that she and Member Mann want to add a couple of items as to the HCR prohibiting hauling during Sundays and all State and Federal holidays, noting in the section about construction that same language was left out. She and Mann have had problems, especially on holidays... Schlesinger responded to her concern. Morris continued that it states that hauling trucks should be staged offsite and outside the HCR district and thinks it should say the same thing about cement trucks. Schlesinger noted that it says all trucks and discussed types of trucks and landscaping construction. She also mentioned the issue of noisy work outside under landscaping, to which Member Loze noted he could insert “all noisy construction of any kind, including landscaping.”

Member Cobb requested an additional sentence in the construction parking segment, noting that there is a list in that section of where *not* to park your vehicles doing staging, unloading and offloading equipment 18-wheelers, cement trucks..., staging and waiting; there’s a list of cul-de-sacs, dead ends, the opposite sides of the street at the same time, and substandard hillside streets. Cobb related that in his area on Selma Avenue, trucks load and unload bulldozers... and cement trucks wait there until the other cement truck comes down the hill. He would love to include language that says parking,

staging, unloading and offloading equipment is forbidden except at the permitted site; otherwise, the trucks are all down at the base of the hill on his street and staging at 7:00 a.m.

Member Grey had a couple of comments: 1) currently construction is allowed on holidays; hauling is not, construction is. 2) She suggests if we add any requirement, it has to be measurable; otherwise, it is unenforceable without measurements; when it comes to landscaping, she thinks it should be considered construction work and should comply with construction requirements, 3) She noted that when talking about holidays, need to be specific. LADBS has a list of holidays that they observe and one reason to prohibit construction on holidays that they observe is because inspectors are off work on those days so any violation will be unanswered. She noted that this is a valid reason to request that any construction is not allowed on holidays.

Sroloff noted that Bel Air's overlay works. They no longer have staging of cement trucks in the overlay, and though they have gardeners on Saturday, they have no outside construction that involves hardscape landscaping. Schlesinger and Sroloff discussed how this evolved in their community, Sroloff noting that after due diligence to get these things enforced, it eventually stopped.

Grey also noted that a recommendation of LADBS to any revisions proposed for conditions and enforcement should include specific measures that we expect LADBS to take against the violators. She noted that it is not enough to suggest that work should be prohibited on a holiday but we should propose what kind of fine should apply to the violator. It will give DBS the ability to enforce. She also thinks for every item we propose, we should indicate which agency is to enforce it because staging on the streets – DBS only enforces what happens within property lines; anything outside is either Street Services or DOT, otherwise people don't know what to do with it.

Loze noted that the intent here is to get these issues before the departments with the help of the City Attorney... we can't be drafting too specifically at the moment, other than to make recommendations that we do want enforcement and want to give the applicable departments the authority to enforce. They don't have authority to enforce at the moment and don't have input as to what our problems are because we've been going down to LADBS; so we need to educate them at the table, and he hopes Member Grey will be there. Grey noted that we should not forget but acknowledged that it doesn't need to be included in the letter.

Kadin is in support of the draft and noted that they had an issue about a contractor working on a Saturday in his area making a lot of noise, etc., whereupon he called upon our Deputy City Attorney Veronica De La Cruz, who took care of it; she reached out, spoke to the contractor, explained to him that work was not allowed in the hillside on Saturdays and that stopped it. He noted that she is a good resource, as she gets things done.

Amendment 1) Somewhere in the letter include that landscape construction is construction, 2) that parking only be permissible at permitted sites, as requested by Mr. Cobb, moved by Loze; seconded. Member Levotman asked if cutting down trees or clearing shrubbery would be considered construction, to which Member Grey noted it is not; LADBS considers everything that is "permitted" by them construction, everything else is not enforceable. Member Evans noted that construction is already prohibited on Sundays, and doesn't need to be in the HCR. Morris wanted to be sure holidays are added, to which Schlesinger noted that it is added. Loze & Longcore noted if it isn't we'll add it. **The amendment** was approved by unanimous consent, and the **motion as amended** was approved by unanimous consent. [Schlesinger later related that the Ordinance is 184827.]

President Longcore noted how important it is to have so many people who are so knowledgeable about code and construction, whether it is your business, your training or you had to learn it because you have been fighting it for decades, it is an incredible amount of expertise that we have here on this Board, to be able to come up with all these things, and he knows that there is work embodied in here

that has come up through the committee on LADBS Policies, and various places discussed in the NC... put this on the record. He appreciates everybody's work in doing that.

Longcore noted that the time was 9:05pm, and we could hear reports or go on to the WRAC motion or call it a night. As the WRAC motion had already been postponed, the Board chose to continue.

23. Requests for Consideration re CF 22-0158 [WRAC]

Motion: The Bel Air-Beverly Crest Neighborhood Councils requests the City Council and City Attorney, when drafting and considering the council file item CF 22-0158, take into account the below requests by the Westside Regional Alliance of Councils:

- Consideration of automatically including LAMC 41.18 protections on any location providing a homeless shelter and authorized pursuant to a declared shelter emergency.
- Consideration of mandatory CEQA compliance.
- Consideration of consequences of "Cutting red tape" by removing the public's right to a transparent approval process including right to notification and the opportunity for public comment, including early notification to NCs and recognized CCs.
- Consider the differences and effects of allowing shelters in R1 zones as proposed versus the existing ordinances allowing them in R2 & R3 zones.
- Consideration of the effects of limiting shelters within a reasonable radius of sensitive sites such as parks, schools and daycares.

CF22-0158:

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=22-0158>

Council Motion: https://clkrep.lacity.org/online/docs/2022/22-0158_mot_2-09-22.pdf

Dr. Longcore gave an introduction to this motion from WRAC, noting that the City Council motion is a request to Planning to report back to Council how they can allow shelters outside the zones where they are currently allowed, to streamline the process for approving shelter construction. The motion from WRAC is to say wait a minute, we think you should consider these issues.

Amendment: Evans moved to **remove** the line that says "**Consideration of automatically including LAMC 41.18 protections on any location providing a homeless shelter and authorized pursuant to a declared shelter emergency**" seconded by Grey.

Longcore explained significance of this amendment, and that a "yes vote" means to leave it to the discretion of Councilmember to evoke 41.18 for any particular shelter in that Councilmember's district. **The Amendment passed** by **11 yeases**: Steele, Cobb, Greenberg, Hall, Wimbish, Barondes, Schlesinger, Grey, Evans, Savage and Garfield. **6 noes**: Wayne, Stojka, Levotman, Weinberg, Morris and Miner; **5 abstentions**: Kadin, andler, Loze, Otto & Longcore. **Main Motion as Amended passed** as moved by Greenberg and seconded by **16 yeases**: Cobb, Morris, Steele, Weinberg, Levotman, Barondes, Stojka, Greenberg, Grey, Wimbish, Hall, Savage, Schlesinger, Evans, Garfield and Miner; **1 no**: Wayne; and **6 abstentions**: Loze, Kadin, Loze, Sandler, Otto & Longcore.

Committee reports were deferred to next month. President Longcore thanked the Board and gave special thanks to Robin Greenberg for the outreach at the Fire Station. Robin noted that Veronica De La Cruz is regularly on our meetings, and Longcore noted that she is on now.

The meeting adjourned at approximately 9:20 p.m., to June 22, 2022.

www.babcnc.org info@babcnc.org