

Attachment "A"



Building A Better Community



Draft Minutes

**Bel Air-Beverly Crest Neighborhood Council
Regular Monthly Board Meeting**

In-Person Meeting Location: "TreePeople" at Coldwater Canyon Park

12601 Mulholland Drive Los Angeles, CA 90210

Wednesday April 26, 2023 7:00 P.M.

NAME	BOARD SEAT	Present	Absent
Barondes, Asher	At-Large Youth Rep (2023)		X
Bayliss, Shawn	Commercial or Office (2023) <i>(left 8:49 pm)</i>	X	
Cobb, Bradford	North of Sunset District (2023)	X	
Evans, Ellen	Community Interest At-Large (2023)	X	
Garfield, D.D.S. Robert	Casiano Estates Association	X	
Goodman, M.D. Mark	Bel-Air District (2023) <i>(excused)</i>		X
Greenberg, Robin	Faith-Based Institutions (2023)	X	
Hall, Jamie	Laurel Canyon Association	X	
Holmes, Ph.D. Kristie	Public Education Institutions (2023) <i>(excused)</i>		X
Kadin, David Scott	Benedict Canyon Association <i>(excused)</i>		X
Kwan, Bobby	Laurel Canyon Association	X	
Levotman, Vadim	Doheny-Sunset Plaza Neighborhood Assn.		X
Longcore, Ph.D. Travis	Custodian of Open Space (2023)	X	
Loze, Donald	Benedict Canyon Association <i>(arr. 8:01 pm)</i>	X	
Mann, Mindy Rothstein	At-Large Traditional (2023)	X	
Miner, Nickie	Benedict Canyon Association	X	
Murphy, Patricia	North of Sunset District (2023)		X
Andrew Paden	Bel Air Hills Association		X
Palmer, Dan	Residents of Beverly Glen	X	
Prothro, Steven	Private K-6 Schools (2023)	X	
Ringler, Robert	Residents of Beverly Glen <i>(excused)</i>		X
Sandler, Irene	Bel Air Crest Master Association <i>(excused)</i>		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 <i>(excused)</i>		X
Steele, Ph.D. Timothy	Bel Air Glen District (2023)	X	
Stojka, André	Bel Air Ridge HOA	X	
Templeton, Patricia	Bel Air Hills Association	X	
Wayne, Cathy	Laurel Canyon Association <i>(excused)</i>		X
Weinberg, Steven	Franklin-Coldwater District (2023)	X	
Weisberg, Leslie	Bel Air Association <i>(appointed Feb, 2023)</i>	X	
Wimbish, Jon	Private 7-12 Schools (2023) <i>(excused)</i>		X
Total:		21	12

President Longcore called the meeting to order at 7:04 PM and led the Flag Salute. Secretary Miner called the roll with 20 present. Member Loze arrived at 8:01 PM for a total of 21 present. Member Bayliss left at 8:49 PM, with 20 present thereafter.

1. The Agenda was **approved** as moved by Stoka and Mann.
2. **Motion** to approve the March 22, 2023 Board Meeting Minutes (**Attachment A**) was moved by Greenberg, seconded, by Schlesinger, amended to include looking at the speculative notation by Katy Yaroslavsky, and **passed**.
3. **General Public Comment**
BABCNC welcomes comment from the public on any topic within the Board's jurisdiction but not on the adopted agenda.

Alonzo Wickers introduced himself as our new Youth Representative who will be seated on this Board in July.

4. Comments of Elected Officials & City Agencies

Jarrett Thompson, Council District 5 jarrett.thompson@lacity.org

- Jarrett gave updates on potholes on Beverly Glen.
- Jarrett reported that there was a tragic fatal automobile accident killing a parent walking her child to school at Hancock Elementary and injuring the child. He mentioned proposed programs to place speed-humps & staff crossing guards around LAUSD schools.
- Jarrett noted we are in budget season and asked that we reach out to him with questions.
- He related that LADWP will repair & replace power poles and is installing 28 new priority level 1 & 2 power poles, some on Stone Canyon, Roscomare, Benedict & Coldwater Canyons and Beverly Glen. He'll confirm when he has the specific locations.
- Sign up for their newsletter and request cleanups with the new CD5 Care Team.
- Questions were asked and answered including that the Care Team will be picking up trash, debris, graffiti, cleaning up areas vandalized, and after encampments get cleaned up. Send him an email if you see a need for help.
- Every City department is understaffed, some at 70% vacancy rate, others better depending on department. The Mayor's new budget cut funding for many unfilled positions across all departments. Jarrett will push the Bureau of Street Services for road repairs. Keep his office informed & he'll notify us about DWP poles. He was also asked about the Councilwoman's advocating to go underground.

Jake Ettinger, District Representative for California Senator Ben Allen, 24th District

Jake.Ettinger@sen.ca.gov President Longcore shared an emailed from Jake Ettinger that they're hosting a virtual town hall May 3rd 4pm to discuss emergency preparedness in our region in partnership with California Insurance Commissioner Ricardo Lara, on evacuation readiness and property insurance, and home hardening and retrofitting with experts from Federal Emergency Management Agency, CA Dept. of Forestry & Fire Prevention, as well as the California Earthquake Authority. Dr. Longcore will forward flyer with link to register and submit questions for the experts. For questions about their legislative work or assistance accessing State programs or services, reach out to (310) 318-6994 senator.allen@senate.ca.gov or to <https://sd24.senate.ca.gov>. Longcore noted that a representative from Insurance Commissioner Lara's office will do so at upcoming meeting.

Sherwin Shamoeil, Field Representative for Assemblymember Rick Chavez Zbur

provided updates. He noted that the Assemblymember cares about wildlife and the environment, and is aware of the unique characteristics of the hillsides; he introduced **AB3** to expedite offshore wind energy <https://legiscan.com/CA/text/AB3/2023> He has issued a letter of support to preserve Senderos Canyon. Sherwin noted that he a resource and to reach out to him at Sherwin.Shamoeil@ASM.CA.GOV

Member Hall asked Sherwin to relate to the Assemblymember that **AB 68** would impact us greatly by turning residential projects within one mile of a cluster of businesses into ministerial projects, which would turn all the projects that come to the BABCNC PLU Committee into ministerial projects. He noted that this board hasn't opined on the State legislation but wanted him to know that AB 68 is a problem. Sherwin will relay this to their District Director Robert Oliver who can be reached at Robert.Oliver@asm.ca.gov.

Octaviano Rios, Department of Neighborhood Empowerment: Octaviano introduced himself to the board, this time in person, as our "Neighborhood Empowerment Advocate," (NEA) and thanked the Board for transitioning to in-person meetings. He congratulated the Board, under the leadership of Dr. Longcore, for collaborating with the Department to accomplish this. He mentioned names of support staff at the Department including but not limited to Elise Rudin, our City Attorney. Go to www.empowerla.org for further info. Octaviano noted that they have a new training for CIS submitters tomorrow. The Congress of Neighborhoods will be held in person at City Hall for the first time in three years. He asked that we consider financially sponsoring the Congress and the joining their Planning Committee. Go to www.Neighborhoodcongress.la to register for the Congress. Member Evans asked for the timeline to hire a new GM, and for the status of equipment for hybrid meetings. Octaviano did not know about the timeline; he noted that hybrid meeting equipment ranges from \$300 to thousands of dollars, and that it looks promising for some level of support from the City.

Old Business

5. **Planting Native Species by City**

Presentation on LA Native Plants by Charles Miller, who is a Climate Reality Project Ambassador, a certified California native plant landscaper and wildfire defense landscaper among other things. Charles spoke about the crucial role native plants and trees can play in our urban forest and the importance of public policy to require municipal departments to plant native species in public spaces. He noted that the following is a motion from the grassroots, ground up, and hopes to hit all NCs for support. He provided a presentation on California natives and biodiversity, and is available to provide this to associations & other venues. CharlesAllenMiller@gmail.com LA Native on Facebook: <https://www.facebook.com/LANativePlants>

Discussion & Possible Motion That the BABCNC **support** the following motion, which has already been taken up by 10 Neighborhood Councils.

Whereas the Los Angeles region faces a biodiversity crisis wherein over 90% of local butterflies, songbirds, and other pollinators have disappeared in the last century due to the replacement of local flora with non-native plant and tree species;

and Whereas native landscaping plants and trees can thrive in our urban environment and furnish all the benefits non-native trees can offer in terms of canopy shade to offset the heat island effect, beauty, and shade comfort for humans, while natives provide the only path to sustainability for biodiversity, water and energy savings, and the elimination of soil amendment runoff pollution;

Therefore, the Bel Air-Beverly Crest Neighborhood Council appeals to the County and City of Los Angeles, all applicable government agencies, public-private partnerships, and private parties planting in public space to henceforth only plant 100% California native landscaping plants and trees within Los Angeles County, the City of Los Angeles, and specifically within the stakeholder boundaries of the Bel Air-Beverly Crest Neighborhood Council except in situations where plants and trees are designed to produce food for human consumption or provide a designated recreational playing field.

Moved by Members Mann & Spradlin, and **passed** by 15 yeses, 0 noes, 0 abstentions, 12 absent, and 5 ineligible from Members Hall, Loze, Miner, Palmer and Weisberg.

6. Meeting Locations

Discussion and Possible Motion:

Consider meeting location for committee and Board meetings in May and June. Possible locations include TreePeople in Coldwater Canyon Park and other sites within and outside BABCNC territory.

[Mindy Mann recused herself from this agenda item, out of an abundance of caution because she is on the board of TreePeople, not that it benefits her.]

A **motion** to approve use of this location (TreePeople) for next month **passed** as **moved** by Evans and Weinberg, by 14 yeses, 0 noes, 0 abstentions, 1 recusal by Mann and 5 ineligible.

President Longcore then explained reasons that we have ruled out several other locations for future meetings, including Stephen S. Wise and AJU. He noted that there have been questions about how dark it is at this location, but other sites have had the same issue and are non-flat, so one reason this is attractive and appropriate is that the room is big enough, is flat from parking to here, we were able to accommodate 70 people at our PLU meeting and TreePeople, as this is a City Park, allows use of this facility for free. So that was the best choice of why we made the finding that we didn't have an appropriate location within our territory to meet for last month, and for next month and to continue on.

Dr. Longcore led a discussion on other places to meet for committees with note that DONE confirmed need to go through the formal leasing process for any location for committees. Some ideas are Bel Air Association Clubhouse and the Bel Air Ridge Clubhouse. Those involved in either of those should not say anything now because the City Attorney will be upset as there will be a conflict. He noted that if others think we should pursue those sites for committees, make a motion to that effect and he will make the outreach to those and go through the City's process with Cathy's help to get those places cleared.

[Don Loze arrived at 8:01 pm with 21 present.]

Board discussion was held. He concluded that for now, we'll use this location next month and revisit for the following month. Member Hall noted that we haven't had a recent photo on the website and recommended having a group picture before the start of the next meeting.

New Business

7. Monthly Expenditure Report

Motion to approve the March 2023 Monthly Expenditure Report (MER) (**Attachment B**) was **moved** by Savage & Steele, and **passed** by 14 yeses, 0 noes, 2 abstentions; Schlesinger & Spradlin, 12 absent & 5 ineligible from Hall, Loze, Miner, Palmer & Weisberg.

8. Funding Expenditure Increase for Mailchimp

Motion: The **Outreach Committee** requests Board approve a motion to provide increased flexibility of Mailchimp, to not exceed \$200.00/year was **moved** by Stojka & Evans, and **passed** by 14 yeses, 0 noes, 2 abstentions, 12 absent and 5 ineligible.

9. 146 N GROVERTON PL 90077 CASE ZA-2022-9054-ZAA-ZAD

Project Description: New, two-story, single-family residence, with basement and attached garage.
Project Description: Zoning Administrators Adjustment reduction for side yard setback (5.48') to relocating stairwell access, yard gate, deck & pilaster; zone variance for 30' flagpole & non-conf. retaining wall.

Applicant: John Joliet [John P. Joliet Co TR - John]

Representative: Stacey Brenner – Brenner Consulting Group stacey@brennerconsultinggroup.com

Rochelle Hernandez rochelle@brennerconsultinggroup.com

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjYzMzk40>

Link to the Dropbox file for the applicable project-related documents per the NC checklist:

<https://www.dropbox.com/scl/fo/neuautjuqv7g3karji32g/h?dl=0&rlkey=tjenonsi6amm81038udglji73>

[Withdrawn 146 N GROVERTON PL 90077 ZA-2021-9880-ZV-ZAA ENV-2021-9881-CE
Total Area 19,639 sf. Project Description: Zoning Administrators Adjustment reduction for side yard setback (5.48') to relocating stairwell access, yard gate, deck & pilaster; zone variance for 30' flagpole & non-conf. retaining wall. Applicant/Owner: John P Joliet Co TR – John Family Trust; Filed: 12/22/2021 and Retired in 01/22.]

PLU Committee Motion to support the project if no opposition from the abutting property owners.

[Member Shawn Bayliss recused himself from both items #9 and #10.]

The owner's representative, Stacey Brenner, related that since the PLU meeting, they now have the letter of support from the Bel-Air Country Club, the largest abutting neighbor, and have no opposition from abutting property owners. She reiterated that the owner will reside at the location and thanked the PLU Committee for their support.

Motion to support the project **passed** by 15 yeses, 0 noes, 12 absent, 5 ineligible, and 1 recusal by Member Bayliss, as **moved** by Savage.

10. **1468 N DONHILL DR 90210 ZA-2022-8607-ZAA ENV-2022-8608-CE**

Project Description: ZAA SOUGHT TO PERMIT A SIDE YARD OF 5', IN LIEU OF THE 11' REQUIRED BY CODE, TO ALLOW THE CONTINUED USE AND MAINTENANCE OF AN OCCUPIED DECK THAT ENCROACHES INTO THE REQUIRED SIDE YARD

Applicant Arman Gabay /

Representative Alicia Bartley [Gaines & Stacey, LLP] Abartley@Gaineslaw.Com

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjYyOTM20>

Please also see Dropbox Link:

<https://www.dropbox.com/scl/fo/zpjr0wanbg6yp8leusfxu/h?dl=0&rlkey=ygzih2mww0j118i356hkwgtg>

Motion from PLU: To **approve** the ADU that has been built without permits and connected to an existing permitted deck (which has an illegal non-conforming side-yard setback) **with conditions:**

1. The ADU is not larger than 800 SF (confirmed by LADBS)
2. The ADU is fully sprinklered per building code (confirmed by LADBS)
3. The roof top deck material conforms with fire rating per building code (confirmed by LADBS).
4. An additional onsite parking space is included (confirmed by LADBS)
5. These conditions listed by committee be included in the Zoning Administrator's conditions, if approved.

[The ADU was built *without* permits and ALL (fire) safety requirements need to be confirmed by LADBS.]

[Shawn Bayliss had recused himself from items #9 and #10.]

Dr. Longcore introduced this and provided an explanation of the reason for this, that there was an existing deck, which as a deck was legal but they built an ADU underneath the deck, which turned the deck into a rooftop deck, turning it from a legal deck to an illegally-set back deck. They are asking to permit something that used to be legal but isn't anymore, because they built an ADU underneath the deck. Ms. Alicia Bartley noted that she and Stacey Brenner represent the applicant, agreed in essence with Dr. Longcore's assessment of the reason for this request, and provided further explanation, noting in summary they are going after the fact to permit; this stays as an ADU, and

because of the technical reading of code, this portion of the deck is now considered a rooftop deck requiring an additional setback. She noted that they are not making any alterations to the setbacks; the new construction is completely outside of the setback.

Member Savage related that she noticed in a photograph provided by them after our PLU Committee meeting that shows, next to the stairs on the side yard, what looks like a tall wooden fence with vegetation on it, on their property or the abutting property, which seems like an additional hazard that needs to be addressed. Ms. Bartley noted that she will look into it. Member Savage noted that this needs to be added to the five conditions already on the motion. She would add to the list of conditions to have LADBS and/or Code Enforcement address what seems to be an illegal wooden fence with vegetation that is illegal because it is over-height, *if this is on their property.*

Motion to support the project with the five conditions on the agenda **plus the added recommendation that Planning and LADBS consider the adjacent wooden apparently over-height fence for remediation, if needed (if on their property)** was **moved** by Savage and **seconded** by Evans.

Member Hall asked if this came about as a result of a neighbor complaint, and what outreach to neighbors has been done to let them know that this application is pending and as to this Neighborhood Council meeting. Ms. Bartley responded that she did not believe there had been any but they'll have their public hearing with the City when they are ready to go to the hearing. She noted that the ADU is per State law and ordinance, and that the deck has existed since 1992. Ms. Bartley agreed that the only aspect that is discretionary is the rooftop deck.

Member Loze expressed concern about setting a new precedent, asking how this comes up as a technical issue when the ADU is built and come back after it is built and ask us to excuse them for not building it correctly, to which Ms. Bartley provided detailed explanation as to the technical issue of no new construction in the required setback. Member Loze expressed concern that it seemed to be a piecemeal activity, putting us in the situation to absolve them for something they should not be absolved for.

The motion **is** that we would support the ADU being legalized, with the five conditions noted on this agenda plus the additional recommendation that LADBS and/or Planning consider the potential over-in-height fence and remediate it (if it is on their property.)

The motion **passed** with **12 yeases** from Members Garfield, Kwan, Cobb, Templeton, Prothro, Steele, Stojka, Spradlin, Greenberg, Savage, Evans, Weinberg; **0 noes**, **3 abstentions** from Schlesinger, Mann & Longcore. **5 ineligible**: Miner, Hall, Palmer, Loze and Weisberg and **1 recusal** by Shawn Bayliss.

11. Party House Handbook Update (Attachment C)

Update, Discussion & Motion to approve the Updated 2023 Party House Handbook This item was introduced and **moved** by Member Evans and seconded. Discussion was held including clarifications for the document. The motion was **approved**.

12. Community Plan Updates (WRAC)

Motion: The Bel Air Beverly Crest Neighborhood Council insists, on behalf of the stakeholders it represents, that prior to the completion of Community Plan updates, the City inform communities of the methodology by which it determines the allocation of RHNA numbers and the calculations that derive density housing goals in order to meet the aims of the Housing Element.

These include, for each Community Plan and Community or Neighborhood Council area:

- a) Current zoning capacity (including existing density bonuses & commercial zones that

- allow residential uses) and reasonably expected population change.
- b) The methodology which will be used to allocate RHNA growth numbers.
- c) RHNA allocation of units in each community.

We also urge the Planning Department to thoughtfully consider the input (submitted by previous written comment or imparted in real time) of Neighborhood and Community Councils as well as stakeholders that come together for the purpose of contributing to the Community Plan update process with informed and productive input, insight and/or suggestions. This essential input must be implemented by Planning staff, and the contributions reflected by being substantively included in the outcome/drafting of revised Community Plans. We urge that a report back mechanism be implemented by Planning staff, in order to inform communities of where and how their input has been received and incorporated into the final drafting process.

We would like to understand the role of the Westside Community Plan Advisory Group (WCPAG) and be assured that the WCPAG's voice will not outweigh that of local stakeholders.

Moved by Evans and Greenberg. Discussion was held and the motion was **approved** by 16 yeases, 0 noes, 0 abstentions and 5 ineligible.

13. Discussion & Possible Motion regarding Council File #23-0420 Citywide Department Vacancy Rates / Non-Sworn Civilian Personnel / Incentive Program.
https://clkrep.lacity.org/onlinedocs/2023/23-0420_misc_04-14-23.pdf (Attachment D)

Motion: To support CM McOsker's motion

- That the City Council instruct the Personnel Department to report in 30 days on vacancy rates in each department citywide.
- That the City Council instruct the Personnel Department and the City Administrative Officer to report into the Budget, Finance and Innovation Committee with recommendations to establish an incentive program for non-sworn civilian personnel. The program should specifically outline a plan to prioritize those departments with the highest vacancy rates.
- That the City Council instruct the City Administrative Officer to identify and report on potential funding to implement the aforementioned hiring bonus plan for the prioritized departments with the highest vacancy rates in the Fiscal Year 2023-24

Moved by Evans. Jarrett Thompson was invited to answer questions and he noted that the main reason for this vacancy level is the pandemic that we are trying to bounce back from. The motion **passed** by 16 yeases, 0 noes, 0 abstentions and 5 ineligible.

[Shawn Bayliss left at 8:49 PM, with 20 members remaining.]

14. Discussion & Possible Motion re Council File #23-0404 Per- and Polyfluorinated Substances (PFAS) / Firefighter Protective Gear / Cancer Causing / International Association of Fire Fighters (IAFF) / Los Angeles Fire Department Testing
https://clkrep.lacity.org/onlinedocs/2023/23-0404_misc_4-11-23.pdf (Attachment E)

Motion: To support CM Rodriguez's motion that the Fire Department report back on current testing being done, if any, to report the levels of PFAS in firefighter protective gear. This report should include possible outside sources to perform this testing. Further, that the Fire Department report back with current plans to remove the hazardous firefighter gear from all inventory and fire stations across the city. This report should include funding needed for new and safe firefighter protective gear. **Moved** by Evans and Greenberg and **approved** by 15 yeases, 0 noes, 0 abstentions and 5 ineligible.

15. Ad Hoc Committee or Working Group on Governance Reform

Discussion & Possible Motion to create an ad hoc committee or working group on governance reform so that BABCNC can effectively participate in the ongoing governance discussions and hearings. Member Evans **moved** and explained the item. Dr. Longcore asked if we have the people who want to do that and do we have other structures e.g., a task force with a very small number who can bring recommendations to the Board; he proposed ad hoc. **Volunteers** were Member Evans, Hall and Schlesinger. Mann **moved** to form the working group to track this issue and make recommendations to the Board; Evans **seconded** and the motion **passed**.

Items #16 and #17 were taken together as one item:

16. Department of Water and Power Five-Year MOU with Neighborhood Councils

Motion: That the Bel Air-Beverly Crest Neighborhood Council Board of Directors approves participation as a signatory in the five year Memorandum of Understanding with the Department of Water and Power dated February 15, 2023 **passed** by 15 yeses, 0 noes, 0 abstentions and 5 ineligible as **moved** by Dr. Steele.

17. NC-DWP MOU Oversight Committee

Motion: Dr. Steele volunteered to be the Primary representative to the NC-DWP MOU Oversight Committee, and Member Savage the Alternate Representative, **passed** by 15 yeses, 0 noes, 0 abstentions and 5 ineligible as **moved** by Dr. Steele.

[Of note, the main obligation for each Neighborhood Council is to provide LADWP with **14 days advance notice** any time a committee or the Board will consider **any matter relating to LADWP**, and to allow DWP to present its own perspective on the matter when it is considered. Notice should be sent to your Community Liaison.]

Full 2023 MOU doc: <https://ladwp.com/neighborhoodcouncils> (Attachment F)

Reports and Updates

18. Reports of Officers:

- VP of Operations Greenberg presented a plaque that had been presented to us at a Hillside Federation Xmas party many years ago, and pointed out an article featuring Jamie Hall.
- VP of Legislative Affairs Hall spoke on the Hollywood Community Plan Update, noting the importance of expanding biological resource mitigation measures.

19. Reports of Committee Chairs:

- PLU Committee Chairman Schlesinger noted as to recent abuse by people representing third parties and not declaring that they are lobbying that he'd like the paragraph on the agenda regarding lobbying be read at the start of our meetings.

Good of the Order

President Longcore welcomed us back, thanking everyone for their work and noted that now we are back in person but will work to bring recommendations next month for expenditures on equipment if the City is not going forward with the hybrid pilot program. This would include an Owl camera which runs from \$1500 to \$2,000. He noted that it seems one of the most important things we do and have done for the last three years is listen to the community. The hybrid meeting will allow, under current law, members to opt out for medical reasons. He also noted the complicated technical issue of having the mic for the Zoom versus the mic for the room. Member Evans noted that we could live-stream.

Adjournment:

The meeting was adjourned to May 24th 2023 as **moved** by President Longcore at 9:10 pm.

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