



**Regular Meeting of the Board MINUTES
Wednesday, July 26, 2017 7:00 pm to 9:00 pm**

**American Jewish University
 15600 Mulholland Drive, Room 223, Main Campus, 2nd Floor, Bel Air, CA 90077**

Total Present: 23

Minimum Quorum: 15

| <u>2016/2017 Stakeholder Groups / Representatives</u> | <u>Present</u> | <u>Not Present</u> |
|---|----------------|--------------------|
| Bel Air Crest Master Homeowner Association | | |
| <i>Irene Sandler</i> | | X |
| Bel Air District | | |
| <i>Maureen Levinson</i> | X | |
| <i>Leslie Weisberg</i> | X | |
| Bel Air Glen District | | |
| <i>Larry Leisten, Bylaws, Rules & Elections Chair</i> | X | |
| Bel Air Hills Association (BAHA) [Formerly RVA] | | |
| <i>Robin Greenberg, President</i> | X | |
| <i>Michael Kemp</i> | X | |
| Bel Air Ridge HOA | | |
| <i>Desiree Lapin (Alternate for André Stojka)</i> | X | |
| Benedict Canyon Association | | |
| <i>Robert (Bob) Schlesinger, PLUC Chair</i> | X | |
| <i>Don Loze</i> | | X |
| <i>Nickie Miner, Vice President</i> | X | |
| <i>Matthew (Matt) Post</i> | X | |

| 2016/2017 Stakeholder Groups / Representatives | Present | Not Present |
|---|----------------|--------------------|
| Casiano Estates Association | | |
| <i>Gary Plotkin</i> | | X |
| Commercial or Office Enterprise Districts | | |
| <i>Jacqueline Le Kennedy, Treasurer</i> | X | |
| Faith-Based Organizations | | |
| <i>Lonnie Mayfield</i> | | X |
| Franklin-Coldwater District | | |
| <i>Maureen Smith (Appointment 06/28/17)</i> | X | |
| K-6 Private Schools | | |
| <i>Teresa Lee</i> | | X |
| 7-12 Private Schools | | |
| <i>John Amato</i> | | X |
| Public Educational Institutions (K-12) | | |
| <i>Kathy Copcutt</i> | X | |
| Holmby Hills Association | | |
| <i>Jason Spradlin</i> | | X |
| Laurel Canyon Association | | |
| <i>Jamie Hall</i> | X | |
| <i>Stephanie Savage</i> | X | |
| <i>Cathy Wayne</i> | X | |
| <i>Tony Tucci</i> | | X |
| Members-at-Large | | |
| <i>Dan Love</i> | | X |
| <i>Chuck Maginnis, EP Chair</i> | X | |
| <i>Pamela Pierson (Appointment today, 07/26/17)</i> | X | |

| 2016/2017 Stakeholder Groups / Representatives | Present | Not Present |
|---|-----------|-------------|
| Member-at-Large / Youth Seat | | |
| <i>Robinson (Rob) Farber</i> (Appointment 06/28/17) | X | |
| North of Sunset District | | |
| <i>Luis Pardo</i> | X | |
| <i>Ellen Evans</i> (Appointment 06/28/17) | X | |
| Residents of Beverly Glen | | |
| <i>Robert A. Ringler, Secretary</i> | X | |
| <i>Dan Palmer</i> | X | |
| Custodians of Open Space | | |
| <i>Travis Longcore, Ph.D.</i> | X | |
| Total: | 23 | 9 |

- Call to Order** Robin Greenberg, President, called the meeting to order at 7:03 pm.
- Roll Call** (Quorum remains 15, per DONE-approved revisions to Bylaws) Robert Ringler, Secretary, called the roll with 19 present initially and by 7:38, 23 were present, to include Dr. Pamela Pierson, who was appointed this evening to fill the fourth At-Large seat.
- Pledge of Allegiance**
- Motion:** Approval of July 26, 2017 Agenda (per Bylaws, Article VIII, Section 2) **Moved** by Robert; **seconded** by Travis. Larry noted that on 7c, change “privately appointed” to “publicly-selected” **19 Yes; 0 No; 0 Abstentions; Approved as amended.**
- Motion:** Approval of June 28, 2017 Minutes (Attachment A) (Copy was circulated with agenda.) **Moved** by Cathy Wayne; **seconded** by Kathy Copcutt; **Corrections & Amendment made by Larry Leisten and approved by the movers:** #7.b. 3rd line from bottom right, change “this seat” to “North of Sunset District,” change “formerly known as,” to “formerly represented by the Save our Strip, a private stakeholder group that had four seats on the council. Add: A second seat to represent the North of Sunset District was recently approved by the BONC. Page 7.e.: 2nd line, appoint member to committee on an annual basis for a one or two year term. The bylaws call for “renewal of committee memberships” during the second quarter “of each calendar year.” This is the last meeting of a second quarter. The minutes were **approved as amended** by **19 Yes; 0 No; 0 Abstentions.**

Motion: Approval of June 28, 2017 Supplemental Meeting Minutes (Special Meeting) which followed the regular meeting (Copy was circulated with agenda) **Moved** by Cathy W; **seconded** by Travis Longcore; **18 Yes; 0 No; 1 Abstention;** Larry. **Approved.** (This followed the regular meeting.)
- Public Comment:**
Stella Grey from the Doheny Sunset Plaza Neighborhood Association (DSPNA) thanked Bob, Robin, Stephanie & Maureen Levinson for supporting their fight for improvement in their area, and for coming to their hearing tomorrow. Robin thanked her and her community.

Luis Pardo expressed opposition to “the witch hunt by this administration against transgender people.”

Reports of Officers

7. President’s Report – Robin Greenberg (Update, Discussion & Possible Action)

- a. **Update from the President (August meeting cancelled)**
- b. **Motion:** To nominate Pamela Pierson to the Board, for the 4th At-Large Seat.
Moved by Robin; **seconded** by Larry; **20 Yes; 0 No; 0 Abstentions; 11 absent: Approved.**
- c. **Motion:** Initiate process to remove “publicly-selected” representative of Private Schools, Grades 7-12, John Amato, due to continued absence from Regular Board Meetings over an extended period of time, in violation of, and as provided by Article V, Sections 7 and 9(a), and to schedule a hearing at next Board Meeting, September 27th, so John may have an opportunity to be heard on the matter. **Moved** by Robert Schlesinger; **seconded** by Kathy Wayne. Multiple board members expressed great appreciation of John Amato. **16 Yes; 1 No; Nickie; 4 Abstentions: Kathy Copcutt, Chuck Maginnis, Robert Ringler and Jacqueline Le Kennedy; Approved.**
- d. **Discussion & possible motion** to reconstitute the Traffic Committee. This committee monitors issues related to motor vehicle and bicycle traffic, road resurfacing, restriping, parking, traffic control such as signaling and signage, road design; analyzes and sets policy for board approval. **Moved** by Robin; **seconded** by Robert R. **20 Yes; 0 No; 1 Abstention:** Maureen Levinson; **Approved.** Larry noted that we will eventually put what the traffic committee does into bylaws.

[Mike Kemp arrived at 7:33 pm.]

- e. **Discussion & possible motion** to review committee membership, appointments and terms, and review of size of Planning & Land Use Committee **moved** by Cathy Wayne; **seconded** by Larry. Discussion was held; comments below not in entirety and not verbatim.

[Dan Palmer arrived at 7:38 pm.]

Larry related that things transpired last month that were not intended or planned. He has discussed with Robin and Bob afterwards that there was nothing on the agenda last month to change the size of the PLU Committee (PLUC). It should have been agendized and it’s now agendized. It was only on the agenda to reappoint current members. Bob Schlesinger related that what we are looking for on the PLUC is geographical diversity as there are areas that have no representation, namely Franklin-Coldwater, for which we are looking to bring someone onto the committee. Bob would like to reserve two spots.

Larry related that after speaking with Semee at last months’ meeting, it was determined that our quorum remain at 15 (not 16). He discussed with Bob that by increasing the PLU Committee to 14 members, all it takes is one non-committee board member present for a Brown Act violation. Semee offered a point of clarification that committee membership needs to be less than the majority of quorum: So if your quorum is 15, your committee needs to be 7. You could have more members but would always need to agendize the PLUM meeting as a Joint Board/PLUM Committee and provide a little disclaimer. Larry noted that we discussed this issue brought to our attention by Ivan at our retreat, and felt it was misleading to publish an agenda to our stakeholders where it says Joint Meeting of the Planning & Land Use Committee and Board of the Neighborhood Council, when they may go to the meeting, and it is not a meeting of the

Board. Larry noted that the City Attorney's opinion, which Semee endorses and supports, holds a lot more merit when we now have a larger committee, because he is not focused as much on the majority of a quorum but an actual gathering of Board members, which likelihood is severely heightened when we have a 14-member committee... Larry noted that we have to work this out and adjust things. He will speak with her for clarification but does not want to mislead our stakeholders that the Board is meeting when it is just a PLU meeting.

Motion: To set the PLU Committee at 14 members but have only 12 members seated (*at this time*). **Moved** by Larry.

Travis commented for clarification, to which Larry agreed, that we should interpret this action as follows. First, that the President has made a determination that the election of the members of the PLU Committee done last month was not improper in its whole, because the only thing that was not agendized was the addition of people; that renewal of appointments of people was on the agenda and that is proper. Larry agreed with Travis and added that the motion would be to properly adjust the size of the committee, but that Bob has made a suggestion that he does not want a full committee at this time.

Travis went on to say that in order for there to be vacancies, the President would make a determination that the people who were added to the committee last time were added improperly because the only thing that was on the agenda was the renewal of appointments. Those added not previously on the committee were Ellen Evans, Luis Pardo and Cathy Wayne. Then there would be three vacancies (keeping Yves whose appointment was on the agenda).

Additionally, Bob and Larry noted that the record shows there were two motions last time, one which was tabled in which Robin was not counted, and one which passed in which Jamie Hall was not counted, as he was out of the room, as confirmed by Cathy Wayne. Travis expressed concern that we have one more person who is properly reappointed to the committee than the chair of the committee would like; one vacancy not two. He noted that Jamie is another issue: He was not on minutes, on the list, and that was the motion that was approved.

Travis would make it clear that Ellen Evans, Luis Pardo and Cathy Wayne were not properly elected and that those three slots are not open necessarily, because then we'd have to deal with the size of the committee. Bob and Larry noted that Yves was properly admitted to the committee, replacing Gary.

Travis noted that the following were properly reappointed to the PLUC: Nickie, Jason, Stephanie, Robert S., Robin, Don Loze, Maureen L., Leslie Weisberg, Michael Kemp, Steve Twining, Yves Mieszala, and if we add Jamie, that would come to 12 and leave 2 vacancies.

Motion: To add Jamie Hall to the Planning and Land Use Committee.

Moved by Larry **seconded** by Cathy Wayne. Brief discussion was held as to consideration of Cathy Wayne as possible interim rep for Franklin-Coldwater, to be discussed at a later date.

Travis Clarified the Motion: The President has determined that three members were improperly appointed because it was not on the agenda (Ellen, Luis and Cathy Wayne.) Then, Larry has made a motion, no one has challenged that, and, Larry has made a motion to add Jamie to the committee. **23 Yes; 0 No; 0 Abstentions; 9 Absent; Approved.**

Motion: To increase PLUC to 14 and not add any more people at this point **Moved** by Travis; **seconded** by Chuck; **23 Yes; 0 No; 0 Abstentions; 9 Absent; Approved.**

f. **Save the Date: Congress of Neighborhoods September 9, 2017 @ City Hall**

To help with this year's Congress, please email nccongress@gmail.com

g. **Upcoming & Recent Hearings on Citywide Land Use Issues** (Discussion & Possible Action)

h. **Representatives of Elected Officials and Agencies** (Update & Discussion)

i. Gurmet Khara, Field Deputy for CD-5 CM Paul Koretz: Not Present. Robin read an email from Gurmet as to the Ridgeline studies moving toward final regulations.

ii. Faisal Alserri, Senior Planning Deputy for CD-5 CM Paul Koretz: Not Present.

iii. Alice Roth or Nikki Ezhari, Field Deputies for CD-4 CM David Ryu: Nikki was present and noted that the Sherman Oaks Traffic Study will be completed soon; they are trying to get consensus from all the communities involved. She mentioned proposed regulations for cannabis dispensaries and reminded us that August 1st is "National Night Out" in Sherman Oaks and Hollywood.

iv. Julia Duncan, Senior Planning Deputy for CD-4 CM David Ryu: Not Present.

v. Janet Turner, Representative for 33rd District Congressman, Ted Lieu: Not Present.

vi. Semee Park, Director of Neighborhood Council Operations, announced upcoming "Planning 101," in partnership with the Planning Department: On the Westside: Westchester Municipal Building on Wednesday, August 16th; at City Hall on the 15th, and in the Valley at Pacoima City Hall on Monday the 29th, all 6-9:30. She noted that council session has started.

Maureen Levinson asked Semee again why it is taking so long to hear back from Carmen Hawkins, (RE: input by Bel-Air community as to sentencing of Mr. Hadid for egregious violations in connection with non-permitted construction on Strada Vecchia.) Semee said she would get back to her on this.

vii. Chris Ragsdale, Senior Lead Officer, LAPD, WLA Station: Chris related that overall, we are continuing the downturn with crime, e.g., burglaries, robberies, all the serious crime that they categorize. We are down to nearly 15%; the only category up in is burglary, most increases of which occurred during the first quarter of this year; now down from 31-32% to 22%. Chris reiterated the need for prevention and immediate detection and notification and, as an example, related that this afternoon, surveillance units called in uniformed officers to stop, arrest and apprehend suspects in Westwood for knock-knock burglaries. For one, it was his 4th arrest for burglary. Chris noted that burglary is a non-violent crime, considered a property crime, and that it is important to understand that those arrested for these crimes are not spending a lot of time in jail but come back and re-offend. Asked about Early Release, Chris noted that, "on paper it looks good but in reality it has a different effect sometimes." He noted that on August 1st, they're hosting an event for "National Night Out" at Stoner Park.

viii. Fernando Morales from the office of County Supervisor, Sheila Kuehl, introduced himself as the newest member, who represents the area east of La Brea to Atwater, and that he stopped by for Stephanie. He encouraged attending "National Night Out." He noted that Measure H funding starts to roll out August 1st; projections are for \$264 million; Stephanie will provide more information. He also noted that the Supervisor has been planning for long-term water needs for the County, and is encouraging Public Works to develop a plan, which will be out next week.

<http://supervisorkuehl.com/h2o4la/>

8. **Vice President's Report – Nickie Miner** mentioned the cell phone towers item below under WRAC.

9. **Secretary's Report – Robert Ringler** No report.

10. **Treasurer’s Report – Jacqueline Le Kennedy** (Update, Discussion & Action)
- a. **Update from Treasurer**
 - b. **Motion:** Consideration of June 2017 Monthly Expenditure Report & Statement (**Attachment B**)
Moved by Jacqueline; **seconded** by Larry; **22 Yes; 0 No; 0 Abstentions; 9 absent; Approved.**
 - c. **Motion:** Approval of Budget Package (Strategic Plan, Outreach Survey & Self-Assessment) for fiscal year 2017-2018 – due 06/30/2017, with last bits of factual data to be determined later. (**Attachment C**)
- Robin related that she put a lot of herself into this, and asked the Board to help complete parts of these documents. She related that our goal is to file as many community impact statements as we can possibly file, as this is an “issues-related board.” Items included but were not limited to agreement to do 5 CISs per month and 5 requests for action. Travis noted that all of our PLU actions reflect a request for action.
Moved by Robin; **seconded** by Jacqueline; **22 Yes; 0 No; 0 Abstentions; 9 absent; Approved.**
 - d. **Motion:** To reimburse Jacqueline Le Kennedy **\$165.00** for paying Google, as auto-pay declined while having no access to credit card. **Moved** by Robin; **seconded** by Jacqueline; **22 Yes; 0 No; 0 Abstentions; 9 absent; Approved.**
 - e. **Motion:** To reimburse Cathy Palmer of \$94.57 for printing agenda packets while having no access to credit card as follows: 06/13/2017 @ **\$8.75** for 06/13/2017 PLU Meeting; 06/28/2017 @ **\$68.89** for Board meeting; and 07/11/2017 @ **\$16.93** for 07/11/2017 PLU Meeting; **Total: \$94.57**
Moved by Robin; **seconded** by Jacqueline; **22 Yes; 0 No; 0 Abstentions; 9 absent; Approved.**

Reports of Committees (Updates, Discussion & Possible Action)

11. **Bylaws, Rules & Elections Committee – Laurence Leisten, Chair**

- a. Update/Report by Chair: Larry reviewed comments he received from Semeé regarding classification for our At-Large seats: We have two Traditional Stakeholder At-Large seats, (stakeholder who lives, owns property or works within the territorial boundaries). We have one seat reserved for a Community Interest Stakeholder (someone who does not necessarily fit the definition of a traditional stakeholder, but affirms a continual and substantial interest within the neighborhood council territory,) and lastly, we have a fourth At-Large seat reserved for a Youth Representative.

Larry noted that he has received the approved version of the bylaws but has not yet distributed this, until he reviews for some formatting changes that were made, so he can be sure exactly what EmpowerLA has changed. Within the past week, he has received additional changes from Semeé: 1) That our bylaws are not comprehensive when describing the terms of the various seat holders. Larry noted that given the legacy nature of this board, the Bylaws show two-year terms for At-Large members, and with respect to appointed residential stakeholder group representatives – the Bylaws basically leave it to the individual private HOA groups to decide when they appoint a representative, for what term; only condition we put in 2015, was that term be no more than two years, because a publicly-elected representative serves only two years, or approximately two years. Semeé wanted those changes reflected in Attachment B. Larry noted that this was a good catch for her, because what he learned in 2016 was that the City Clerk’s office was only looking at Attachment B; they weren’t looking at our Bylaws; so it was a mess. In a week or so he’ll publish or distribute the new revisions to our Bylaws, which Cathy will post to the website. Larry will get a draft of Standing Rules together for our Bylaws Committee, to be discussed.

12. **Emergency Preparedness Committee – Chuck Maginnis, Chair**

- a. **Update/Report by Chair** – Chuck welcomed us to attend his next EP meeting on 08/15 @ 7:00pm at Bel Air Ridge. He’ll send the info on metal-blade weed whackers and expressed concern about wildfires.
- b. **Next EP Meeting: August 15, 2017 7:00 pm Bel Air Ridge Clubhouse 2760 Claray LA 90077**

13. **Planning & Land Use Committee (Update, Discussion & Action) – Bob Schlesinger, Chair**

a. Update & Report by Chair on the July 11, 2017 Meeting:

A brief special presentation was given on Harvard-Westlake's "Parking, Safety and Athletic (PSA) Improvement Plan" by Ari Engelberg, Head of Communications & David Weil, CFO for the school and Project Manager for the proposed project: <http://www.hw.com/psaproject/> **PUBLIC HEARING: Tues. August 8, 2017, 9:00 a.m., at Van Nuys City Hall –14410 Sylvan St., #201 Van Nuys, CA 91401**

Bob related that at our last PLU meeting, we called in Harvard-Westlake for one specific reason only. There was not a vote taken. He asked them to address how this will affect the traffic pattern on South Coldwater Canyon, in our area, "because North Coldwater Canyon is working on a project that's going to take about three years with a bridge crossing Coldwater..." He noted that at our last Board meeting, we had people here who spoke against this. Bob opined that we have too many problems with people here that either have been advising the nay people or have children with the aye people. His opinion is that we should not take a vote on this. Cathy Wayne noted that there is also the issue of building in a wildlife area.

[At 8:26 pm, Travis stepped out.]

Bob noted that during the PLU committee meeting, Jamie made a suggestion to them, that if they build this building to take up the acreage, they should buy and donate an equal amount for a wildlife habitat. Jamie asked, why are we being somewhat agnostic on such a gigantically important issue? Bob noted that he has not made a decision but he made a suggestion, noting that we have at least five families on this board who have children that go to Harvard Westlake, and at least two people on this board advising those opposing this with regard to wildlife. Robert is concerned that all of them will have to recuse themselves.

Jamie responded that he respects Bob's position; however, disagreed, suggesting that those who need to recuse themselves recuse themselves, that this is a huge project, and feels we should not punt. Bob asked Larry about how an abstention counts. Larry responded that it was discussed last year and agreed upon that abstentions do not count, they don't count as a "no," there is a provision in the Bylaws that say not only do you need a majority, but you need a minimum number of votes to act. Since it is not agendized for a motion tonight, Bob related that we will have to bring it up next month.

Jamie noted that there will definitely be an appeal and it is his strong position that we need to weigh in on this. Larry noted that this is an example of what can be taken to our newly reconstituted Roads & Traffic Committee, especially if Coldwater Canyon is closed for a great length of time. He opined that this will wreak havoc with already over-burdened limited roads going through most of our community and may be worse than what happened when Upper Benedict was closed for two years. Larry recommended that we study this and have a good deliberation and discussion on it.

Cathy Wayne noted that there were sewer replacements on that same stretch for four years, which backed up traffic and was a nightmare. She noted that this is not just a traffic issue – it is an environmental issue. "They are putting it across the street in a wildlife corridor. This is a major issue." Someone mentioned that this is not in our territory. Luis asked if we couldn't record our unofficial opposition; Bob noted we'll do this at our next meeting.

[At 8:32 pm, Travis returned.]

b. Motions on Projects Heard:

1. 13442 & 13444 JAVA DR, 90210 ZA-2017-1743-ZAD ZA-NPH July 20, 2017 ENV-2017-1744-CE RE-40-1-H-HCR 90210 Mulholland West of B-Park

Const (n) SFD on lot w/o veh access rte from a street improved with a min 20ft wide continuous rdway from driveway apron that prov access to main residence to boundary of substandard hillside limited street,

improved with rdway less than 20ft. Recorded Covenants. New 2 stry 8,921 sf SFD w/att garage, pool on 2 vacant lots. Access provided from Java. Exist driveway demo & rebuild to attain a min of 18ft wide and 135 ft long to Mulholland Dr. Java provides access to 16 other properties between its conn to Mulholland Dr. & Gibraltar. Firth Dr., adjoining the prop to South, provides access to 5 other properties between its conn to Java and termination to South of sub prop. What intervening structures? Approval of assoc Haul Route sought re export 2,500 cy from site. Crest Real Estate caitlan@crestrealestate.com 775-690-2230 & Tony Russo. [Jamie asked why he didn't speak with the neighbors.] **By a vote of 10 yes, 1 no: Mike, 0 abstentions, and 1 absence: Leslie, the BABCNC PLU Committee recommended that the BABCNC Board DENY the request.**

Tony related that this is a new two-story house, no basement; two lots that will be tied; with a long driveway piece of parcel, with a very large existing flat pad that used to have two houses on it. They have been demolished. Their proposed project is for a new house on the same lot. He noted that they were requesting relief from street widening on Java, the primary access, and on Firth, which is partially a paper street but also a paved street that fronts but they don't get access from. As to the PLU committee's concern that there was no direct communication with the neighbors beforehand, he noted that they have since had interaction with the neighbors and, after the hearing, got more neighbors. They spoke with all the neighbors on Firth and one on Java who are in support of not widening Firth or Java. He noted that the neighbors gave their support at the hearing and that he stated this PLU Committee's position at the hearing, but that the ZA found that since they have the support of the direct neighbors, they approved the ZAD. He noted that there will be more discussion about the haul route and MDRB review and he will be glad to return to the PLUC. They are preparing a site meeting with the adjacent neighbors, to be more prepared before the MDRB hearing.

Questions were asked and answered, including but not limited to lot size, which he reported is approximately 30,000 square feet for each property, and is primarily flat. Firth is around 11-17 feet depending on location and hugs the property line to the west; they have no access to their property on Firth. Regarding fire access, they are constructing a Fire Department turnaround on their property, having large flat pads to work with. Stephanie asked if the LAFD doesn't care that they are more than 400 feet from a fire hydrant. Tony responded that they have a fully-sprinklered building and the turnaround onsite. Tony noted that they do not have clearance approval with the LAFD, but will have to have it before getting FD clearance. Stephanie noted that she had driven there, and asked questions which were answered. He noted that B-permits want a transition and they discussed this with them. Travis asked, and Tony responded that they are building one house on both lots. The lots get tied; will be working with two pads. Travis asked why do they need to export so much fill, to which Tony answered that some walls have to be repaired and they have to construct a new wall; there will need to be additional cuts. They actually plan to excavate 1,000 cy but applied for 2,500 cy because it's a safe number. They're still trying to work with civil... to reduce export to slightly above 1,000 cy. Stephanie asked about ESHA designation, and about drainage to the proper streets. He noted this will be the biggest house in the area. Dan Palmer asked about the foundation.

Robert reiterated the vote by the PLU Committee to deny, noting however that they have not finished what they have to do and will be back; Tony has volunteered to come back. Robert stated that the denial will stick at this point, but it does not mean it may not be subject to a different vote at some time in the future. **[Chuck left at 8:43 pm.]**

Motion: To deny the project as presented. **Moved** by Robert; **seconded** by Larry; **19 Yes; 1 No:** Michael Kemp; **2 Abstentions:** Leslie & Cathy W.; **10 absent** (Chuck having just left); **Motion to Deny passed**

2. 1860 BLUE HEIGHTS DR., ZA-2017-883-ZAD DSP Hearing Not set a/o 3/30/17
ENV-2017-885-CE, AA-2017-884 Lot area 29,276.8 Demo & add 4,479 sf of floor area SFD fronting sub-standard Hillside Limited, width less than 20 ft. CPR from drvway to apron to the boundary of the hillside. Street. No veh access, deemed to be a private street. Appl/Owner: Salim Lahoud, Dubina Arts LLC. Agent/Rep: Crest Real Estate caitlan@crestrealestate.com 775-690-2230 & Tony Russo

By a vote of 11 yes, the PLU Committee voted unanimously to recommend that the BABCNC board SUPPORT this project with the following conditions: 1) providing photo-simulations of the project to verify the size of the house, and, 2) a master covenant agreement for not using ADU for airBnB; 3) provision of a debris fence, and, 4) approval of the fence height for wildlife; 5) subject to the approval of the Advisory Agency (AA-2017-884-DPS) for construction access.

Stephanie noted that the lot size is larger than 29,000; that is one of the lots. The total is 92,000 square feet. She attended the hearing and handed in Bob's letter with the five points, as well as other points from Laurel Canyon, to make sure all the steps are there.

Presenter, Tony Russo, with owner Salim Lahoud, gave an overview of the project. The lot size is about 92,000 square feet. They are proposing 6,000 square feet for a single-family dwelling, plus a 640 square foot Accessory Living Quarters. He noted that the homeowner has done a great job of reaching out to all of the adjacent neighbors and they have six support letters from surrounding neighbors.

He said they are asking for relief from widening portions of Walnut less than 20 feet wide and that they are widening directly in front of their property; did a turn on Walnut. Where the street extends beyond their frontage, there is a request for that. He said there will be no haul route and they'll do all the staging on site.

In response to the five conditions we have asked for, #1, they have provided the photosimulations of the project to verify the size of the house; #2 a master covenant and agreement to not use the accessory living quarters as an AirBnB, which they have recorded; #3, providing a debris fence; they agreed to that, and requested the ZA add it as a condition of approval; #4, they are not proposing fencing at this time; he noted that there is concern about the future, if it will be fenced off, and noted that there has been some back and forth with the MRCA for final language on that, and is working with Jamie on that; and #5 was approved today.

Jamie related reasons that they are not disputing this project, noting that there are a lot of projects in Laurel Canyon because the access is from Sunset Plaza, not coming through Kirkwood, so it's not a cumulative impact issue. They are not disputing this new SF home. Jamie noted that that this is a gigantic parcel with plenty of room for parking and staging on site. He noted that they have met with the applicant, with lots of back and forth and have been working with MRCA. He noted that there is a new map the MRCA has adopted of all wildlife habitat areas in the Santa Monica Mountains, and he has used it for the first time to identify the large part of the open space adjacent to this parcel. He was able to reach out to the applicant and asked for commitment not to put in hardscape and not to build a fence.

Cathy Wayne asked a condition of approval of the project that there will always be a corridor for wildlife is going into the deed. The presenter responded in the affirmative that they have a letter to give to the ZA with a condition of approval of the project that there will always be a corridor for wildlife. Cathy asked about the useable land, which is about 30,000; Jamie thanked them for their photo simulations. Jamie asked them to create space to grow plants on the wall from below rather than from above.

Stephanie commented that this is one of the most complicated projects that she has ever looked at. We've spent most of our time discussing access and issues, but haven't looked at the building closely. She asked as measured by BHO, the max heights on the main house and locating all the retaining walls, which are not all on the plans that we saw. The presenter replied that the max main structure is 30 feet; under 30 feet on the guesthouse. They are keeping everything fully compliant with zoning code. He pointed out to Stephanie the two retaining walls: one upslope of the driveway that comes behind the house; the second off of Walnut; noted that the wall behind the pool is a full retaining wall, permitted before 2004, and is allowed as an additional wall. Stephanie pointed out that there are habitable areas.

Motion: To support the project as recommended by the PLU Committee with the five conditions:

1) providing photo-simulations of the project to verify the size of the house, and, 2) a master covenant agreement for not using ADU for airBnB; 3) provision of a debris fence, and, 4) approval of the fence height for wildlife; 5) subject to the approval of the Advisory Agency (AA-2017-884-DPS) for construction access. **Moved** by Robert; **seconded** by Michael. Luis noted that there is a water main that breaks every year on Sunset Plaza Drive. Bob asked the presenters to provide statistical information of all of the five items we have listed to the PLU Committee and not tie up the entire board. Tony related that they are hoping from the email correspondence and presentation they can get approval. Michael recommends voting on the motion as presented, which includes the photosimulation, which means they do get approval for the photosimulation. **21 Yes; 1 No; Stephanie; 0 Abstentions; 10 absent; Approved.**

(Per Stephanie, they are requesting relief from the private street. Walnut is not a private street. They access the property from Blue Heights. The only request is Blue Heights. They are planning to use Walnut to access a fire hydrant, but this is not how they access the property. They have requested relief from the improvement of substandard street.)

3. 8551 W COLE CREST DR ☉ ZA-2017-0086-ZAD-ZAA Hearing: End of July Early August ENV-2017-87-CE (Kirkwood Bowl) Conforms to R-1 zone hillside area.

New const 1,806. Allow vehicle bridge access to garage & entry stair within req frt setback. (2 structures ZAA) Scale compatible. 2 cov cars, roadway widen to 20', current sub std rd 12.5'. New st ret wall will vary from 4 to approx. 12' above grade. New SFR located 6.5' fr ret wall to a req a bridge within the frt setback. 90 cy export. Appl: Justin Schneider justinsc76@gmail.com 323.893.5454 Rep: Anthony Stark, Corsini Stark Architects, LLP Anthony@corsinistark.com 323.255.9100 x 304 Cell 323-547-0651

By a vote of 8 yes, 2 no: Mike and Jason; 1 abstention: Yves; and 1 absence: Leslie, the BABCNC PLU Committee recommended that the BABCNC Board DENY the project because of failure to conduct a sufficient environmental review; noting that from a purely academic perspective, this is not exempt from CEQA; there are cumulative impacts and an EIR needs to be done.

Motion To deny; **Moved** by Robert; **21 Yes; 1 No: Mike Kemp; 0 Abstentions; 10 absent; Approved.**

4. 9450 Sierra Mar ZA-2015-4070-ZV-ZAD-ZAA NPH ZA Hearing 7/25 C/H 9:30am

ENV-2015-990-CE (also 9448, 9458, 9460) Hollywood Plan, V-Low II Residential-RE11-1 A 2 stry 1,277 sf addition of RFA to existing 2 stry 3,627 sf SFD + pool. Overall bldg. ht of 61' in lieu of 30' ft envelope ht. 6 ft North side yard + 4' So side yard lieu of 11' side yard setback. Allow max bldg. ht of 28' in lieu of permitted 24' w/in 20' of front lot line for lot fronting a Substandard Hillside Limited Street. App: Harry Touil H77LA, LLC / Rep: Chris Parker Chris@PCCLA.com

By a vote of 11 yes, 0 no; 0 abstentions; and 1 absence: Leslie, the BABCNC PLU Committee recommended that the BABCNC Board TAKE NO EXCEPTION to the project.

Chris Parker gave brief summary; house built before BHO; it is nonconforming. It is too tall for current rules, and too tall for the rules before BHO changed. Too close to the north side of the property line, where the garage is. If his client wants to change one stick of the house, it immediately triggers a zone variance for height. Any changes require a zone variance for 61' – the house itself will be 11 inches taller than it currently is. It looks like a submarine, with rounded edges, gets smaller as it goes up. He noted that his client wants to square it off making it more modern. On the south side he would like to have a pool, and that is where he can put the fifth parking space. Above the garage, which is currently one story, he'd like to put some living space above the garage, a bedroom, which triggers the 5th parking space, which can go on south side but with the current patio deck, add a pool, you suddenly have encroachable to south side area.

Motion: To take no exception to the project. **Moved** by Robert; **20 Yes; 1 No: Travis; 1 Abstention: Larry; 10 absent; Approved.**

c. Other Motions on Planning & Land Use Issues:

1. Motion for Haul Route Appeals in Doheny Sunset Plaza Neighborhood at 9016 Thrasher & 9196 W. Thrasher: By a vote of 11 yes, 0 no; 0 abstentions; and 1 absence: Leslie, the BABCNC PLU Committee recommended that the BABCNC Board **SUPPORT** the DSPNA's appeals of haul routes at 9016 Thrasher & 9196 W. Thrasher, based on the failure of the city to clear the streets for the haul routes and on the lack of enforcement. (There's a street-width issue on one.)
Moved by Robin; **seconded** by Leslie; **22 Yes; 0 No; 0 Abstentions; 10 absent; Approved.**

2. Request of Elected Officials to ask for Enforcement of Planning Cases where ZAD Requirements are Not Being Implemented – Stephanie Savage & Tony Tucci

Example: ZA-2014-1621-ZAD-ZAA 2104 Stanley Hills (one of many)
Case info - <http://planning.lacity.org/pdiscaseinfo/CaseId/MTk2Nzc20>
Determination letter for ZA-2014-1621-ZAD-ZAA

By a vote of 8/0/0, the BABCNC PLUC APPROVED a motion asking the PLU Committee to write a letter to the Planning Department and CD4 & CD5 Councilmembers, David Ryu and Paul Koretz, respectively, asking for enforcement that the procedures of the Zoning Administrators are followed for road improvements prior to construction of Single Family Residences and to add a penalty for beginning the project prior to completion of the road improvement. (**Attachment D -- Full Draft Letter**)

Motion: To approve letter prepared by Stephanie Savage to be sent to Councilmembers.

Moved by Stephanie; **seconded** by Leslie; **22 Yes; 0 No; 0 Abstentions; 10 absent; Approved.**

14. Outreach Committee (Update, Discussion & Possible Action) – Robin Greenberg, Chair
a. Update & Report by Chair on meeting held Weds. July 12, 2017 @ 10:00 am @ Chateau Marmont
Robin gave update as to choice on pole banners; look at our webpage; provide a profile for each of you. If you have any issue to submit to the webpage, let Robin know.

b. Next Outreach Mtg.: Weds. September 12, 2017 @ 10:00 am. Discuss possible locations.

New Business / Motions & Resolutions: (Discussion & Possible Action)

15. WRAC: Westside Regional Alliance of Councils – Robin Greenberg & Nickie Miner

a. Update by WRAC Representative – Robin introduced Doug Fitzsimmons, Chair of WRAC, to the Board, and asked him for the two issues WRAC would want a vote on today. Doug introduced himself as President of South Robinson Neighborhood Council (SORO) as well as Chair of WRAC. He thanked this Council for being such an active participant in WRAC. Doug noted that the most time sensitive of these motions would be the Cell Tower Facilities motion SB-649, which he noted is racing through the legislature and would strip municipalities to have any say in siting of cell towers. He noted that there is a new generation of cell towers coming out that would require a lot of new cell tower sites, and if this legislature is passed and the Governor signs it, we won't have a say.

The other issue is Cannabis Regulations, an issue he has been tracking for seven years. He related that the voters approved Prop 64, which legalizes adult use marijuana. The city is contemplating a series of ordinances to facilitate that in the City. LA is projected to be the largest market for legal cannabis sales in the country and perhaps in the world. He noted that we already are the largest market in the world. He noted that this is not changing the amount of sales, it is creating a way for the city to make those sales work within a general business market. Any sale that's not going to legal is going to illegal. The harder we make it to have a legal business, the more we are encouraging illegal businesses.

b. WRAC asks that the BABCNC approve the following motions:

i. Sepulveda/Pico/Exposition station mixed-use project: The City (Planning Dept. and/or DBS) shall provide the site plan in order to provide stakeholders an opportunity to comment on the design. WRAC &

BABCNC are concerned that area stakeholders have received no site plan for review, and no opportunity for community input has been provided as part of development of the site plan, even though construction sitework has begun. The City promised that stakeholders would have a chance to collaborate on design of the site plan, as part of its decision to allow the Planning Commission rush approval without a final site plan, prior to Mayor Villaraigosa leaving office. **Deferred due to time constraints.**

ii. Temporary offsite advertising signs on construction sites: With regard to Council file CPC-2017-455-CA, WRAC & BABCNC believe no temporary offsite advertising signs should be allowed on construction fencing and that other regulations should be imposed including limiting paint color; openings provided every 50 linear ft. for police to peer in and deter crime; limiting signage to fences that face/front C zones; signs be allowed only on active construction sites (not on vacant sites that are being leased for car storage or construction staging for another site); maximum amount of signage limited to 6 sf of signage for every 50 ft.; and stringent graffiti cleanup. WRAC believes there is no public benefit to allow such signs all over the city when billboards are limited. **Deferred due to time constraints.**

iii. Cell towers aka wireless facilities in public right-of-way and on city property: WRAC & BABCNC recommend opposing SB 649, which removes from cities the discretionary regulation of "small cell" cell phone towers in the public right-of-way and on city property. Exceptions for historic zones and Coastal Zone are included, but scenic highways and R zones are not included. Local control should be maintained. Cities have capability to properly analyze applications within existing laws and balance protection of neighborhoods with the need for increased wireless capacity. Status: Senate approved bill, which is similar to a bill from last year. Assembly will consider it next. Telecom companies need more pole space and facilities for 5G capacity. Sizes of cell panels are big (6 cu. ft.) and sizes of equipment panels are big (21 cu.ft.), and can be reduced. Telecom companies can spend more money to rent space on existing public poles (streetlights, etc.). Opponents to bill include 100 cities, League of California Cities, League of California Counties, American Planning Institute.

Moved by Cathy Wayne; **seconded** by Robert; Discussion was held. Larry asked for additional information as to size and installations, noting that they will be attaching these to light standards, telephone poles, power poles. Doug noted that this is not his motion; but is WRAC's motion. The issue is it strips the city from having a say in any of it. His understanding is that the installations can be anywhere from briefcase size to refrigerator size. Doug feels the size and number of these things is less important; that losing local control of these and local ability for financial benefit from these is the larger issue. It is about the potential loss of having a say. Larry mentioned concern of extortion from the local municipalities. Doug noted that when this comes up at his NC, large crowds come for reasons other than science would support. Doug noted that within the Assembly there is an expressed desire to amend the motion out there, but that hasn't happened. They haven't seen any amendments yet.

Travis opined that it is appropriate to oppose this legislation, to remember that it was the [Telecommunications] Act of 1996 that took away the ability of local jurisdictions to assess the environmental impacts of cell towers, including specifically banning health impacts from being considered. Larry noted that there is an FCC exemption that permits any homeowner to put up above-ground device such as a satellite dish or UHF antenna, and they need permission from an HOA or CCRs, or a city ordinance; however, because of the problems that arose when someone could unilaterally put something up and someone wasn't happy with it, some court cases came out. It was regulated to some extent where someone had to relocate the facility so long as their signal wasn't diminished. An example of a possible remedy with all this somewhere down the road.

[Kathy Copcutt left at 9:16 pm. Matt left just prior.]

14 Yes; 1 No; 5 Abstentions: Leslie, Jamie, Robert S., Jacqueline, Robert R., **12 absent; Approved.**

iv. Open Space Element update of General Plan: The Planning Dept. shall open all advisory group meetings, provide agendas and minutes, include public comment and release the membership and

composition of the General Plan Elements updates' advisory working groups. [ReCodeLA Citizen's Zoning Advisory Committee should be the example used for the General Plan Elements updates. ReCodeLA's review work is a transparent process, and agendas and minutes are available. Meetings are open, and public comment is included when time permits.] **Deferred due to time constraints.**

v. Permit Streamlining Act compliance with deadlines: The City shall take proactive, definitive measures to comply with State laws that establish time limits for entitlement approvals, including the Permit Streamlining Act, and shall advise Neighborhood and Community Councils of these time limits as they draw near. These measures shall include but not be limited to:

1. Creation of a new tracking/tagging system with deadline alerts.
2. Align the date of the CEQA determination (whenever possible, with the entitlement determination).
3. Asking applicants to voluntarily extend any determinative timelines at time of application submittal.

Deferred due to time constraints.

vi. Motion: Increased transparency into the relationship between LA DWP and the IBEW

Whereas the DWP Board of Water and Power Commissions approved the new labor agreement between the Department of Water and Power and IBEW Local 18 at a Special Meeting on Tuesday, June 20, 2017;

Whereas the Notice of this Special Meeting was not given until Monday, June 19, 2017;

Whereas the documentation concerning the new labor agreement was not placed on line until the day of the meeting;

Whereas the City Council approved the new labor agreement on June 28, 2017;

Whereas DWP, the City Council, and the Mayor did not conduct any outreach to the Neighborhood Councils or the Ratepayers;

Whereas the lack of transparency erodes the trust of confidence of Ratepayers and Angelenos in the Department, the City Council, and the Mayor;

Therefore, the BABCNC joins with the Neighborhood Council DWP Advocacy Committee in condemning the lack of transparency by DWP, the City Council, and the Mayor;

Therefore, the BABCNC calls for a full presentation and discussion on the new labor agreement to the Neighborhood Councils and Ratepayers. **Deferred due to time constraints.**

vii. Motion: Changes to Proposed City Cannabis Regulations (Attachment E)

BABCNC recommends the following changes and additions to the City's proposed cannabis regulations:

- i. To conform with State law, create a stable and legitimate business environment, and avoid the kind of exploitable "grey areas" created by Prop. D, the City must implement an unambiguous licensing system for commercial cannabis activities and include those activities as enumerated uses in the City's municipal code.
- ii. Complaints about specific cannabis businesses collected by City staff, LAPD, Council offices, Neighborhood Councils, and the City's MyLA311 app should be included and considered in the licensing approval and renewal process.
- iii. Hearing dates and non-sensitive application information should be posted upon receipt on the Cannabis Dept.'s website, and notice sent to affected NCs.
- iv. The standard application process should include an assessment from the Planning Dept. on land use considerations, and should not be split into a separate land use approval and appeals process.
- v. Retail cannabis storefronts should be limited to operating hours of 7am to 9pm. Deliveries should extend no later than 11pm.
- vi. In the interest of eliminating black market sales, the City should conduct a market-sizing study by January 1, 2019 (and every five years thereafter) to assess how well the City is addressing demand and to inform regulatory adjustments.

Moved by Robin; **seconded** by Cathy Wayne; (discussed above); **16 Yes**; **1 No**; Rob; **3 Abstentions**: Ellen, Larry, and Jacqueline; **12 absent**; **Approved**.

16. **LANCC: Los Angeles Neighborhood Council Coalition - André Stojka**

a. **Update by BABCNC LANCC Representative - (Absent)**

b. **LANCC asks that the BABCNC approve the following motion (addressed by WRAC previously)**

Motion: Whereas the city has for months been working on a plan behind closed doors for the overall vision and dreams for Los Angeles, the General Plan, which is to be presented to the public and Neighborhood Councils sometime this fall; And whereas Mayor Garcetti has said, residents must have "a sense of ownership over the development of our communities," and City Councilman Jose Huizar, chair of the powerful PLUM committee, pledged to bring "accountability and transparency back into our General Plan and Community Plan processes"; And whereas Los Angeles is several years behind other Western U.S. cities in involving its citizens in a General Plan Update process that starts from the ground up; And whereas public money and public interest are major factors in the earliest decision-making on our General Plan Update process, strategies, and dreams; And whereas it is widely agreed the public cannot fully participate in General Plan Updating meetings, hearings and debates that unfold during the day downtown; And whereas closed-door meetings on the fundamental debates and decisions about our dreams and goals for updating of the General Plan can only create more distrust and dismay over the city's broken planning system;

The Los Angeles Neighborhood Council Coalition(LANCC) and the Bel Air Beverly Crest Neighborhood Council (BANCNC requests that now-underway, and upcoming, Planning Department Work Group meetings about our shared ideas and ideals for the Los Angeles General Plan and its many Elements be made fully transparent, be set at evening and weekend hours; be open to the public as of now; invite a representative from each neighborhood alliance; and in the case of the nearly completed Open Space Work Group, be expanded from the four meetings completed in closed-door sessions, to four extra meetings that follow the prescription in this paragraph.

The Los Angeles Neighborhood Council Coalition(LANCC) and the Bel Air Beverly Crest Neighborhood Council further requests, in the same vein, that the Mayor's Planning Task Force and Transportation Infrastructure Steering Committee for the General Plan both be made fully transparent, be set at evening and weekend hours; be open to the public as of now; and expand their closed-door meetings to several additional meetings that follow the prescription in this paragraph.

(See Attachment F for complete LANCC- recommended letter) Deferred due to time constraints.

Reports of BABCNC Representatives & Liaisons (Updates & Discussion)

17. **Liaison Updates**

- a. Animal Services Liaison– Gary Plotkin & Travis Longcore
- b. Department of Public Works & Film Liaison – Dan Love
- d. Homelessness Liaison – Leslie Weisberg (May 31st last Homelessness Liaison meeting) Leslie asked for volunteers to attend meetings. Ellen volunteered.
- e. Purposeful Aging Liaison – Jacqueline Le Kennedy

18. **Budget Advocate & Budget Representative Reports**

a. **Update by Jacqueline Le Kennedy, Budget Advocate & André Stojka Budget Representative**

19. **DWP Update – André Stojka & Don Loze**

- a. **Update & Discussion on meetings of Advocacy Committee & MOU Oversight Committee Report:** On July 1, 2017 the DWP Committee passed the following resolution: **(Attachment G)**
- b. **DWP Stone Canyon Ad Hoc Committee Report – Robin Greenberg & Leslie Weisberg**
[Ad-Hoc Committee Members: Don Loze, André Stojka & Leslie Weisberg]
Update on Stone Canyon -- Robin Greenberg Deferred

- c. DWP Meetings: 1st Sat 8:45 am LADWP Cafeteria Level, 111 N. Hope St. 90012 (+Parking)
MOU Oversight Committee meets even months; Advocacy Committee meets odd months.

20. Neighboring Neighborhood Councils & Alliance Meetings

CD5 Coalition – Nickie Miner

Hillside Federation: <http://www.hillsidefederation.org/> – Robin Greenberg
1st Weds. 7:00 pm @ Pinz Bowling Center 12655 Ventura Blvd.

WRAC: Westside Regional Alliance of Councils – Robin Greenberg (motions above)
3rd Weds. 8:30 am @ Lenny's Deli 2379 Westwood Blvd. www.westsidecouncils.com

LANCC: Los Angeles Neighborhood Council Coalition: <http://www.lancc.org/>
1st Saturday 10:00 am @ LADWP Headquarters Bldg., Caf Level, 111 N. Hope – André Stojka

VANC: Valley Alliance of Neighborhood Councils: <http://empowerla.org/vanc-2/>
2nd Thursday 6:30 pm @ Sherman Oaks Hospital 4929 Van Nuys Bl., 1st Fl. Doctors' Conf. Rm.
Validated parking in structure next door. jbbarad@roadrunner.com – Irene Sandler

BONC: Board of Neighborhood Commissioners <http://empowerla.org/commission/> See website

Plan Check NCLA <http://plancheckncla.com> Nickie Miner & Cathy Wayne 2nd Sat 10:30–12:00 pm

NCSA: Neighborhood Council Sustainability Alliance: NCSA@empowerla.org Jacqueline Kennedy

21. **Good of the Order** – Members of the Board may report on any item of pm. interest to the Council.

Robin noted that the Tree People are having open houses for the summer, Once Upon a Canyon Night, from July 15th to September 23rd.

22. **Adjournment: Robin moved; Robert seconded; adjourned at 9:23 pm.**

Next Meeting: Wednesday September 27, 2017 7:00 pm @ AJU (4th Wednesday)

Please Note: The August meeting is cancelled.