

WESTWOOD NEIGHBORHOOD COUNCIL MINUTES

JANUARY 13, 2016

WESTWOOD PRESBYTERIAN CHURCH, 10822 WILSHIRE BLVD., LOS ANGELES, CA 90024

1. CALL TO ORDER

President Jerry Brown called the meeting to order at 7:06 p.m. Board members in attendance were Angus Beverly, Connie Boukidis, Jerry Brown, Sandy Brown, David Burke, Lisa Chapman, Ian Cocroft, Roozbeh Farahanipour, Jacob Finn, Mitchell Keiter, David Lorango, Stephen Resnick, Mark Rogo, Eugene Tseng, Scott Whittle, and Laura Winikow. Board members excused were Dean Abell, Ann Hayman, and Marcello Robinson. A quorum was present. There were 16 stakeholders and guests present.

2. APPROVAL OF MINUTES

Scott Whittle moved to approve the minutes of the December 9, 2015 meeting. Mark Rogo seconded the motion, which carried unanimously. After the vote, it was discovered that the wrong version of the minutes was the one that was voted on so the December minutes will be revisited at the next meeting.

3. COMMENTS BY PUBLIC OFFICIALS

A. UCLA representative Marco Perez reported that preparation for an initial study for an EIR for the Geffen Academy is underway with a release date sometime in March, and there

will be a community meeting scheduled on the topic. A tribute to Jackie Robinson with a statue to be placed in front of the John Wooden Center is upcoming in March. The Luskin

Conference Center is scheduled to open in the summer of 2016.

B. West LAPD Senior Lead Officer Chris Ragsdale reported that crime was up 22% at the end of 2015 compared to the prior year. In Westwood, it was in three categories: theft, residential burglaries, and theft from cars.

C. CD5 Field Deputy Jasmine Shamolian announced that Mayor Garcetti's office supports CD5 in its efforts to remove a bike lane on Westwood Blvd. from the Mobility Plan and that

the Planning Deputy recently verbally agreed to remove the Westwood Blvd. bike lane from the Mobility Plan. A stop sign has been approved at the intersection of LeConte and Levering, thanks to Angus Beverly. New Planning Deputy Faisal Alsari was introduced.

4. WESTWOOD VILLAGE BUSINESS IMPROVEMENT DISTRICT

Megan Furey reported that work on Westwood Blvd. as part of the Great Streets initiative is ongoing. Phase 2 includes leveling of sidewalks. Dynamic wayfinding and parking signs will be installed in six weeks. The BID is forming an Ad Hoc committee on the Broxton Plaza Project and public comment is welcomed.

5. PUBLIC COMMENTS

There was no public comment.

6. STANDING COMMITTEE STATUS REPORTS

A. The Executive Committee had no report.

B. Budget

1. Approval of Monthly Expenditures

Treasurer Laura Winikow listed the expenditures to be approved: \$125.20 for November

2015 staffing services, \$113.68 for December 2015 staffing services, \$95.92 for printing for December 2015, and \$51.88 for printing for January 2016. The monthly expenditure report for December in the amount of \$221.12 and all expenditures listed were approved unanimously.

C. Land Use

1. Case Number: ZA-2015-4433-CUB; ENV-2015-4434-CE

Project Title: KAZU NORI

Project Address: 1110 South Gayley Avenue, Los Angeles, CA 90024

Project Owner: Sushi Nozawa, LLC; Duesenberg Investment Co., LLC

Contact Info: Valerie Sacks, (310)500-6282

Proposed Motion: The WWNC LUPC recommends that the Westwood Neighborhood Council Board of Directors pass the following Motion: The WWNC supports Kazu Nori's application for Conditional Use Permit and Categorical Exemption to Allow The Sale Of Beer And Wine For On-Site Consumption at a new 1,179 S.F., 24-Seat Restaurant With

Hours From Mon-Thurs 11:30am-11pm, Fri-Sat 11:30am-12am & Sun 12pm-10pm.

Chair Connie Boukidis amended the above motion to the following motion and moved, seconded by Jerry Brown:

The Westwood Neighborhood Council supports Kazu Nori's project for a Conditional Use Beverage permit pursuant to Los Angeles Municipal Code Section 12.24, W-1, to allow the sale of beer and wine for on-site consumption at an existing 1,179 sf 24-seat restaurant during business hours on Mondays-Thursdays from 11:30 a.m. to 11:00 p.m., on

Fridays-Saturdays from 11:30 a.m.-12:00 a.m., and Sunday from 12:00 p.m.-10:00 p.m. subject to Kazu Nori filing a Petition for a Conditional License (due to the undue concentration of on-site consumption alcohol licenses within the subject Census Tract) with the California Department of Alcoholic Beverage Control relative to their sale and distribution of alcoholic beverages that incorporates the following conditions:

1. The alcoholic beverages to be sold shall be limited to beer and wine only with no hard liquor. Beer and wine sales shall be limited to their business hours on Mondays-Thursdays from 11:30 a.m. to 11:00 p.m., Fridays-Saturdays from 11:30 a.m.-12:00 a.m., and Sundays from 12:00 p.m.- 10:00 p.m. All alcohol sales limited to the interior of the premises.
2. No "Happy Hour" type of reduced price alcoholic beverage promotion shall be allowed.
3. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the applicant shall be removed or painted over within 24 hours of discovery.
4. There shall be no coin operated games or video machines or other amusement devices maintained upon the premises at any time.
5. The applicant shall be responsible for maintaining the premises free of litter.
6. No alcoholic beverages shall be sold, served or consumed on any property adjacent to the licensed premises under the control of the applicant.
7. There shall be no exterior advertising sign indicating the availability of beer and wine in the premises.
8. Applicant shall not permit any loitering at the premises or in any outside dining area.

9. Applicant shall conduct the premises at all times with due regard for the peaceful and quiet enjoyment of the surrounding community and adjacent property users.

10. All employees involved with sales of alcohol to customers shall be at least 18 years of age. Within 90 days of the issuance of the alcohol beverage license, applicant shall make arrangements for all employees who manage, supervise, dispense or are involved with the sale of alcoholic beverages to patrons to enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR). The training shall be conducted for all newly hired employees within 90 days of their employment. The applicant shall request written confirmation of completion of the initial training from the Police Department and shall submit a copy of such a request to any relevant governmental authority requiring same.

11. The telephone number of a responsible party representative of applicant shall be available from the cashier in the premises in the event of any disturbances or complaints regarding the operation of the subject facility.

12. Signs shall be prominently posted stating that California state law prohibits the sale of alcoholic beverages to persons who are under the age of twenty-one years or intoxicated and no such sales will be made.

13. The premises shall at all times be operated in conformity with the Los Angeles Municipal Code and all other constitutionally applicable state laws and local codes.

14. The premises shall be maintained at all times as a bona fide restaurant. At all times during normal meal hours, during which the applicant is exercising the privileges of the ABC license, said applicant shall offer menus and meals consistent with what is customarily offered during said meal periods. Food service shall be available to customers at all times when alcoholic beverages are offered for sale.

15. The quarterly gross sales of alcoholic beverages shall not exceed 50% of total gross sales during that quarter. The applicant shall at all times maintain records which reflect said sales.

16. No pool nor billiard tables may be maintained on the premises.

17. No more than two television sets, screens or monitors, other than those used exclusively by employees for point of sale systems or company administrative business, shall be maintained on the premises and they shall be only inside the premises, not visible from the exterior.

18. There shall be no dancing permitted on the premises at any time.

19. There shall be no live entertainment consisting of a disc jockey, karaoke, topless entertainment or fashion shows. However, applicant reserves the right, in the future, to apply for a live entertainment permit to permit live music performance that would not consist of anything larger than a quartet, inside the premises only, but will not do so unless properly licensed and permitted by all relevant government authorities.

20. Applicant shall insure that any use of the public right of way for any food or alcoholic beverage service is in full compliance with the L.A.M.C., including the Westwood Village Specific Plan and the applicable ABC regulations.

21. The sale or service of any alcoholic beverages in pitchers is strictly prohibited.

22. Beer shall not be sold or served in quantities of more than 22 ounces per serving.

23. There shall be no lounge area exclusively for alcohol consumption in the licensed premises. The main purpose and use of the facility shall always be for a full service restaurant.

24. The approved conditions for this restaurant shall be retained on the premises at all times and produced immediately upon request of the Police Department or City Planning.

25. There shall be no admission charge for entry to the premises nor any cover charge nor shall there be a requirement to purchase a minimum number of alcoholic drinks.

26. Amplified or live music, if presented, shall conform in decibel level to the standards of the Los Angeles Municipal Code (Sound Ordinance).

27. The subject alcohol beverage license shall not be exchanged for a public premises-type license nor operated as a public premises.

28. Applicant shall comply with all relevant provisions of the California Code prohibiting smoking within any place of employment.

29. Applicant shall not sell any alcoholic beverage to any minor. When a bottle or carafe of wine is served, all I.D.'s of all patrons at that table must be verified as being over the age of 21 years.

30. Any future or successor owner or operator of the approved restaurant with beer and wine service for onsite consumption, must file a new Plan Approval Application with notice to a 500 foot radius to allow the Zoning Administrator to review the "mode and character" of usage. Any change to the mode or character of the existing restaurant to a different public hospitality use with on-site alcoholic beverage consumption would also require such

Plan Approval. Letters stating same shall be sent to both the Zoning Administrator assigned to Case Number ZA-2015-4433-CUB and to the California State Alcoholic Beverage Control Board.

The motion carried unanimously.

D. Outreach & Communications

1. Elections

Chair Lisa Chapman reported that she is working with Westwood Recreation Center but hasn't received an exact rental amount yet.

2. Homeless Count

The homeless count will take place on January 27th. Training will begin at 10 p.m. and the count will start at 11 p.m. and run till about 1 a.m.

E. The Homeless Task Force had no report.

F. Budget Advocates had no report.

G. Public Safety

Jacob Finn reported that the committee is working with Veronica from the City Attorney's office and UCPD to improve the lighting in the North Village.

H. Traffic

A stop sign will be installed at the intersection of LeConte and Levering.

I. WRAC had no report.

7. PARKING METERS IN THE VILLAGE

Mitchell Keiter reported that meters were active in Westwood Village on New Year's Day, which he thought was a parking holiday. He will do some research on this issue since not all districts may have parking holidays or the same ones. Jerry Brown said he used his credit card at a parking meter on New Year's Day.

8. BASELINE MANSIONIZATION ORDINANCE/BASELINE HILLSIDE ORDINANCE

A. Discussion and possible Introduction of Motion: "WWNC supports the proposed draft amended BMO/BHO ordinance"

Secretary Stephen Resnick already submitted WWNC's Community Impact Statement on this issue, so there was no need for a motion.

9. SHORT TERM RENTALS

A. Introduction of Motion: "Any Proposed City Ordinance Allowing Short Term Rentals in Presently Prohibited Zones Must Include the Following Essential Provisions"

MOTION REGARDING SHORT TERM RENTALS

Refers to City Council file 14-1635-S2

Moved: “Any proposed City ordinance allowing short term rentals in presently prohibited zones must include the following essential provisions:

- No rent stabilized units “RSO” shall be allowed to rent short term
- Only primary residences shall be permitted to host for short term rentals, and only one unit shall be permitted per host.
- Hosts enjoying the utility subsidies provided to low-income residents may not rent out their units for short-term rentals
- There shall be a cap of 120 nights per calendar year per host for short term rentals of an entire unit and a cap of 180 nights per calendar year per host for short term rentals of spare bedrooms or space, where the host is also present.
- Prior to listing, hosts shall be responsible for verifying their properties comply with the Los Angeles Building and Safety code at their own expense and shall make all necessary repairs
- All hosts shall obtain a City permit and a permanent registration number. The condition of receiving a City permit and permanent registration number shall be the following: proof of primary residence plus liability insurance for this specific use including any rider that may be necessary for a non-conforming use on the property. Examples of proof of primary residence shall include utility bill, drivers’ license and the like
- Upon filing for a short term rentals permit, hosts shall notify property owners within 500 ft.
- All hosts shall include their permanent City registration number on all advertised listings in all media
- All hosts shall register with the City Department of Finance and remit transient occupancy taxes “TOT” including any and all back taxes owed. Short term rental TOT receipts shall not go into general fund but shall be used to create a special enforcement/compliance unit specific to enforcing regulation of short term rentals. An example of this compliance unit is the LAHD inspection program for multifamily units
- Hosts shall be required to pay the City’s legal minimum wage to those who work to enable the hosts’ short-term rentals and to register with the State Employment Development Department

- Hosts shall disclose such information as the City deems required for enforcement. Examples of this information shall include the type of rental whether one room or whole house, how many nights per year, how many guests and the like
- Hosts which refuse to register or disclose information necessary for enforcement shall be prohibited from operating in the City and face such penalties and fines as may be deemed appropriate by the City under the new ordinance
- Platforms shall only list City registered units and display registration number in each listing
- Platforms shall disclose information deemed necessary by the City for enforcement and for collection of back taxes and shall be held accountable, including fines and other penalties as may be deemed appropriate by the City, for any unregistered online listings appearing upon the platforms' website
- Platforms shall disclose information deemed necessary by law enforcement during criminal investigations
- The ordinance shall establish a right of appeal of the issuance of a short term rental permit
- The ordinance shall establish a private right of action by individuals in the community"

Four stakeholders spoke against regulations.

Eugene Tseng enumerated three changes made in the original provisions that were discussed at the last meeting. The bullet points in the original provisions that were changed were voted on separately.

Connie Boukidis moved to insert "only owner occupied" into the second bullet point, seconded by Roozbeh Farahanipour. The motion was defeated by a vote of No: 9 (Angus Beverly, David Burke, Lisa Chapman, Ian Cocroft, Jacob Finn, Mitchell Keiter,

Mark Rogo, Eugene Tseng, and Laura Winikow), Yes: 6 (Connie Boukidis, Jerry Brown, Roozbeh Farahanipour, David Lorango, Stephen Resnick, and Scott Whittle), and Abstain: 1 (Sandy Brown).

Eugene Tseng moved to change both provisions in the fourth bullet point to 120 days, seconded by Connie Boukidis. The motion was defeated by a vote of No: 8 (David Burke, Lisa Chapman, Ian Cocroft, Jacob Finn, Mitchell Keiter, Stephen Resnick, Mark Rogo, Laura Winikow), Yes: 6 (Angus Beverly, Connie Boukidis, Jerry Brown, Roozbeh Farahanipour, Eugene Tseng, and Scott Whittle), No: 8 (David Burke, Lisa Chapman, Ian Cocroft, Jacob Finn, Mitchell Keiter, Stephen Resnick, Mark Rogo, Laura Winikow), and Abstain: 1 (David Lorango).

David Burke moved to change both provisions in the fourth bullet point to 180 days, seconded by Mitchell Keiter. The motion carried by a vote of Yes: 11 (Angus Beverly, Sandy

Brown, David Burke, Lisa Chapman, Ian Cocroft, Jacob Finn, Mitchell Keiter, Stephen Resnick, Eugene Tseng, Scott Whittle, Laura Winikow), No: 4 (Connie Boukidis, Jerry Brown, Roozbeh Farahanipour, Mark Rogo), and Abstain: 0.

Eugene Tseng moved, seconded by Connie Boukidis, to insert the words “at least” after the word “pay” in the tenth bullet point. The motion carried by a vote of Yes: 12 (Angus Beverly, Connie Boukidis, Jerry Brown, Sandy Brown, Lisa Chapman, Ian Cocroft, Roozbeh Farahanipour, Jacob Finn, David Lorango, Stephen Resnick, Eugene Tseng, Scott Whittle), No: 3 (Mitchell Keiter, Mark Rogo, Laura Winikow), and Abstain: 1 (David Burke).

Eugene Tseng moved, seconded by Scott Whittle, to include the third bullet point from the bottom. The motion was defeated by a vote of No: 9 (Angus Beverly, Sandy Brown, David Burke, Lisa Chapman, Ian Cocroft, Jacob Finn, Stephen Resnick, Mark Rogo, Laura Winikow), Yes: 6 (Connie Boukidis, Jerry Brown, Roozbeh Farahanipour, David Lorango, Eugene Tseng, Scott Whittle) and Abstain: 1 (Mitchell Keiter).

10. IMPACT OF NEIGHBORHOOD COUNCILS

A. Discussion of how to assess the impact/success (or lack thereof) of Neighborhood Councils and the Neighborhood Council system

This topic was not discussed.

11. ADJOURNMENT

President Jerry Brown adjourned the meeting at 9:31 p.m.