

WESTWOOD NEIGHBORHOOD COUNCIL MINUTES

DECEMBER 9, 2015

BELMONT VILLAGE, 10475 WILSHIRE BLVD., LOS ANGELES, CA 90024

1. CALL TO ORDER

President Jerry Brown called the meeting to order at 7:12 p.m. Board members in attendance were Connie Boukidis, Jerry Brown, Sandy Brown, David Burke, Lisa Chapman, Roozbeh Farahanipour, Jacob Finn, Ann Hayman, Mitchell Keiter, David Lorango, Stephen Resnick, Marcello Robinson, Mark Rogo, Eugene Tseng, Scott Whittle, and Laura Winikow. Board members excused were Dean Abell, Angus Beverly, and Ian Cocroft. A quorum was present. There were 24 stakeholders and guests present.

2. APPROVAL OF MINUTES

Scott Whittle moved to approve the minutes of the November 11, 2015 meeting. Eugene Tseng seconded the motion, which carried unanimously.

3. THE HONORABLE HERB WESSON, LOS ANGELES CITY COUNCILMEMBER AND PRESIDENT OF THE LOS ANGELES CITY COUNCIL

Los Angeles City Council President Herb Wesson spoke about how he wants to make DONE more efficient and how he likes to attend Neighborhood Council meetings because they are learning experiences. He doesn't believe a one size fits all approach works with all issues in different parts of the City. The homeless problem is being worked on by the

City and LA County together, and they will be issuing recommendations in January. A question and answer period followed.

A. Questions from the WWNC Board

Questions were asked about the homeless, the functioning of DONE, the mobility plan, the one way dialogue between the City and the Neighborhood Councils, billboards, and sober living homes.

B. Questions from the Public

Questions were asked about Westwood Village, Westwood parking revenues returning to Westwood, short term rentals, L.A.'s Olympic bid, and the slowness of the Planning Department.

4. COMMENTS BY PUBLIC OFFICIALS

A. CD5 Field Deputy Jasmine Shamolian reported that a smart bench with a solar charging station has been installed on Westwood Blvd. north of Wilshire by the bus stop on the west side of the street as part of the Great Streets Initiative. It is a pilot project and is being monitored by the Bureau of Street Services. Construction has started at Westwood Gardens Park. Information about and resources for El Nino can be found at readyla.org.

B. West LAPD Senior Lead Officer Chris Ragsdale reported that crime is up at the end of the year 20% compared to last year. Most of Westwood's crime is property crime.

C. Eugene Tseng spoke as State Senator Ben Allen's representative. Senator Allen's office is working on handicapped parking placard fraud and has met with UCLA Professor Don Shoup, members of the handicapped community, and Assemblymember Susan Bonilla to discuss the issue.

D. UCLA representative Carmen reported that UCLA will be closed from December 24, 2015 to January 3, 2016. David Geffen has made a donation to establish a school for UCLA faculty children and others from the community. The school will have 600 students when full and will be located at the Kinross property on Lot 36. Information can be found at geffenacademy.ucla.edu.

E. Director of NC Elections Jay Handal announced that WWNC should have only one ballot in the 2016 election, not three as in the past. This will be discussed in a future meeting.

5. WESTWOOD VILLAGE BUSINESS IMPROVEMENT DISTRICT

Megan Furey reported that Express Park has launched in Westwood Village, which means that the meter resets when a car leaves and parking rates fluctuate. Way finding signs have been posted. Trees have been replaced on Westwood Blvd. as part of the Great Streets Initiative and tree lighting installed as well. The BID's next board meeting is January 21, 2016. There is an Ad Hoc Committee for the Plaza Project and the BID would like community input on it.

6. PUBLIC COMMENTS

There were no public comments.

7. 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: \$132 for post office box renewal, \$153.04 for November printing costs, &119.19 for September staffing services, \$106.95 for October staffing services, and \$3.40 for postage to DONE. Marcello Robinson moved to approve the expense report, seconded by Scott Whittle; the motion carried unanimously.

C. The Land Use Committee had no report.

D. Outreach & Communications

1. Election and Election Venue Costs

Chair Lisa Chapman reported that renting the Westwood Recreation Center for elections will cost about \$640. Scott Whittle moved to approve up to \$700 for election venue costs, seconded by Marcello Robinson. The motion carried unanimously.

E. Homeless Task Force

Chair Lisa Chapman reported that a meeting in January 2016 will be organized. David Burke, Roozbeh Farahanipour, and Ann Hayman are on the task force.

F. Budget Advocates

Representative Marcello Robinson announced that he was elected as the head of Region 11. Work is currently being done on the 2016 white paper. The next meeting is December 19th.

G. Public Safety had no report.

H. Traffic had no report.

I. WRAC

1. Conditional Use Beverage (CUB) Permits for Alcohol

WRAC representative Sandy Brown reported that there are problems with Barney's Beanery and the conditions they agreed to as part of their liquor license. The City wants to get out of the business of enforcing alcohol provisions. Sandy met with City Attorney Mike Feuer, who said it is not the City's place to enforce those provisions.

Sandy Brown moved the following motion, seconded by Connie Boukidis, and the motion carried unanimously.

Conditional Use Beverage (CUB) Permits for Alcohol
Authority of City Zoning Administrators to Impose Conditions of Approval to Mitigate
Potential Land Use Impacts Arising from the Sale or Service of Alcoholic Beverages That
Are Adverse to Public Health, Safety and Welfare

MOTION:

Whereas, the City of Los Angeles has imposed land use conditions in Conditional Use Beverage (CUB) permits for decades to protect public health, safety and welfare by mitigating potential impacts due to the sale or service of alcohol, as recommended by the LAPD, Council Offices, neighborhood councils, community councils, and local residents; and

Whereas, the Department of City Planning suddenly reversed this decades-long practice in 2012, on the advice of the City Attorney's Office, with no public notice, no public process, no public hearings, and no direction from the City Council, which is charged with policy-making authority; and

Whereas, Zoning Administrators now unilaterally and without notice use the Plan Approval Process to remove previously-imposed conditions designed to avoid or mitigate actual or potential land use impacts adverse to public health, safety and welfare; and

Whereas, municipalities throughout the State of California have and continue to impose land use conditions to mitigate adverse impacts that may otherwise arise from the sale or service of alcohol, including the Cities of Santa Monica, West Hollywood, Palmdale, Lancaster, Huntington Park, Montebello, Orange, San Bernardino, Pinole, Ventura, San Buenaventura, Santa Cruz, Hayward, Walnut Creek, Watsonville, and the County of Los Angeles, among others; and

Whereas, the City's current practice undermines the ability of the City and local communities to protect against potential land use impacts that are adverse to public health, safety and welfare, including but not limited to potential nuisances, by restricting the imposition of conditions on, among other things, hours of sale of alcohol, happy hours, container sizes, types of alcohol sold, and other similar rules and regulations, despite the efficacy of such conditions in avoiding or mitigating potential adverse impacts arising from the sale or service of alcohol; and

Whereas, California courts have repeatedly affirmed that municipalities have broad police powers to impose land use conditions that protect against potentially adverse impacts on public health, safety and welfare arising from the sale or service of alcohol; and

Whereas, the California Department of Alcoholic Beverage Control (ABC) has not advised the City that the imposition of such land use conditions interferes with ABC's enforcement of State law; and

Whereas, implementation of this new policy not only impairs the ability of the LAPD, Council Offices, and communities to protect public health, safety and welfare, but also interferes with the ability of CUB applicants to garner support for their projects by negotiating for the imposition of mutually agreed-upon conditions, as had been done for decades before the current practice was imposed, which forces communities to oppose projects they could otherwise support with proper conditions:

Now, therefore, be it Resolved that the [Insert Neighborhood or Community Council Name Here] calls upon the City Council to adopt a policy to: (1.) Authorize the imposition of land use conditions that protect public health, safety and welfare by mitigating potential adverse impacts from the sale or service of alcohol, consistent with the practice of other

jurisdictions statewide as well as the City's decades-long practice prior to 2012; (2.) Maintain and enforce previously-imposed CUB conditions on the sale or service of alcohol; and (3.) Prohibit the removal of previously-imposed conditions outside the public processes mandated under the City Charter and Zoning Code.

8. 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"

A number of stakeholders spoke opposing the motion. David Lorango moved to table the motion until the January meeting, seconded by Eugene Tseng. The motion carried by a vote of Yes: 8 (Connie Boukidis, Roozbeh Farahanipour, Ann Hayman, Mitchell Keiter, David Lorango, Stephen Resnick, Eugene Tseng, and Scott Whittle), No: 6, (Jerry Brown, Sandy Brown, David Burke, Lisa Chapman, Mark Rogo, Laura Winikow), and Abstain: 0. Marcello Robinson recused himself from the vote.

9. BASELINE MANSIONIZATION ORDINANCE/BASELINE HILLSIDE ORDINANCE (BMO/BHO)

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

IN RE CPC-2015-3484-CA

ENV-2015-4197-EAF

BASELINE MANSIONIZATION/BASELINE HILLSIDE (BMO/BHO) CODE AMENDMENT

COUNCIL DISTRICT: ALL

The Westwood Neighborhood Council supports the proposed BASELINE MANSIONIZATION/BASELINE

HILLSIDE (BMO/BHO) ordinance amending Sections 12.03, 12.07, 12.07.01, 12.07.1, 12.08 and Section

12.21 of the Los Angeles Municipal Code to establish new regulations for all single-family residential

zoned properties including RA, RE, RS and R1 (as outlined in the Draft BMO/BHO Amendment

Ordinance dated 10/28/15).

Scott Whittle moved to approve the above motion, seconded by Stephen Resnick.

The motion carried by a vote of Yes: 8 (Connie Boukidis, Jerry Brown, Sandy Brown, Lisa Chapman, Roozbeh Farahanipour, Stephen Resnick, Scott Whittle, Laura Winikow),

No: 2 (Mitchell Keiter, Mark Rogo), and Abstain: 4 (David Burke, David Lorango,

Marcello Robinson, Eugene Tseng). Jerry Brown requested that this issue be placed on the agenda for the January meeting.

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 10:10 p.m.