

Contact Information

Neighborhood Council: Greater Wilshire Neighborhood Council

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Impact Information

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Directed To: City Council and Committees

Council File Number: 12-1682

Agenda Date:

Item Number:

Brief Summary: Whereas Commissioners for the Department of Neighborhood Empowerment reportedly voted at a meeting on March 27, 2013, not to require the inclusion of "factual basis stakeholders" as eligible voters and elected office holders in Neighborhood Councils, the Greater Wilshire Neighborhood Council concurs that there should not be a Citywide requirement for all Neighborhood Councils to include "factual basis stakeholders."

Additional Information: The GWNC further moves that each Neighborhood Council should have the option of including "factual basis stakeholders," as long as roles, responsibilities and requirements are specifically defined in that Neighborhood Council's Bylaws, that "factual stakeholders" so defined shall demonstratively represent a significant, relevant, continuing, active and constructive interest in that Neighborhood Council's responsibilities



Greater Wilshire Neighborhood Council General Meeting
April 10, 2013
DRAFT MINUTES

1. Call to Order (Owen Smith)

A duly noticed Meeting of the Greater Wilshire Neighborhood Council (“GWNC”) Board of Directors was held on Wednesday, April 10, 2013, at the Ebell of Los Angeles, 743 S. Lucerne Blvd., Los Angeles. President Owen Smith called the meeting to order at 7:00 p. m.

2. Roll Call (Jeffry Carpenter)

Secretary Jeffry Carpenter called the roll. Board Members in attendance at the roll call were: Jeffry Carpenter, Ann Eggleston, Betty Fox, Michael Genewick, Karen Gilman (Alternate for Jane Usher), John Gresham, Mitchell Karp (Alternate for Jeff McManus), Fred Mariscal, Frances McFall, Jason Peers, Owen Smith, Briana Valdez, Daniel Whitley, Greg Wittmann and James Wolf. The Pledge of Allegiance was led by Ms. McFall. *Clinton Oie arrived at this time.* Jack Humphreville, Patricia Carroll, William Funderburk, Patricia Lombard and Joane Pickett arrived later. Board Members absent and not represented by an Alternate: none. No Board Seats were vacant (some Alternate Seats were vacant). Also attending: 35 Stakeholders and guests.

Fifteen of the 21 Board Members or their Alternates were present at the roll call. The GWNC quorum (the minimum number of Board Members needing to be present to take binding votes on Agendized Items) is 13, so the Board could take such votes.

3. Approval of the Minutes (Jeffry Carpenter)

A. Approval of the Minutes of the March 13, 2013 General Meeting.

MOTION (by Mr. Genewick, seconded by Ms. McFall): The Greater Wilshire Neighborhood Council approves the Minutes of its March 13, 2013 General Meeting as written.

MOTION PASSED by a voice vote without any objections.

B. Approval of the Minutes of the March 13, 2013 Special Meeting.

MOTION (by Mr. Genewick, seconded by Mr. Whitley): The Greater Wilshire Neighborhood Council approves the Minutes of its March 13, 2013 Special Meeting as written.

MOTION PASSED by a voice vote without any objections.

Board Member Jack Humphreville arrived at this time.

4. President's Report (Owen Smith)

A. Board Vacancies.

- i. Introduction and approval of Alternate for Area 1/Brookside. (Hanna Mintz)
Mr. Smith introduced Hanna Mintz, who has worked on library and park projects.

MOTION (by Mr. Gresham, seconded by Mr. Humphreville): The Greater Wilshire Neighborhood Council nominates Hamme Mintz as the Area One (Brookside) Alternate Board Member.

MOTION PASSED by a voice vote without any objections.

Mr. Carpenter led Ms. Mintz in reading aloud the Oath of Office. Mr. Smith invited her to be seated with the Board.

Board Members Patricia Carroll, William Funderburk and Jeff McManus arrived at this time.

- ii. Alternates still needed for: Area 2 (Citrus Square); Area 9 (Oakwood-Maplewood-St. Andrews); Area 12 (We-Wil); Other Non-Profit; and Religion.
Mr. Smith noted the vacancies.

B. Ethics Training

All new Board Members and Alternates (along with returning Board Members whose certification is more than two years old) must complete the course at <http://ethics.lacity.org/education/ethics2007/?audience=done>.
Mr. Smith noted the above.

5. Community Concerns / Public Comments

A. Candidates for City Controller: Ron Galperin and Dennis Zine.

Mr. Mariscal introduced the Candidates. Mr. Galperin described his qualifications, background, accomplishments and goals. He supports the "Live within Your Means" idea, but not as a City Charter amendment.

Board Member Patty Lombard arrived at this time.

Mr. Zine described his qualifications, background, accomplishments and goals.

Board Member Joane Pickett arrived at this time.

Mr. Zine continued that, as the L.A. City District Three Councilman, he helped stop the red-light photo program and get parking lot tax collections. He opposed the Measure A proposed half-cent sales tax. He agreed, in Mr. Humphreville's words, that he "will do a thorough and transparent investigation" into the PA Consulting situation with the DWP.

A group of international visitors from Africa, Asia and Europe who are in the U.S. government's International Leadership Visitors Program introduced themselves by country. They will take ideas to their countries about how democracy works.

6. Local Government Updates

A. CD4 Update (Ben Seinfeld)

Ben Seinfeld, Field Deputy for L.A. City District Four Councilman Tom LaBonge (213-485-3337; cell 213-804-2388; Ben.Seinfeld@LACity.org), reported that the City's MyLA311 app can submit service requests such as pothole filing, graffiti removal, street light repairs, etc. He introduced Greg Bartz, Neighborhood Council Liaison, DWP (L.A. Dept. of Water and Power) (213-367-2800, Greg.Bartz@ladwp.com), who distributed an "LADWP Information Resources List for Local Community Participation." Mr. Seinfeld encouraged to "pile [fallen] palm fronds together" on parkways and request pickups for that and tree-trimming. He encouraged voting "yes" on the proposed Ridgewood-Wiltern Lighting Assessment District. "Councilman LaBonge and senior staff have taken pay cuts to hire additional staff."

B. CD5 Update (John Darnell)

Mr. Darnell could not attend and there was no report at this time.

7. Treasurer's Report and Budget Items (Patti Carroll)

A. Monthly Budget Report/approval

Ms. Carroll distributed and reviewed the "Monthly Spending Report – YTD April 10, 2013."

FUNDING MOTION (by Mr. Gresham, seconded by Ms. Lombard): The Greater Wilshire Neighborhood Council approves its "Monthly Spending Report – YTD April 10, 2013."

FUNDING MOTION PASSED unanimously by a voice vote of all 21 Board Members present.

B. YTD Budget Review

Ms. Carroll distributed and reviewed the "[GWNC] Budget for Fiscal Year 2012-2013" as of 4/10/13. Funding of \$1,350 can be moved from the Administrative Assistant category to Community Projects and \$250 from "Copying or Printing" to event sponsorships.

C. Motion to move \$1,350 from Administrative Assistant to Community Projects.

FUNDING MOTION (by Mr. Carpenter, seconded by Mr. Funderburk): The Greater Wilshire Neighborhood Council transfers \$1,350 in its Budget from the TAC Administrative Assistant category to the GRT Community Projects category.

DISCUSSION: Ms. McFall was concerned that the GWNC is getting "too political."

FUNDING MOTION PASSED unanimously by a voice vote of all 21 Board Members present.

FUNDING MOTION (by Ms. Carroll, seconded by Mr. Mariscal): The Greater Wilshire Neighborhood Council transfers \$250 in its Budget from the COP “Copying or Printing” category to event sponsorships.

FUNDING MOTION PASSED unanimously by a voice vote of all 21 Board Members present.

FUNDING MOTION (by Ms. Carroll, seconded by Mr. Mariscal): The Greater Wilshire Neighborhood Council approves the “[GWNC] Budget for Fiscal Year 2012-2013” as of 4/10/13, as presented.

FUNDING MOTION PASSED unanimously by a voice vote of all 21 Board Members present.

Mr. Gresham noted that approximately \$7,000 in funding is available to allocate.

D. Funding Request: Fire Station 29 Restoration. (Lyn Cohen)

Copies of “100th Anniversary of Fire Station 29” fliers for the April 16th Pancake Breakfast event and a Neighborhood Purposes Grant (NPG) application from the First-In Fire Foundation were distributed. Lyn Cohen of the Foundation introduced L.A. City Fire Dept. Captain Mark Curry, who described the Fire Station and the event. Ms. Cohen described the FS29’s history and requested funding. Mr. Genewick relayed that landscaping work would cost \$25,000. Stakeholder Mary Rajswing encouraged support and described other community groups solicited.

E. Funding Request: Los Angeles Team Mentoring. (Sabrina Vegnone)

Copies of a Los Angeles Team Mentoring (LATM) Neighborhood Purposes Grant (NPG) application were distributed. Sabrina Vegnone, Executive Director, described the voluntary program and values taught to students. They have for 20 years provided “after-school mentoring for elementary school and middle school students” and “provide a structured program” which costs LATM \$75,000. “Over a hundred kids a year are in the John Burroughs program.” Students are given a college tour and participate in a community service program and a leadership camp. The program has received funding from corporations, foundations and more and is asking for \$5,000 from the GWNC.

F. Funding Request: Hollywood YMCA. (Kitty Gordillo)

Kitty Gordillo, Development Director, Hollywood YMCA, indicated that they’re building a new facility that they hope to open this month to replace the almost 100-year-old one. She described programs with local schools that they want to expand. They are requesting \$2,500 in funding. Stakeholder Elizabeth Fuller reported that LAUSD has cut all physical education funding.

G. Funding Request: Congress of Neighborhoods Sponsorship.

There was discussion of whether and in what amounts to fund requests.

FUNDING MOTION (by Mr. Humphreville, seconded by Ms. Fox): The Greater Wilshire Neighborhood Council allocates \$4,000 for L.A. City Fire Station 29 landscaping work; \$1,500 to the Los Angeles Team Mentoring program for elementary school and middle school students; and \$1,500 to the Hollywood YMCA for programs with local schools.

DISCUSSION: Mr. Wittmann encouraged allocating more funding for children's programs.

MOTION to CALL FOR THE QUESTION (by Mr. Funderburk); there were no objections

FUNDING MOTION FAILED by a hand vote with four in favor; 13 opposed; Mr. Genewick recused from voting.

FUNDING MOTION (by Ms. Lombard, seconded by Mr. Mariscal): The Greater Wilshire Neighborhood Council allocates \$3,000 for L.A. City Fire Station 29 landscaping work; \$2,000 to the Los Angeles Team Mentoring program for elementary school and middle school students; and \$2,000 to the Hollywood YMCA for programs with local schools.

FUNDING MOTION PASSED by a hand vote with 19 in favor; Mr. Genewick and Ms. Lombard recused from voting.

8. **DWP Oversight** (Jack Humphreville)

Mr. Humphreville reported that the Peripheral Canal issue "probably will be on the ballot." A water rate increase of 5-7% will probably be proposed. The DWP is going "no coal" and accelerating the draw-down of its use of coal-powered plants in Arizona and Utah.

9. **City Budget Issues** (Humphreville)

A. Economic Development Initiative

Mr. Humphreville reported that the Mayor's proposed Fiscal Year 2013-2014 Budget will be announced April 22nd.

B. Infrastructure Bond Proposal

Mr. Humphreville reported that a \$3 billion Street Repair Bond measure will again be proposed.

10. **Old Business**

There was no old business at this time.

11. New Business

There was no new business at this time.

12. Transportation Committee (Gerda McDonough)

Camilla Shaefer reported for Ms. McDonough that a Notice of Preparation was issued for the City's General Plan Transportation Mobility Element; there will be an April 22nd public Scoping Meeting.

MOTION (by Mr. Carpenter, seconded by Mr. Humphreville): The Greater Wilshire Neighborhood Council authorizes its Transportation Committee, under the direction of Chair Gerda McDonough, to make comments on behalf of the Board to the City regarding the City's General Plan Transportation Mobility Element.

DISCUSSION: The Committee will report back to the Board.

MOTION PASSED unanimously by a hand vote.

13. Outreach Committee (Fred Mariscal)

A. Citizen Recognition Awards – no quorum at April Outreach meeting, but awards will be voted on at May Outreach meeting and presented at May Board meeting.

Mr. Mariscal noted the above.

B. Congress of Neighborhoods Sponsorship – no quorum at April Outreach meeting, but members present generally supported the annual sponsorship request.

Mr. Mariscal explained the above.

C. City Attorney Candidates Invited to May Board Meeting.

L.A. City Attorney Carmen Trutanich and other Candidates have been invited to speak to the GWNC.

14. Board Member Reports and Comments

A. LANCC Actions/Motions (Humphreville)

[NOTE: "Issue" and "Proposed" and "Recommended Motion(s)" are from the Agenda.]

i. Proposed Motion on appointment of an NC member to the independent LA 2020 commission: [see the below Motion].

Mr. Humphreville explained the Motion proposed by LANCC, the L.A. Neighborhood Councils Coalition.

MOTION (by Mr. Gresham, seconded by Mr. Whitley): Whereas LA 2020 was established as an independent commission to "review how the City of Los Angeles can help grow the economy and jobs, attract business investment and industry, and create fiscal stability for the City." Whereas the twelve appointed members (and one alternate) do not represent a cross section of the City; Whereas the charter authorized 95 Neighborhood Councils to represent a vast cross section of the City, its many communities, and its voters; Whereas the Neighborhood Council Budget Advocates have been advising the Mayor on budget priorities for the last seven years and have

developed a thorough working knowledge of the City's budget and financial needs; and Whereas the Neighborhood Councils are an excellent vehicle to communicate with the citizens of Los Angeles; **Therefore**, the Greater Wilshire Neighborhood Council demands that a representative of the Neighborhood Councils be appointed as a full member to the independent LA 2020 commission.

MOTION PASSED unanimously by a voice vote.

- ii. Proposed Motion on NC members for City Council Committees and Commissions: [see the below Motion].

Mr. Humphreville explained the Motion.

MOTION (by Mr. Carpenter, seconded by Mr. Genewick): Whereas the City Council continues to ignore the Neighborhood Councils in decision making; Whereas the City Council has NOT devised a credible system to inform the Neighborhood Council System on items of concern, in a timely manner; and Whereas the City Council continues to deride Neighborhood Councils for not weighing in on issues; **Therefore**, the Greater Wilshire Neighborhood Council demands that the City Council and The Mayor Immediately open a non-voting seat for a Neighborhood Council member, elected by Neighborhood Council members in a system to be devised, on all City Council Committees and Commissions.

MOTION PASSED unanimously by a voice vote.

B. Factual Basis Stakeholder Issue (Carpenter)

Issue: Among the most contentious issues put before the regional committees for the DONE Commission's NC Plan Review and Reform Initiative was the question how to respond to the issue arising around the incorporation of "factual stakeholders" in voting and holding office on Neighborhood Council Boards. At a recent meeting, DONE Commissioners took a provisional vote on the issue for the purposes of eliciting public comment, eliminating any requirement for the inclusion of "factual stakeholders." The Commission will reportedly review comments received at their May 28th meeting. Recommended Motion: [see the below Motion].

Mr. Carpenter distributed copies of a "DONE Commission Neighborhood Council Plan Review Reform Initiative" handout and explained the Motion. He described varying opinions among NCs. Ms. Fuller and Mr. Gresham provided further context and history of the issue. There was extensive discussion of whether and how to mention "factual basis Stakeholders" in the GWNC Bylaws.

MOTION (by Mr. Carpenter, seconded by Ms. Lombard): Whereas Commissioners for the Department of Neighborhood Empowerment reportedly voted at a meeting on March 27, 2013, not to require the inclusion of "factual basis stakeholders" as eligible voters and elected office holders in Neighborhood Councils, the Greater Wilshire Neighborhood Council concurs that there should not be a Citywide requirement for all Neighborhood Councils to include "factual basis stakeholders." The Greater Wilshire Neighborhood

Council further moves that each Neighborhood Council should clearly have the option of including "factual basis stakeholders," as long as roles, responsibilities and requirements are specifically defined in that Neighborhood Council's Bylaws, that "factual stakeholders" so defined shall demonstratively represent a significant, relevant, continuing, active and constructive interest in that Neighborhood Council's responsibilities.

MOTION PASSED without any objections.

- C. We-Wil Neighborhood walk/introduction, Sunday, May 19 (Wittmann)
Mr. Wittmann explained the May 19th around 2:00 to 3:30 event to observe issues and needed services in that area.

15. Public Comments

Ms. Fuller noted that all 21 Board Member Seats are filled and all 21 are present. Ms. Gilman described an April 21st Windsor Square-Hancock Park Historical Society Garden Tour starting at the Getty House Mayor's Residence.

16. Land Use Committee (LUC) (James Wolf)

[NOTE: "Issue" and "Proposed" and "Recommended Motion(s)" are from the Agenda.]

A. Proposed Motion on illegal billboards

Issue: Following a recent appeals court ruling that the City of Los Angeles entered into an illegal agreement with billboard companies that allowed the conversion of 800 static billboards to electronic versions, various community groups are urging the City to remove the illegal billboards. Recommended Motion: [see the below Motion].

MOTION (by Mr. Humphreville, seconded by Ms. Lombard): Whereas, In 2006 the City of Los Angeles entered into an illegal agreement with Clear Channel Digital and CBS Outdoor, which allowed the companies to convert approximately 800 static billboards to digital billboards. This "agreement" was entered into without public hearing, public comment, or any input from Neighborhood Councils, community groups or resident organizations. The result was that these companies erected 103 illegal digital billboards that have been opposed by our organization and other communities groups from the beginning, and Whereas, the agreements were challenged in court – Summit Media, LLC v. City of Los Angeles – wherein Superior Court Judge Green ruled the agreements illegal, followed by the California Court of Appeal upholding Judge Green's ruling. The Court of Appeal further ruled that the permits for the digital signs issued under the settlement agreements are invalid and must be revoked, and Whereas, the California Supreme Court has declined to hear the case, allowing the decision of the Appeals Court to stand; **Therefore**, be it Resolved, the Greater Wilshire Neighborhood Council urges the City of Los Angeles to fully implement the appeals court ruling in the Summit Media LLC v. City of Los Angeles and to remove the 103 illegal digital billboards blanketing our city. Further, we oppose any and all attempts to grandfather these illegal billboards, or any other action that would retroactively seek to legalize them. It is essential that the City avoid taking any actions that would compromise the integrity of the City's sign ordinance. We are particularly concerned about driver distraction caused by digital signs and the

negative impacts they have on traffic/pedestrian safety and traffic delay and congestion. We also urge the City to determine the legal status of older, un-permitted static billboards as soon as possible, and to immediately proceed with the removal of all illegal billboards so that a baseline level of permitted signs can be established. Finally, we urge passage of the currently proposed sign ordinance that will limit the locations in which sign districts can be established while also allowing new digital signage only within those sign districts and subject to an open and transparent outreach and review process with community stakeholders and in accordance with local land use regulation. We further request that any so-called “grandfathered” sign districts be required to comply with any regulations established for sign districts under the new sign ordinance.

MOTION PASSED by a hand vote without any objections.

Board Member Francis McFall left at this time.

[NOTE: The following items are presented for information only. No votes are required or recommended at this time.]

B. Application for full liquor license at Chipotle (5201 W. Beverly)

Issue: The newly-opened restaurant has applied for a permit to serve a full line of alcoholic beverages. The Land Use Committee discussed the issue at its March meeting, and members expressed opposition to the application. Because of a GWNC scheduling mix-up, however, the applicant’s representatives did not attend the meeting, and could not participate in the discussion, so the issue will be re-scheduled for a full presentation and re-vote in April (the ZA hearing on the issue is not until May).

C. Application for full liquor license at La Brea Bakery (460 S. La Brea)

Issue: The restaurant has applied for a permit to serve a full line of alcoholic beverages, and to sell liquor for off-site consumption. The owner and representatives made a presentation at the March LUC meeting, at which they explained they do not intend to add a full bar and are interested in selling only specialty dessert drinks on the premises, and including bottles of wine in gift baskets for sale. The Committee advised them to meet with the La Brea-Hancock Neighborhood Association and will re-schedule the issue for the April meeting, after neighbors have had an opportunity to weigh in.

C. Application for full liquor license at a new restaurant at 706 N. Citrus. *[The second Item #16. C.]*

Issue: Applicants presented their plans at the March LUC meeting. Committee members advised them to contact their GWNC neighborhood representatives and engage in discussions with Stakeholders in the Melrose neighborhood. The issue will be re-agendized in April for further information and a vote.

D. Zoning Compliance for Flywheel retail store and testing room.

Issue: Flywheel, a company specializing in stationery bicycle fitness services, is opening a retail store and testing room on Larchmont Blvd. Stakeholders have expressed concerns that despite the official description, the business will be a de facto gym, a use which is not

allowed under current zoning and Q conditions in ground-floor storefronts on Larchmont. The company's representative made a presentation at the March LUC meeting, promising that this will be a retail store and testing room. He acknowledged, however, that there will be instructors at the facility, demonstrating the company's equipment offerings in class settings. Committee members expressed no objections to the business itself, but strongly urged the representative to pursue the legal path to compliance – via a variance application – if the facility will indeed function as a gym and offer regular classes and instruction.

[There was no Item #16. E.]

F. Paul Koretz Motion to oppose AB162, easing restrictions on cell towers.

Issue: The California State legislature has recently introduced a bill that would ease restrictions imposed by cell tower regulations. City Council Member Paul Koretz has introduced a Motion at the Los Angeles City Council to oppose the State bill. The Land Use Committee will discuss the details of the State and local Motions, and whether to support or oppose them with a formal Motion.

Other Potential Agenda Items for April 23 LUC Meeting:

- Discussion of California ABC enforcement and licensing procedures
- Update on BRE (Wilshire-La Brea) sign program application/revisions
- Information on Tract Map process
- Review of recent Early Planning Notices in the GWNC area.
- Application for parcel map to divide a lot into two lots at 800 N. Sycamore
- 320 Wine Bar CUB renewal
- Hollywood Millenium project
- Rascal CUB application (801 S. La Brea)

Mr. Humphreville believed that the Hollywood Millenium project will cause tremendously increased traffic. Mr. Gresham believed there is not enough infrastructure for that project.

17. Announcements and Adjournment

Mr. Smith noted the next General Board Meeting date: Wednesday, May 8, 7:00 p.m.

MOTION (by Mr. Carpenter, seconded by Mr. Smith): to **ADJOURN** the Meeting.

MOTION PASSED without any objections.

The Meeting was **ADJOURNED** at 9:04 p.m.

Respectfully submitted,
David Levin
Minutes Writer