

Contact Information

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Impact Information

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Directed To: City Council and Committees

Council File Number: 14-0366

Agenda Date:

Item Number:

Brief Summary: MOTION [2013.08.21.14](#): The Board of the Studio City Neighborhood Council supports a request to the City Council that funds be separately designated for implementing Prop D, Ordinance 182580. These funds shall be dispensed to the Police Department, City Attorney and Department of Building

Additional Information:

SCNC BOARD

Lisa Cahan Davis
Jane Drucker
Jon Epstein
Remy Kessler
John Lawler
Richard Niederberg
Scott Ouellette
Lisa Sarkin
Lana Shackelford
Gail Steinberg
Rita C. Villa
John T. Walker
Denise Welvang



BOARD MEETING APPROVED MINUTES

Wednesday, August 21, 2013

Light Buffet 6:30pm

Meeting 7:00pm

at

CBS Studio Center, Building 8, MPR-3,
4024 Radford, Studio City CA, 91604

PRESIDENT

John T. Walker

VICE PRESIDENT

Lisa Sarkin

TREASURER

Remy Kessler

SECRETARY

Rita C. Villa

CORRESPONDING SECRETARY

Jane Drucker

4024 Radford Ave.
Edit. Bldg. 2, Suite 6
Studio City, CA 91604
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1. Call to Order & Roll Call. Lisa Cahan Davis - present, Jane Drucker - present, Remy Kessler - present, John Lawler - excused, Richard Niederberg - excused, Scott Ouellette - present, Lisa Sarkin - present, Lana Shackelford - present, Gail Steinberg - present, Rita Villa - present, John Walker - present, Denise Welvang - present. 10 voting members; 6 to pass a motion. 45 stakeholders present.
2. Approval of July 17, 2013 Board Minutes (2 min). **Approved** in the absence of objection.
3. Comments by the President. **John Walker** stated that there had been a great deal of positive feedback and praise for SCNC's National Night Out event. He stated that over 3,000 people were in attendance. He thanked all of the members of the Public Safety and Outreach Committees as well as the numerous other board members and stakeholders who volunteered their time, energy and resources to make this event such a great success. He explained that the mural ordinance will be the subject of a motion discussed later in the meeting. He stated that he supports the "opt in" rather than the "opt out" provision. **John Walker** explained that the DWP contract is presently a matter of discussion before City Council. He reported that the Mayor is not in favor of what was presented to the City. Our council person is in favor of seeing what else can be brought to the table. The budget advocates added a covenant to the existing motion. He asked Brandon Pender to address that later in the meeting. **John Walker** said he believes that the city workers should be held accountable just as the air controllers were held accountable. Anyone holding a position that has a direct impact on the quality of life of the stakeholders should not be allowed to strike. The current proposal could save us up to 4 billion dollars over the next 30 years. The negotiations should be transparent and should not be brought to city council with an ultimatum. He reported that Dr. Pickle said we should accept deal before the council. **John Walker** expressed his belief that stakeholders should have a voice in this and it should be on the ballot. Further, NC's have not had a chance to vet this issue. It is an important issue and will impact everyone in this room. He explained that a new board member will be appointed tonight

and he noted that Jan Drucker is the new chair of the bylaws committee and Denise Welvang will be the chair of budget committee. The ovarian cancer run/walk in October has been cancelled. It has not yet been rescheduled. **John Walker** thanked Geoffrey Yazzetta and CD 2, NBC Universal, and Michael Klausman/CBS who all made significant contributions that made the night a success. He thanked Target for their donations of the bikes. He also thanked Mr. and Mrs. Jenkins and the public safety committee. This has been reported as being one of the premier events in the valley.

4. Introduction of the new District Director for CD2, Jackie Keene. **John Walker** introduced Jackie Keene. **Jackie Keene** gave her background. She lives in the west valley and she said has been a frustrated constituent in the past. She has also worked for an Assemblyman. Later she worked for Wendy Gruel representing Sunland Tujunga. After redistricting she started working for the North Hollywood community. She now works in the field office of CD2. She is very hands on and will come out the events when invited. She is here tonight because she wanted us to be able to put the name and face together. **Barry Johnson** said that NOHO and Toluca Lake are looking forward to the next bike lane committee meeting. He asked when that will be. **Jackie Keene** responded that she will let us know when the date is set.
5. Introduction and appointment of Brian Mahoney as our new Board Member Residential Renter. **John Walker** introduced Brian Mahoney and asked him to come up and take his place on the board.
6. Public Comments on non-agenda items within the Board's jurisdiction. **Karen Pickford**, Studio City Library Manager, thanked us for letting them be part of the national night out. They are trying to do outreach on a regular basis. In September there will be a month long celebration of Moby Dick. The celebration begins on 16th of September. At the beginning of September they will recognize the mystery writers of America. There will also be a focus on Arab American stories during September. She reported that the Studio City Library is the second highest circulating library of the 72 circulating libraries in the City of Los Angeles. The library has a tech survey going on at the branch and she invited stakeholders to come in and participate. **Mike Szmanski**, writer for the Studio City Patch, announced that 500 of his colleagues will be released as of October. The Studio City Patch was going to be merged with Toluca Lake or Sherman Oaks Patch but Mike advised AOL that would not be well received by any of those communities. He has been told that the Studio City Patch will continue but he will not be able to continue working for it and they have given him other options. Mike stated that he wants to be in Studio City and has no desire to work elsewhere. **Barry Johnson** said individual parking meters are back on Ventura Blvd but they left the paint of numbers on the street. Geoffrey Yazzetta is working on getting these numbers sandblasted. He also stated that the state enterprise zones are dead. The proposed city ordinance will not trump the specific plan zone. He asked stakeholders to watch for a government affairs committee motion on planting in parkway next month. **Richard Adams** said we should sell the DWP. He said there are many staffing issues there. The trunk line site on Coldwater is full of DPW workers that are not working. He indicated that the threatening signs in SCNC meeting room are back and we he objects as we are inconsistent at the meetings. He expressed his objection to the manner which the grievance committee suggestions were handled at the last bylaws meetings.
7. Responses to comments from the Board. If we want to keep Mike Szmanski covering the Studio City Patch we should write to Tim Armstrong and ask that they him keep. We should email Tim.armstrong@teamaol.com **John Walker** asked where **Barry Johnson** got the information that the specific plan trumps the enterprise zones. **Barry Johnson and Lisa Sarkin** stated that the information had come from Adrin's office and from Jennifer from planning. **Jon Epstein** asked why we had changed the system of meters and then gone back again. **John Walker**

briefly explained the background on the meter vs pay and display parking system and the shortfalls of the latter.

8. Update and presentation of Certificate from CD2 by **Geoffrey Yazzetta**. **Geoffrey Yazzetta** presented Ron Taylor a certificate of appreciation for his work as a board member. **Ron Taylor** thanked Geoffrey Yazzetta and the Councilman's office for supporting our work. He is still in Studio City two or three times a week. He thanked many of those that have served and those that continue to serve our community. **Geoffrey Yazzetta** welcomed Brian Mahoney to the board. He congratulated the SCNC on the national night out event. He stated that the trunk line unit 5 on Coldwater north Valleyheart and Bloomfield is continuing. They have restriped the lanes and the lanes are generally open. This segment will be finished in December or January depending on the weather. After this section is completed, they are going to continue going north from Bloomfield to Moorpark. Then they will go east on Moorpark. The next is trunk line, unit 4, which they will begin installing on Magnolia. None of this section should be in Studio City but it will impact traffic in Studio City. Denise Welvang made a motion to move to the special agenda. Second by Jane Drucker. **Vote: 11 Yes; 0 No; 0 Abstain. Motion Carries.** Returned from special agenda.
9. Treasurer's report by **Remy Kessler**. **Remy Kessler** introduced the new report format we are required to use. It replaces the approval of the bank statement every month. He feels that they are increasing the paperwork a neighborhood council is required to complete. He does not feel the required report is as informative as what we have historically prepared. He stated that we will maintain the financial statement format that we have used for 8 years. We will produce that in addition to completing the form required. The balance of our unspent funds as of today is \$30,099.
Motion: The Board of the Studio City Neighborhood Council has reviewed the Monthly Expenditure Report for July, 2013 and hereby accepts and approves it.
Approved in the absence of objection.
10. Budget Committee Report – new Chair Denise Welvang. **Denise Welvang** stated that there will be a meeting next month as a request for an expenditure has been received. She briefly explained how that process takes place.
11. VANC Report by **Denise Welvang**. **Denise Welvang** said Kevin James came to the meeting and was informative. Gracie Lieu was there and reminded everyone that all board members need to take the budget training before September 1st. If you have not taken the training you cannot vote on financial matters. Every neighborhood council need to have an elections committee. **John Walker** said he already appointed an elections Chair, Jane Drucker. They want to know the location and hours for poling for each neighborhood council. Ada from the Bureau of Street services made a presentation at VANC. She stated that she inspects the repair requests that are turned in by the neighborhood councils. Things on the list will be repaired. This will take place twice a year. The street repair bond issue was also discussed. As to the DWP negotiations, 1,600 employees were transferred to the DWP but they did not transfer their pensions. **Richard Adams** said last thing he proposed was the valley creating its own election pool. **John Walker** responded that he had raised this and that DONE said no. **Barry Johnson** said that the board of public works is one on the two city commissions where the commissioners get paid. He asked how Kevin James is qualified to serve on that committee. **John Walker** stated that the city council approved the bond measure for street resurfacing.
12. Land Use Committee Report by **Lisa Sarkin**. **Lisa Sarkin** reported that 65 stakeholders attended the land use committee meeting. She stated that they are working on using PRB funds for fixing sidewalk so that sidewalks on Ventura Blvd. will be installed. Any place with a curb and parking meter must have a dedication for sidewalks. Installation of these sidewalks requires only

an A permit and does not need to go through DOT. Only in Studio City are there sidewalks missing in the valley. The Zen lounge discussion was tabled by the LUC. Some of the LUC files

were lost due to flooding of the storage room. The LUC had previously worked with the owners of the ZEN lounge owners. The owners exceed the seating and capacity. There is no parking at that location. Willowcrest is a cul de sac and it is a damaged street. There has been significant police action there and many complaints. **Lisa Sarkin** stated that she will meet with them with representatives from the City and the PRB to see what can be done there. At least 6 homeowners said they often can't get into their street due to the double parking. The Enterprise Zones were discussed –the planning department representative to the PRB had told them that the enterprise zone trumps the specific plan so the number of parking spaces was reduced. They got another reduction due to the proximity with the red line. They have now been advised that the owners of the Zen lounge need a new CUP and there will be hearings and the Council office is in agreement with this approach. The hearing is coming up for Joan's on Third on September 20th. The hearing will be in Van Nuys. **Barry Johnson** said he followed the ZEN restaurant when it was in land use two years ago. They were told things they could not do and these owners blatantly ignored the rules. The patio rooftop was not approved but it has been installed. They are requesting forgiveness after they violate the agreements. They should build what they are permitted to do. **Lee Davis** said he drove by Zen after the LUC meeting. On the left side of the street they had cars parked on the sidewalk and had cars dropping off people in the street. **Richard Adams** stated the Park Motel has been upgraded and the Kings Head Pub painted over one illegal sign but the patio is still being used after 10:30 PM. There is still no permit for the patio. **Mike Szmanski** pointed out that employees of Zen park in the MTA lot which is not allowed. **Gail Steinberg** said she was disappointed about the approach Zen has taken. She was concerned that the City has allowed this to happen. **John Walker** said when a restaurant has received three fines and they lose their license. **Lisa Sarkin** stated that they have not been fined three times. The zoning administrator said they did not have a permit for the fence and it is not in his determination letter.

Motion: The Board of the Studio City Neighborhood Council supports a request to the City Council that funds be separately designated for implementing Prop D, Ordinance 182580. These funds shall be dispensed to the Police Department, City Attorney and Department of Building & Safety for the exclusive purpose of prompt enforcement of Prop D, Ordinance 182580. This motion shall be submitted as a Community Impact Statement to Council File no. 13-0002-S86.

Lisa Sarkin stated that Sarah Armstrong is here in case there are any questions about this motion. In Studio City there are 15 MMDs of which 3 are delivery services which are illegal. The Land Use Committee has spent a lot of time on this and 13 people came to the LUC meeting because they received the letters Lisa Sarkin had sent out. Nicole Carcell, deputy outreach staff for Mike Feuer, came to the Land Use Meeting. She brought a list of facts from their website. She was not an attorney but tried to answer questions. The City has a long list of places they need to close. By 120 days after the date that Prop D passed, shops not on the list have to close or move. **Nicole Carcell** said she thought money for enforcement would be a problem. The LUC has found that is not the case and that is one of the reasons that we should pass the motion. No other place in the city has as many in a concentrated area as we have. **Richard Adams** stated that any funding diverted to this process will be taken from other projects. He thinks we should wait until the lawsuits are finished. We should concentrate on getting the homeless off the street instead. **Barry Johnson** asked the board to support the motion. Voters voted for Prop D and it should be enforced. Sarah Armstrong is the legal liaison for the Greater Los Angeles Cannabis Alliance – Their board of directors and steering committee enforced this motion. LO50 tax goes into the general fund and it should be grabbed for enforcement. Federal enforcement is thwarted. The City on the other hand contacts the landlords and this is a permitted activity and it works to close the rogue operators. **John Walker** stated that he was dubious about the motion. **Lisa Sarkin** said we should identify a source of funds. Nicole Carcell thought this was a good motion and she supported it. We are trying to start the ball rolling. **Lisa Cahan Davis**

said that she attended this meeting and those there from the MMD's were in support. **Vote: 8 Yes; 0 No; 3 Abstain.**

13. Government Affairs Committee Report by **Rita Villa**. **Rita Villa** suggested that we discuss and vote on each of the 9 motions which are each a part of motion A. below individually. **Barry Johnson** asked that we support this motion. Based upon the results of the individual votes noted below **Motion A Carries**.

Motion A: The Board of the Studio City Neighborhood Council responds to each of the nine motions by the Neighborhood Council Plan Review Committee currently being considered by the Board of Neighborhood Commissioners as set forth below.

SCNC Supports Motion 1 Vote: 11 Yes; 0 No; 0 Abstain.

1. Neighborhood Council subdivision/boundary adjustment policies -

Motion recommends that:

"A new Neighborhood Council may be created from within the boundaries of an existing Neighborhood Council by the following process:

- a. The subdividing group shall undertake the process for Neighborhood Council formation as already described for new councils.
- b. The Department of Neighborhood Empowerment shall set an election to take up the question within 90 days of verifying all paperwork is complete.
- c. A majority of the votes cast by stakeholders of the entire original Neighborhood Council shall be required to complete the separation and create a new council.
- d. If an area leaves a Neighborhood Council, the original council should simply be required to adjust its boundaries and board structure and not recertify.
- e. If an area moves between two existing Neighborhood Councils, neither should be required to recertify."

SCNC Does Not Support Motion 2. We don't agree with the recommendations in the flowchart. Vote: 10 Yes; 0 No; 1 Abstain.

2. Grievances and complaints policies and procedures.

Motion recommends that:

"The grievance procedure and the complaint process be merged into one system; that the Department of Neighborhood Empowerment (Department) establish a single set of procedures with a regional grievance panel empowered to render a final decision on a grievance without further right of appeal, which shall be based on the grievance policy recommendations already made by the Department as reflected in its report dated November 22, 2011, and contained in Council File Number 11-1018."

SCNC Objects to Motion 3. The NC system is intended to create a place for input at the local level (in each neighborhood). It is intended for the input of local ideas and methods of governing itself. It was created to respect the differences within the individual communities throughout the city. City wide governance should be uniform.

Rules for governing board selections Vote: 11 Yes; 0 No; 0 Abstain.

3. Motion recommends that:

- a. "The Department of Neighborhood Empowerment look at establishing rules and guidelines for Board selections so that they are more uniform and more open to the public."

SCNC Supports items C, D and E to Motion 4. With respect to item A, we do not support partnering with the City Clerk for back office administrative services as it is too costly to have the City Clerk involved. With respect to item B, we request the deletion of the words "at least." Elections or selections should be every two years.

Election policies and procedures; term limits Vote: 11 Yes; 0 No; 0 Abstain.

4. Motion recommends that:

- a. "Reaffirm support for the authority having been returned to the Department of Neighborhood Empowerment to conduct Neighborhood Council board elections and to partner with the City Clerk for back office administrative services.
- b. All Neighborhood Councils need to participate in elections or selections at least every two year cycle.
- c. Existing Neighborhood Council boards are encouraged to partner with other Neighborhood Councils and with the Department of Neighborhood Empowerment for candidate recruitment and election outreach.
- d. The City of Los Angeles should not require Neighborhood Councils to impose term limits. It should be left to each Neighborhood Council's discretion.
- e. There shall be participatory involvement of Neighborhood Councils in reviewing election policies and procedures prior to Neighborhood Council elections."

SCNC Supports Motion 5. However, with respect to item A, the posting requirement should be 72 hours for regular agendas and 24 hours for special agendas.

Brown Act and posting policies Vote: 11 Yes; 0 No; 0 Abstain.

5. Motion recommends that:

- a. "Reaffirm support for the Brown Act for Neighborhood Councils and its single accessible 24 hour posting requirement, and reaffirm current board policies regarding electronic mail and website posting, with only one physical posting site as opposed to many. The email requirement shall specify that agendas be sent to "NCSupport" with the intent that the Department will post them to the city's agenda system.
- b. Neighborhood Councils that do not have a website must post in at least five (5) physical locations."

SCNC Supports Motion 6. Vote: 11 Yes; 0 No; 0 Abstain.

6. NCs and rule formulation; appointments of GM, Board of Neighborhood Commissioners

Motion recommends that:

"Neighborhood Councils should have a greater role in the formulation of rules and regulations as promulgated by the Department and shall continue to have an advisory role in the in the "Appointment of the Department General Manager and the members of the Board of Neighborhood Commissioners."

SCNC Supports Motion 7 provided that the Department receives funding sufficient to accomplish the objective. Vote: 11 Yes; 0 No; 0 Abstain.

7. Creating and maintaining information and communication network for public use

Motion recommends that:

Duties of the Department in Sec 22.801(j) currently states that “[The Department shall] with the assistance of the Information Technology Agency, create and maintain an internal and external information and communication network, including a Citywide database of neighborhood organizations and similar information, that would be available for public use;”

Proposed motion to adopt the recommendations of the NC Plan Review Committees that Sec 22.801(j) of the Administrative Code be amended as follows:

“with the assistance of the Information Technology Agency, create and maintain an internal and external information and communication network that would be available for public use to:

- a. Provide organized access to all current rules, regulations, and election/selection/voting and any other procedures adopted by the Department of Neighborhood Empowerment.
- b. Provide organized access to all historic rules, regulations, and election/selection/voting and any other procedures adopted by the Department of Neighborhood Empowerment that are no longer in force.
- c. Provide organized access to all current legal opinions by the City Attorney on matters relating to the Department of Neighborhood Empowerment, Board of Neighborhood Commissioners, Department rules or regulations, and Department procedures for elections/selections/voting and any other matter.
- d. Provide organized access to all historic legal opinions by the City Attorney on matters relating to the Department of Neighborhood Empowerment, Board of Neighborhood Commissioners, department rules or regulations, and department procedures for elections/selections/voting and any other matter that are no longer in force.
- e. Provide a Citywide database of existing neighborhood organizations and similar information, sortable by areas and individual Neighborhood Councils.”

SCNC Objects to Motion 8. We can't support this motion as the specific "power" being considered is not adequately defined. Vote: 11 Yes; 0 No; 0 Abstain.

8. Duties of the Board of Neighborhood Commissioners

Motion recommends that:

- a. “The Board of Neighborhood Commissioners be given more power to enforce its policies.”

SCNC Objects to Motion 9. We object to the motion. A new board election shall be held within three months rather than involuntary decertification.

9. Exhaustive efforts process Vote: 11 Yes; 0 No; 0 Abstain.

Motion recommends that:

- a. “As part of exhaustive efforts the Department shall be able to recommend to the Board of Neighborhood Commissioners that the board of a neighborhood council be removed prior to having to recommend involuntary decertification.” Barry Johnson

Lisa Sarkin read Motion B.

Motion B: : The Board of the Studio City Neighborhood Council supports Los Angeles City Mural Ordinance "B" (Council File # 11-0923), which prohibits murals on Single-Family (R-1) properties except in those Neighborhood Council areas whose boards, in conjunction with their councilmember, "Opt In" to allow murals within their Neighborhood Council boundary in their particular Single-Family (R-1) neighborhoods.

14. **Rita Villa** gave a brief report on the background of the motion. **Barry Johnson** suggested that we should have the “op in” option. This is what we need and Councilman Englander supported this and proposed the amendment to the original motion to allow an “opt in” option. **Scott Ouellette** asked for clarification. **Lisa Cahan Davis** expressed her support for the motion. Jon

Epstein said he thought it would be better to "opt out." **Rita Villa** explained why that was not the case. **Vote: 11 Yes; 0 No; 0 Abstain.**

15. Outreach Committee Report by **Lisa Cahan Davis**. **Lisa Cahan Davis** invited everyone to the September 28th Congress of Neighborhoods. It will be from 7:45 AM to 4PM. You can register at NCcongressla.com. At the last committee meeting energy and discussion went into the planning of the November 9, 2013 Veterans Day event. We want to honor, pay tribute to and provide information regarding those that have served and are serving our nation. **Lisa Cahan Davis** will submit a request for funds for 2014-2015 street banners. Barbara Metzenabaum would like to join the Outreach Committee as a member representing the Studio City Library.
- 15 Public Safety Committee Report by **Brandon Pender**. **Patty Kirby** thanked everyone who helped on the national night out and thanked John Walker for all he did. **Brandon Pender** reported on the motion of budget advocates. The Rate Payer Advocate and the head of the DWP and union representatives, the CAO and pertinent departments were all present at the budget advocate meeting. They came up with a compromise. A copy of their motion was presented. **Brandon Pender** gave a public safety committee report. The National Night Out was a success and he thanked his committee and everyone who volunteered. The cost of the event was small in relation the benefit. No one person gets the credit it was a team event. Next month there will be motions about the valet parking and pay telephone situation. They are working on message boards that say "Hide it. Lock it. Keep it!" To increase awareness in accordance with the campaign being run by the police.
- 16 Cultural Affairs Committee Report by **Richard Niederberg** (5 min). Mary Mallory reported on behalf of Richard Niederberg. All his committee was there for national night out. Planning Luminaria and trying to organize events at the outdoor amphitheater and a pop up art event. Also taking about events which will be held at the library. Barry Johnson said Campo is a City Park and the superintend of the city parks attends events there. Lana said there is also an association and the association refused our donation.
- 17 Transportation Report by **Scott Ouellette**. Discussion under this item was moved to the special agenda.
- 18 Bylaws Committee Report by **John Walker** (new Chair **Jane Drucker**). **John Walker** reported on the bylaws meeting and the revisions suggested by the grievance committee. He stated that none of the proposed revisions will go into effect until January of next year due to delays at DONE. **Richard Adams** said the bylaws require the grievance committee to be appointed by board. He did not feel it was appropriate for John Walker to chair the committee to oversee the grievance committee report. **Scott Ouellette** gave several comments on the proposed bylaws revisions below. **Lisa Sarkin** said there are changes that were passed when Ron Taylor was chair and we did not get back DONE approval of them so they are included in the information below. She also noted that no grievance is against a board member. All grievances are against the entire board. **Rita Villa** moved to return this to committee. Second by **Scott Ouellette**. **Vote: 11 Yes; 0 No; 0 Abstain.**

Motion: The Board of the Studio City Neighborhood Council accepts and adopts the recommendations and changes made to both our Bylaws and Operating Procedures as presented. (attached to Board Agenda).
- 19 Comments from Board Members on subject matters within the Board's jurisdiction. **Scott Ouellette** stated that he had sent out an email regarding the mobility element of the general plan. **John Walker** announced the formation of an adhoc committee composed of Scott Ouellette, Lisa Sarkin, Rita Villa and John Walker. The committee will address the mobility element and report back to the board.
- 20 Adjournment. **Moved:** Rita Villa; **Second:** Denise Welvang. **Vote: 11 Yes; 0 No; 0 Abstain.**