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June 5, 2019

VIA OVERNIGHT DELIVERY

Holly L. Wolcott, City Clerk
City of Los Angeles
200 North Spring Street, Room 395
Los Angeles, CA 90012

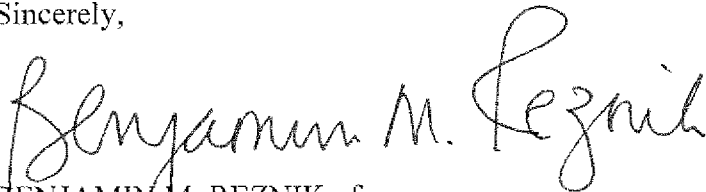
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Re: Tom Bergins Cultural Historic Monument
Case No. CHC-2018-5803-HCM; ENV-2018-2847-CE/840 S. Fairfax
Ave. (Tom Bergins), Council File 19-0293

Dear Ms. Wolcott,

Attached please find our submission to the City Attorney for your consideration
as well.

Sincerely,


BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

BMR:ki
Attachment

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June 4, 2019

VIA E-MAIL (maria.mattera@lacity.org)

Honorable Mike Feuer
City Attorney
City of Los Angeles, Office of City Attorney
c/o Maria Mattera, Assistant to Mike Feuer
200 North Main St., 8th floor
Los Angeles, CA 90012

Re: **Case No. CHC-2018-5803-HCM; ENV-2018-2847-CE**
Location: 840 S. Fairfax Avenue ("Tom Bergin's")
Notice of Misappropriation of Public Funds in Connection with Tom
Bergin's HCM Nomination
Council File No. 19-0293

Dear City Attorney Feuer:

Our office represents the owner of 840 S. Fairfax Avenue (the "Property"), a vacant property that is the former location of the "Tom Bergin's" bar. The Los Angeles City Council will be considering the Property for Historic-Cultural Monument ("HCM") designation at its upcoming Planning Land Use and Management ("PLUM") Committee meeting scheduled for June 11, 2019. This letter is sent to advise your office that this HCM nomination is the result of an illegal misappropriation of public funds by the Mid City West Neighborhood Council ("Mid City West"), who initiated and funded the nomination in violation of City regulations. As a result of this conduct, this nomination is void and is proceeding *ultra vires*.

The substance of the nomination is also meritless. The Cultural Heritage Commission already rejected and denied the proposed designation of this Property as an "architectural" HCM. The only consideration before the City Council, therefore, is whether the now closed bar is a "cultural" monument as a so-called "legacy business." Although the Los Angeles Administrative Code ("LAAC") does not permit the HCM designation of a legacy business, the nomination is nevertheless moving forward to achieve that result by other means. The concept proposed here by this nomination is to use the HCM regulations as a subterfuge for freezing into place the Tom Bergin's *business* that previously operated at the location by forcing the owner to preserve the Tom Bergin's signage, restaurant lay-out, and bar interior. By designating the Property in such a manner, it will make it impossible for any use other than a Tom Bergin's bar to ever operate at the location. As this simply is not permitted under the LAAC or the law, the designation of the *Property* for the purpose of preserving a *business* would be arbitrary,

capricious, and a clear abuse of discretion. Moreover, as the now closed Tom Bergin's business consistently lost money year over year, designation of the business as an HCM would completely undermine the owner's reasonable investment backed expectations and result in a taking without just compensation. For these reasons, we urge the City Attorney immediately investigate this situation, and put an end to the City's ongoing consideration of this inappropriate HCM nomination.

A. The HCM nomination stems directly from an illegal and *ultra vires* misappropriation of public funds by Mid City West

Mid City West first took up the potential nomination of the Property more than a year ago. At the February 20, 2018 meeting of Mid City West's Planning and Land Use Committee ("PLUC"), an item was scheduled to discuss "Possible Funding for Historic Cultural Monument." According to the meeting minutes, "[d]iscussion and possible action [occurred regarding] possible funding to help establish a Historic Cultural Monument at a suitable location in Mid City West." It was "reported that 'several properties are potentially vulnerable,' possibly including Pink's, Canter's and Bergin's." (**Exhibit A**, February 20, 2018 Mid City West PLUC Meeting Minutes, Pg. 7-8.) The PLUC approved a motion recommending Mid City West "allocate an amount not to exceed \$2,500 of Community Improvement Project funds to be used in partnership with other parties toward preparation of a Historic Cultural Monument application for the Tom Bergin's Tavern building at 840 S. Fairfax Ave., conditioned upon current ownership support." (*Id.*) Interestingly, even though the allocation of funds was condition on the support of the owner, the owner was never notified of Mid City West's hearings/actions.

The Mid City West Board considered the PLUC motion at its next meeting on April 10, 2018. The minutes show that the Board adopted a motion to allocate \$2,500 of Community Improvement Project funds for the preparation of the HCM nomination. (**Exhibit B**, March 13, 2018 Mid City West Board Meeting Minutes, Pg. 17; and **Exhibit C**, April 10, 2018 Mid City West Board Meeting Minutes, Pg. 8.) The meeting minutes detail the following "discussion" held during this item:

Keith Nakata, Public Comment: PLUC has always planned on having some kind of project like this. This motion would help us get through the first phase, the initiation of the application. The idea is that we wanted other people to participate with us. The money will go into the preparation of the application by professional historical resource.

Andy Meselson: Since we're stipulating that it's subject to the owner, and something goes wrong, are we just giving money to the owner?

Scott Epstein: I think if we pass this, we should strike the ownership support language to the motion. I think we should specify that this money is to contract with a city-preferred vendor that would prepare a historical cultural monument application for Tom Bergins. (Friendly amendment).

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On May 8, 2018, Mid City West adopted a motion to contract with Architectural Resources Group (“ARG”), a private consulting group, to prepare and submit the HCM nomination to the City’s Office of Historic Resources (“OHR”). (**Exhibit D**, April 17, 2018 Mid City West PLUC Meeting Minutes, Pg. 7-8; and **Exhibit E**, May 8, 2018 Mid City West Board Meeting Minutes, Pgs. 8–9.) On May 12, 2018, ARG submitted a request for a \$2,500 payment from the Community Improvement Project funds. The Department of Neighborhood Empowerment (“DONE”) denied the request. (**Exhibit F**, Mid City West Dashboard). We understand that the City Clerk’s office then informed Mid City West that City rules prohibit Neighborhood Councils from contracting with a private, for-profit vendor for this type of service. (**Exhibit G**, July 10, 2018 Mid City West Board Meeting Minutes, Pgs. 15–16). City rules strictly prohibit the use of Neighborhood Council funds for “[a]ny purchases... that impact the value of private property...” (**Exhibit H**, Pg. 16 of the Neighborhood Council Funding Program, Policies and Guidelines, February 1, 2018.)

Nevertheless, at a Mid City West PLUC meeting on June 26, 2018, the nomination was once again brought up, with the Committee discussing a “strategic budget place holding for July, funding for Bergin’s historic cultural monument application...” (**Exhibit I**, June 26, 2018 Mid City West Committee Meeting Minutes, Pg. 3.) Mid City West then proceeded to funnel the funds through a third party intermediary. Mid City West called this a “re-structure” of the “Project,” but in reality it was an obvious and illegal pass-through designed to evade City rules. On July 10, 2018, Mid City West adopted an “alternative motion” to allocate \$2500 of Neighborhood Purpose Grant funds for the same unpermitted purpose. This time, however, the funds were being paid to the Los Angeles Conservancy, a non-profit who in turn would pay the \$2,500 amount to ARG to prepare the HCM nomination as originally conceived. The minutes for the July 10 Mid City West board meeting explain the scheme:

“Mid City West approved a \$2,500 community improvement project to contract with a vendor to produce a report/application for Historic Cultural Monument status for Tom Bergin’s. After considerable effort on the part of Mid City West, City Clerk’s office informed the council that the city rules would not allow Mid City West to contract with a private for profit vendor for these services. The projects [sic] now being re-structured as a Neighborhood Purpose Grant with the Los Angeles Conservancy as the grantee. Councilmember Ryu has introduced Council File 18-0650 to move the 2017-18 funds Mid City West allocated to this purpose to a special fund that Mid City West will use to complete the project in FY 2018-19.” (*See Exhibit G*, July 10, 2018 Mid City West Board Meeting Minutes, Pgs. 15–16.)

On July 3, 2018, the City Council initiated the transfer of \$2,500 from fiscal year 2017-2018 to fiscal year 2018-2019 for “community programs/improvements” for Mid City West. (**Exhibit J**, Council File Number 18-0650.) On August 14, 2018, Mid City West adopted a motion approving the payment of the so-called Neighborhood Purpose Grant of \$2500 to the Los Angeles Conservancy, which would then be used to hire ARG to prepare the HCM nomination at issue here. (**Exhibit K**, August 14, 2018 Mid City West Board Meeting Minutes, Pgs. 10–11.)

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Ultimately, on or about September 12, 2018, an HCM nomination was submitted to OHR. The nomination's "applicant" was identified as the Los Angeles Conservancy. The Miracle Mile Residential Association was listed as a "co-applicant." The nomination's preparer/representative was identified as the "Architectural Resources Group." In a September 26, 2018 mass-email, Miracle Mile Residential Association's Senior Vice President, Ken Hixon, urged messages of support be sent to Councilman Ryu and the Cultural Heritage Commission, stating that "the Miracle Mile Residential Association and the Los Angeles Conservancy (with the financial support of Mid City West Community Council) have sponsored Tom Bergin's Bar and Restaurant for Historic-Cultural Monument status." (**Exhibit L**)(emphasis added.) On May 21, 2019, during public comment before the City Council PLUM Committee, the President of the Miracle Mile Residential Association, James O'Sullivan stated, "by the way if the City Attorney is worried about that money that Mid City West was supposed to pay, the Miracle Mile Residential Association will fulfill that, they did the work we'll pay it, and if they don't I'll write it out of my check ... and I am so embarrassed for David Ryu and the Council office that this has happened, this is unconscionable." The nomination will be returning to PLUM on Tuesday, June 11, 2019.

The facts detailed above establish that the subject HCM nomination stems directly from an illegal and *ultra vires* misappropriation of public funds. Initially Mid City West attempted to use City funds to hire a private consultant to prepare the HCM nomination in March of 2018. After the City Clerk notified Mid City West that the expenditure was unlawful, Mid City West used the LA Conservancy as an intermediary for a supposed "Neighborhood Purpose" project to funnel a payment of City funds through a non-profit to avoid City and/or public scrutiny.

That act was illegal. As noted above, the Neighborhood Council Funding Program Policies & Guidelines ("NCFP Policies") provide that neighborhood councils may not engage in "[a]ny purchases and/or capital improvement projects that impact the value of private property or do not benefit the general public." (See **Exhibit H**, Policies & Guidelines, Pg. 16). As the City Clerk plainly recognized, this nomination has a serious impact on the value of our client's property. As a result, it was unlawful to use the public's money to fund the nomination. Moreover, while all of this was going on, the Property owner was never once given notice of Mid City West's hearings or an opportunity to be heard. The same was true with respect to the "backroom deal" that was struck with the Council office to mask the source of the funds. Accordingly, this nomination is tainted by Mid City West's illegalities and is therefore void and *ultra vires*. The nomination should be withdrawn immediately.

B. Councilmember David Ryu is personally embroiled in this nomination and may not participate in the City Council hearings on it

In a quasi-judicial setting, a "basic requirement of due process" is the provision of a "[f]air trial in a fair tribunal" before unbiased decisionmakers. *In re Murchison* (1955) 349 U.S. 133, 136. As part of this, the constitution prohibits not just actual bias by the decisionmakers, **but the appearance of bias**. *In re Murchison* (1955) 349 U.S. 133, 136. ("system of law has always endeavored to prevent even the probability of unfairness"; "appearance of justice"); *Taylor v. Hayes* (1974) 418 U.S. 488, 501 ("likelihood of bias or an appearance of bias" prohibited); *Stivers*

v. Pierce (9th Cir. 1995) 71 F.3d 732, 741 (appearance of bias standard in revocation proceedings); *Applebaum v. Board of Directors* (1980) 104 Cal.App.3d 648, 657 (“probability of unfairness” standard in revocation proceedings).

Here, Councilmember David Ryu, has actively coordinated with Mid City West to support the HCM nomination for over a year. He was also the sponsor of the motion to commit City funds to pay for it. Councilman Ryu has thereby committed himself to a particular side of the controversy by committing to fund the very HCM nomination which is now before him. *Williams v. Pennsylvania* (2016) 136 S.Ct. 1899, 1913 (pre-commitment where “the judge had made up his mind about the only issue in the case before the trial had even begun”). After having supported the nomination and assisted the HCM applicant with the needed funding, Councilman Ryu cannot now pretend to be uninterested in the outcome. Councilman Ryu is personally embroiled¹ in the matter, has prejudged the nomination, and is therefore disqualified to act as a quasi-judicial decisionmaker over the nomination. We demand that Councilman Ryu be recused from further City proceedings over the matter. Moreover, to the extent any other councilmembers cannot fairly judge the merits of this HCM nomination without considering Councilman Ryu’s prior involvement, they must also be recused.

C. **Designation of the Property to preserve a “legacy business” would constitute an unlawful taking of private property without just compensation**

i. *The HCM application and the Commission’s findings.*

As originally submitted, the HCM nomination proposed to designate the Property as an HCM pursuant to two categories set forth in LAAC Section 22.171.7— *i.e.*, the Property: (i) embodies the distinctive characteristics of a style, type, period, or method of construction (“Criterion 3” architectural); and, (ii) exemplifies significant contributions to the broad cultural, economic, or social history of the nation, state, city, or community (“Criterion 1” cultural). The nomination claimed that the Property met Criterion 3 because it purportedly “embodies the distinguishing characteristics of the Tudor Revival style, particularly as applied to a commercial building.” (ARG HCM Continuation Sheet, Pg. 7). It claimed it met Criterion 1 because the Property was allegedly the former home of “[o]ne of the most iconic and longest-lived bars in the City” and has “the second-oldest liquor license in Los Angeles.” (ARG HCM Continuation Sheet, Pg. 7). The primary references used by ARG to support these claims: *blog posts*.

With respect to Criterion 3, the architectural significance of the Property, the Office of Historic Resources March 7, 2019 Staff Report (“Staff Report”) recommended against an architectural designation, finding that the Property “is not a unique or outstanding example of the

¹ “Personal embroilment” is construed broadly by the courts to include any personal stake in a decision, and is not limited to pecuniary interests or personal vendettas. *In re Murchison*, 349 U.S. at 136 (“no man is permitted to try cases where he has an interest in the outcome”); *In re Complaint of Judicial Misconduct* (9th Cir. 2016) 816 F.3d 1266, 1267 (recusal necessary when “a judge has a direct, personal, or substantial connection to the outcome of a case or to its parties”).

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Tudor Revival style,” and that “[t]he Tudor Revival style is applied to the subject property in a simplified manner.” (Staff Report, Pg. 3). Staff correctly concluded that the Property “does not meet this criterion,” a conclusion which is supported by several independent experts who reviewed the nomination, inspected the site, and reached the same finding. The Commission agreed and did not recommend designation as an architectural monument. Regarding Criterion 1 however, the Property’s “cultural” significance, the Staff Report recommended the Property for designation on the ostensible grounds that “Tom Bergin’s is considered a legacy business and a beloved community institution, earning it a reputation as one of Los Angeles’s most iconic bar establishments.” (Staff Report, Pg. 3). This was supported by the same blog posts cited by ARG, including the claim that the bar maintained the City’s second oldest liquor license, despite no additional citations for these findings.

In response to this finding, our client engaged *three* different independent experts to review the nomination materials and the Staff Report’s findings. These experts conducted extensive research on the Property and prepared detailed reports that were submitted to the Commission. The reports found that the Staff Report analysis either misapplied the HCM standards or had been based on inaccurate evidence submitted by the HCM applicant. The experts also determined that the Property has not made the kind of “significant contributions” to Los Angeles’ culture that are required to justify HCM designation. For example, the analysis performed by Carrie Chasteen with Sapphos Environmental, Inc. (the “Sapphos Report”), attached hereto as **Exhibit M**, found that “[a]lthough properties associated with liquor and comradery have been found eligible, they are typically those associated with identifiably significant events in the community, city, or country, such as the era of Prohibition or the Black Cat for its association with the LGBTQ civil rights movement. For this reason, the argument that the subject property is eligible for listing pursuant to Criterion 1 is not adequately supported in the HCM nomination.” (“Sapphos Report,” Pg. 10). A similar conclusion was reached in a separate Historic Resources Assessment (the “HRA,” attached hereto as **Exhibit N**) prepared by Dr. Margarita Jerabek with Environmental Science Associates, Inc. (“ESA”), and Anna Marie Brooks, a frequent nominator of properties for HCM designation in the City (see the “Brooks Report” attached as **Exhibit O**).

These experts all agreed that the Property does not qualify for HCM designation under any criterion, and confirmed that just because the Property once housed a popular bar, that is not a sufficient basis to show that the Property exemplifies “significant contributions to the broad cultural, economic, or social history of the nation, state, city or community.” This was particularly true in this instance, as there was no reason to believe that the former bar actually did, in fact, result in any significant contributions to Los Angeles culture beyond its local popularity in the neighborhood. Unfortunately, at its March 7, 2019 hearing, it was clear that neither staff nor the Commission reviewed or considered these expert findings in advance of the hearing. In attendance at the hearing to support of the nomination were dozens of people who recalled their primary experience with the former pub: drinking there on St. Patrick’s Day. Seeking to please the crowd organized by Mid City West and the applicant, the Commission ignored the HCM criteria and expert testimony, and “pushed” the case to the City Council. The Commission Chair stated as much, explaining to those in attendance that “[w]e don’t make it a monument. We are just pushing it on to City Council... and the Council people are going to have to deal with [it].”

In doing so, the Commission sent the nomination to the City Council with the recommendation that the Property be designated based on its connection to a “legacy business.” To manipulate the finding so that a “legacy business” designation would appear to meet one of the HCM criteria, the Commission found that the Property “exemplifies significant contributions to the broad cultural economic or social history of the nation, state, city or community as the longtime location of Tom Bergin’s, a business that “bears a significant association with the commercial identity of Los Angeles.” (Commission Findings, Pg. 1). The nomination, and the Commission’s recommendation, are now before the City Council, which will determine whether or not to adopt these proposed findings.

ii. A “Legacy Business” is not eligible for HCM designation.

The Commission’s finding that the Property meets the definition of an HCM pursuant to the LAAC was improper for many reasons, but most significantly because a **business** is not eligible for HCM designation. The LAAC explicitly reserves HCM status to “building[s],” “site[s],” and “structure[s]” of particular significance. Nothing in this section of the LAAC can be construed to authorize the designation of a “legacy business” as attempted here. In fact, the Commission itself recognized as much. In speaking on his motion to recommend designation, President Barron first acknowledged that “uses” – like a particular business - cannot be preserved under the HCM standards. He then went on to instruct the Commission that “[o]ur business is to think about whether or not this is, as the application says, is a legacy spot, that should be saved. and I think in my mind, it is that.” He then revealed his true interest, explaining that “[his] wish would be.. is that somebody will come in and take it over and rethink it and make it a business.” In this vein, he then suggested that the audience consider “creat[ing] an LLC, and a go fund me page, [s] they could have a neighborhood bar again.”

These statements reflect a misapplication of the HCM standards as a means to undermine an owner’s property rights for the benefit of third persons. It also suggests that the Commission is using the HCM criteria to try and disadvantage one business owner, in the hopes that another would be more successful. These are all completely inappropriate considerations; there is simply no legal basis to permit the City to use the HCM standards as a means to revive a “legacy business.”

For better or worse, the City of Los Angeles does not have a legacy business program, nor is there any authority in the City’s HCM criteria that permits it to fashion one out of the existing code. Other cities have recognized the need to support legacy businesses before they close and have created distinct legacy business programs designed to assist longstanding local businesses. San Francisco’s legacy business program, for example, provides resources and assistance to legacy businesses that have operated in the City for at least 30 years, and which are shown to have made significant impacts on the history or culture of their neighborhoods. (See <https://sfosb.org/legacy-business/apply>) Such programs are separate and distinct from the City’s regulations applicable to the protection of historic resources. In this instance, the Commission’s backdoor attempt to preserve Tom Bergin’s, by conferring HCM status upon the Property, would

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constitute an arbitrary abuse of discretion and a taking of private property without just compensation.

D. The City's action of considering this HCM nomination without notice to the owner constituted due process and Brown Act violations

The Brown Act provides that at least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a "brief general description" of each item of business to be transacted or discussed at the meeting. With limited exceptions not relevant here, no action or discussion may be undertaken on any item not appearing on the posted agenda. In this instance, records show that Councilman Ryu's motion to fund the Tom Bergin's nomination was not posted on the City Council's agenda. Moreover, the motion was also made in a manner clearly intended to avoid providing the owner notice that a City Council motion was made to support the HCM nomination. This constitutes a violation of the California Brown Act and the owner's due process rights.

Based on the above, the City Attorney's office should not permit this HCM nomination to proceed forward. To the extent the City permits this nomination to proceed forward, at minimum, any member of the City Council who cannot fairly consider the nomination, including Councilmember Ryu, must be recused. Thank you for your consideration and assistance.

Sincerely,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

Enclosure(s)
cc (via email):

Nicholas Greif, Chief of Staff, Councilmember Ryu
Rachel Brashier, Deputy Chief of Staff, Councilmember Harris-Dawson, Chair
Andrew Pennington, Director of Land Use & Planning, Councilmember Blumenfield
Sherilyn Correa, Director of Planning, Councilmember Price, Jr.
Gerald Gubatan, Planning Director, Councilmember Cedillo
Hannah Lee, Chief of Staff, Councilmember Smith
Jordan Beroukhim, Planning Deputy, Councilmember Wesson
Terry P. Kaufmann-Macias, Deputy City Attorney, Office of the City Attorney
Ken Bernstein, Principal City Planner, Department of City Planning
Lambert Giessinger, Historic Preservation Architect, Department of City Planning
Melissa Jones, City Planning Associate, Department of City Planning
Rita Moreno, Legislative Assistant, City Clerk (clerk.plumcommittee@lacity.org)

EXHIBIT A





Planning and Land Use Committee Meeting
February 20, 2018
543 N. Fairfax Avenue, Los Angeles, CA 90036
APPROVED MINUTES
Subject to approval by the Committee

MCWCC (and all other) Meeting Minutes are a summary; Minutes were not, are not and are never meant to be an exact, verbatim, word-for-word transcript or comprehensive record of what was said at a Meeting. Exceptions: Motions/Resolutions (as stated at the Meeting, which take precedence over versions written on the Agenda, if different); quotes (words that have quotation marks (“”) at the beginning and ending of a word or words); and other wording from the Agenda such as the first paragraph(s) of some Items. Items are listed in and match the same order as on the Agenda.

Item 1. Call to Order and Roll Call

Co-Chair Mehmet Berker called the Meeting to order at 6:36 p.m. Roll Call was taken by the Secretary. Seven of the 11 Committee Members were present at the Roll Call: Mehmet Berker (Co-Chair), Liza Gerberding, Emily U. Kantrim (Secretary), Steven Luftman, Keith Nakata (Co-Chair), Dr. Patrick Seamans and Rosalie Wayne. Ravi Bhatia arrived later. Heather Fox, Dr. Scott Sale and Roque Wicker were absent (all excused). Ilissa Gold had resigned. The Committee quorum (the minimum number of Committee Members needing to be present to take binding votes on Agendized Items) is seven (see the Bylaws at <https://lacity.quickbase.com/db/bj3apxsp3?a=q&qid=32&qskip=0&qrppg=1000&dIta=su46~>), so the Committee could take such votes. Also attended: approximately 29 Stakeholders and Guests.

Item 2. Review and Approval of Minutes from the January 16, 2018 Meeting.

Ms. Uyeda Kantrim requested posting of draft Minutes for Committee Members to review. Mr. Berker “will make sure it’s a Google docs version” on which Committee Members can comment. Mr. Nakata encouraged feedback about the Minutes.

Committee Member Ravi Bhatia arrived at this time (6:42), making eight Committee Members present (the Committee quorum is seven).

There was discussion of whether and how draft Minutes can be posted and/or reviewed. Mr. Berker declared and it was agreed to TABLE this Item.

Item 3. Public Comment Period

Dr. Seamans commented on the public comment from a previous meeting on the project at 411-431 N. La Cienega Blvd., the Solstice project, and distributed a diagram mapping the speakers’ home locations which illustrated that those opposed to the project lived the closest and those supporting generally were further away from the impacts of the project.

Item 4. Announcement from Co-chairs

Mr. Berker will outreach regarding the Committee Seat vacancy formerly held by Ilissa Gold. Mr. Nakata reported that a Stakeholder letter was received regarding the Sweet Chick Restaurant [448 N. Fairfax Ave.] decision letter; "the letter was noted . . . a letter was sent in opposition to the project."

Item 5. Informational Presentation on Purple Line Transit Neighborhood Plan. An informational presentation from LA Dept. of City Planning staff on the current progress of the Purple Line Transit Neighborhood Plan (TNP).

Andrew Jorgensen introduced fellow Planners Patricia Diefenderfer, Senior City Planner, L.A. Department of City Planning (213-978-1170; Patricia.Diefenderfer@LACity.org; <http://Planning.LACity.org>), Renata and Diego and presented slides about the "Purple Line Neighborhood Plan" [<http://www.latnp.org/purple-line>]. He explained "Transit-Oriented Planning." He said "it's about a three to 3 ½-year timeline . . . we presented to this body in March 2016." They have had "other . . . meetings with other stakeholder groups . . . we're currently in the process of making revisions with the Plan." He described outreach efforts. They "received approximately 150 emails from people who wanted to comment on the Plan." There will be a public scoping meeting. There was discussion of the possibility of keeping building facades while redeveloping the buildings. Ms. Diefendorfer said "we really listen" to feedback. Mr. Jorgensen said "it's our job to come up with a generally good consensus . . . we're still developing what [step-backs] would mean . . . generally, the intent is to allow for more compatibility." He noted that step-backs can be measured from different places. Ms. Diefendorfer explained the Department's ReCodeLA work.

Item 6. 7315 W Melrose Ave - Blackheart Restaurant - (ZA-2017-5072-CUB) Project description: A conditional use permit (CUP) to allow for the sale and dispensing of a full line of alcoholic beverages for on-site consumption. Requested Actions:

1. Pursuant to sec. 12.24-W.1 a conditional use permit (CUB) to allow for the sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing 2,259 sq. ft. restaurant with 62 indoor seats and a 434 sq. ft. outdoor uncovered patio with 28 seats. hours of operation from 11:00am to 2:00am daily.

Mr. Nakata distributed project information copies and a site plan was displayed. The cross-street is Poinsettia Pl. Attorney and restaurant representative Michael Ayaz presented, saying "the location currently is under development." There would be 63 inside and 20 outside seats; "no entertainment is proposed . . . the idea would be for cars to come into the alley . . . and go back out onto Melrose . . . we're hiring a valet company." He explained differences from Blackbeard and other area restaurants. Ms. Uyeda Kantrim noted an "overconcentration" of similar area restaurants, and Police awareness of a "spike in alcohol-related" incidents, including "part one" crimes. Mr. Ayaz said they "will be reaching out" to the LAPD Vice Squad.

She and Mr. Luftman noted that the Committee prefers restaurant closing hours of Sundays – Thursdays at 11:00 p.m. and Fridays – Saturdays at 12:00 midnight. Mr. Ayaz will advise the owners that neighbors may want more limited operational hours. Mr. Nakata requested that 500-foot notices be given to neighbors by five days before the March 13th MCWCC Board Meeting. Mr. Ayaz stated that “we’ll double-notice it if that’s our mistake” if the notices had not yet been sent. They tentatively have an April 1st Hearing.

MOTION to TABLE (by Dr. Seamans, seconded by Mr. Bhatia): The Mid City West Community Council Planning and Land Use Committee TABLES this Item to its next meeting.

MOTION to TABLE FAILED by a roll call vote of the eight eligible voters present with three in favor (“Yes” or “Aye”) (Nakata, Seamans and Wayne); five opposed (“No” or “Nay”) (Berker, Bhatia, Gerberding, Uyeda Kantrim and Luftman); zero abstained.

MOTION (by Mr. Berker, seconded by Mr. Luftman): The Mid City West Community Council Planning and Land Use Committee supports a Conditional Use Permit (CUP) at 7315 W. Melrose Ave. (Blackheart Restaurant) to allow for the sale and dispensing of a full line of alcoholic beverages for on-site consumption with the following conditions:

- That hours be 7am to 11pm Sunday to Thursday, and 7am to 12 am Friday through Saturday;
- That trash deposit and collection in dumpsters in the rear of the building as well as deliveries to the business occur between the hours of 8:00am and 10:00pm to minimize noise impacts on the surrounding residential neighbors, with deliveries before 8:00am to occur in the front of the building;
- That trash and recycle bins be locked;
- That a parking lot attendant be present until closing;
- That parking lot lighting be directed away from adjacent residential buildings;
- That employees park in the on-site spaces or in other commercial spaces to minimize impacts on the surrounding residential neighborhoods.

MOTION to CALL FOR THE QUESTION (by Mr. Berker); zero opposed.

MOTION PASSED unanimously by a roll call vote of the eight eligible voters present with six in favor (“Yes” or “Aye”) (Berker, Bhatia, Gerberding, Luftman, Nakata and Wayne); one opposed (“No” or “Nay”) (Uyeda Kantrim); one abstained (MCWCC abstentions are counted as neither “yes” or “no” votes) (Seamans).

Item 7. 8326-8332 Blackburn Ave (TT-74711-CN) Project description: Tentative tract map for 15 new condominium units. An existing duplex and triplex will be demolished. Requested Actions:

1. Pursuant to lamc 17.00, tentative tract map for 15 new condominium units.
Public Comment Welcome – For Potential Action.

Gabriel Davenport, Owner, and Jila Kohan, Architect, presented. Mr. Davenport described the project as having a “contemporary modern look.” He said “there’s no density bonus at all; we’re doing it by right . . . we’re going one subterranean level down” for guest parking. “It’s an R-3 zone . . . we’re not asking for any concessions . . . we’re including a recreation room . . . on the first floor.” Five units would be covenanted as RSO (Rent Stabilization Ordinance) units. “We’re doing everything according to the Code . . . they’re going to be about 1,600” square feet each.

Next-door neighbor Cindy Andrea was concerned about noise and pollution from and no grass at the project. Pete Bleyer, who owns a nearby duplex, was concerned about densification and speeding drivers. Mary Kaye Viakley believed that “it’s not a harmonic blend with the tenor of the neighborhood” and that there may be asbestos in the buildings to be demolished. Next-door neighbor Justine Chiara believed it is “overdevelopment.” Sanford Weinberg, who lives behind the project, believed that other developers have been “breaking through the water table . . . poisoning” people and was concerned that “there’re no four-story buildings on that block.” He said “there is no parking on Blackburn . . . they park on Fourth St.” and that “there is no building like this in our neighborhood . . . this is a box.”

Mr. Davenport said “there’s a shortage of condos in that area . . . by right we could build 15 units” or “20 with a density bonus.” One tenant was Ellis Act-paid and relocated; the other units were vacant. Mr. Nakata noted that one building was built in 1928; the other, probably in the 1920’s. Mr. Davenport explained that “we’re asking to subdivide the property and make it into condos.” He acknowledged that he is asking for a Vesting Tentative Tract Map (VTT) change. Mr. Luftman noted that the Wilshire Community Plan [<https://planning.lacity.org/complan/pdf/wilcptxt.pdf>] provides guidelines; he did not believe the project “fits in.” Ms. Wayne said “it doesn’t match the neighborhood.” Mr. Davenport added that “there’s nothing on the roof . . . the setback is 15 feet on the front . . . the back side, there’s going to be more landscaping . . . it’s a 16-foot” setback. The side yard setback would be seven feet.

Their environmental assessment soils report did not indicate any problem. Ms. Wayne believed there was a “capped oil well” nearby. Mr. Davenport described planned construction impacts mitigation. Mr. Bhatia wanted dust mitigation and traffic control plans, and for government to address possible environmental concerns. He recommended giving previous tenants “first right of refusal” to return. Mr. Davenport indicated that the first floor would have

three units; the second, third and fourth floors each would have four units. They will “pull the demo permit . . . in the first week of March” but do not need to first get a VTT. They would demolish the existing structures in late March or early April. He “[doesn’t] see how [it’s] financially feasible” to only have 12 units on three stories. Mr. Berker and Ms. Uyeda Kantrim believed it was not clear what Mr. Davenport was asking for and whether this was a condo or apartment project.

MOTION (by Mr. Luftman, seconded by Dr. Seamans): The Mid City West Community Council Planning and Land Use Committee opposes the Tentative Tract Map for 15 new condominium units at 8326-8332 Blackburn Ave. due to the destruction of historic and loss of Rent Stabilization Ordinance housing, abuse of the Early Start apartment scheme, and inconsistency with the Wilshire Community Plan.

DISCUSSION: It was noted that the Committee does not have the ability to stop the demolition.

MOTION to CALL FOR THE QUESTION (by Mr. Berker); zero opposed.

MOTION PASSED by a roll call vote of the eight eligible voters present with seven in favor (“Yes” or “Aye”) (Berker, Gerberding, Uyeda Kantrim, Luftman, Nakata, Seamans and Wayne); zero opposed; one abstained (MCWCC abstentions are counted as neither “yes” or “no” votes) (Bhatia).

Item 8. 1017-1027 N. Croft Ave (VTT-74835) Project description: Demo of a duplex, a 5-unit apt bldg. and a detached garage and the construction of a (N) 4-story, 16-unit condominium bldg with subterranean parking on a 12,998.2 s.f. site in the [Q]R3-1 zone. Requested Actions:

1. A vesting tentative tract pursuant to lamc section 17.15 for the construction of a (N) 4-story, 16-unit condominium building with subterranean parking and the demolition of a duplex, a 5-unit apt building and a detached garage on a 12,998.2 s.f. site in the [Q]r3-1 zone. Public Comment Welcome – For Potential Action.

Franz Farahmand and Elisan Lima, Architect, displayed renderings and presented. The project would have one one-bedroom, two two-bedroom and three three-bedroom units. They described increasing step-backs as the building’s height increases. Mr. Farahmand said the project is “all LA” on the border with West Hollywood, “the fourth floor is set back all around” and “there is no water table” on that part of Croft. Susan Vancil, the neighbor behind, was concerned about light blockage. Ashley Hamblin, the last tenant, claimed that she was “harassed and intimidated” to leave, that the landlord “wouldn’t do anything” about a homeless person living in the building, and that “it was being run as an AirBNB” short-term rental building. Mr. Farahmand described

Ellis Act evictions done. He claimed that the last tenant was short-term renting their unit to other people. Mr. Farahmand said they notified area residents that demolition would start "soon."

Mr. Nakata said the design "doesn't follow through" with the intent of the "Q" conditions and that the developer's property management company was "negligent." He believed that the developer was abusing the Early Start permit program [<https://ladbs.org/docs/default-source/publications/information-bulletins/building-code/early-start-permits-ib-p-bc2014-097.pdf?sfvrsn=9>] to avoid making vacancy findings and cumulative condo conversion impacts. He said "these are Small Lot Subdivisions in disguise . . . to avoid CEQA review." Mr. Berker believed the project was "a missed opportunity here."

MOTION (by Mr. Luftman, seconded by Ms. Gerberding): The Mid City West Community Council Planning and Land Use Committee opposes the conversion from apartments to condominiums at 1017-1027 N. Croft Ave., as that was an Ellis Act-evicted property that would allow the tenants to return.

MOTION PASSED by a roll call vote of the eight eligible voters present with seven in favor ("Yes" or "Aye") (Berker, Gerberding, Uyeda Kantrim, Luftman, Nakata, Seamans and Wayne); zero opposed; one abstained (MCWCC abstentions are counted as neither "yes" or "no" votes) (Bhatia).

Item 9. 7200 W Melrose Ave - Fratelli Cafe (ZA-2017-5129-CUB-ZV) Project description: CUP for on-site beer and wine and extension of hours. Zoning Variance for parking reduction. Requested Actions:

1. Per section 12.24 of the LAMC, a conditional use to allow the sale and dispensing of beer and wine for on-site consumption for an existing restaurant expanding to a total of 1,718 square feet indoors and 316 square feet outdoors and to allow the hours of operation from 8:00 am to midnight daily in lieu of hours between 7:00 am and 11:00 pm required for commercial corner development. Per section 12.27 of the LAMC, a Zone Variance for relief of 12.21.a.4 of the LAMC required parking of 17 auto spaces to 4 spaces currently provided. Public Comment Welcome – For Potential Action

Patrick Panzarello, Restaurant Consultant, presented and described expansion plans. The restaurant has been there ten years and is owned by Yarin Abraham. It closes "nine to 10 p.m. on a daily basis"; the kitchen is open to midnight. Mr. Panzarello said they have "no real issues with parking . . . we're missing around nine parking spaces . . . there really is no parking in this neighborhood." He described work to find more parking and indicated that they have outreached to neighbors. Lucille Saunders, President, La Brea - Willoughby Coalition (LWC), distributed copies of an LWC support letter and said Mr. Abraham is a member of the Coalition and has been a good neighbor.

Committee Member Patrick Seamans left at this time (10:32), making seven Committee Members present (the Committee quorum is seven).

Mr. Berker believed that the project did not have enough parking. Mr. Panzarello said there would be no amplified music; entertainment would be occasional and such as karaoke and poetry. Mr. Abraham indicated that, in eight years, there have been no violations and stated that "I haven't had loud music in years." He has lived in the area for 40 years. Mr. Panzarello said "I'll be contacting Vice." Mr. Berker reviewed the Committee's "standard conditions."

MOTION to CALL FOR THE QUESTION (by Mr. Berker); zero opposed.

MOTION (by Mr. Berker, seconded by Ms. Gerberding): The Mid City West Community Council Planning and Land Use Committee supports as presented the application for a Conditional Use Permit for 7200 W. Melrose Ave., Fratelli Café, per section 12.24 of the LAMC, a conditional use to allow the sale and dispensing of beer and wine for on-site consumption for an existing restaurant expanding to a total of 1,718 square feet indoors and 316 square feet outdoors and to allow the hours of operation from 8:00 am to midnight daily in lieu of hours between 7:00 am and 11:00 pm required for commercial corner development. Per section 12.27 of the LAMC, a Zone Variance for relief of 12.21.a.4 of the LAMC required parking of 17 auto spaces to 4 spaces currently provided, with the following conditions:

- That trash deposit and collection in dumpsters in the rear of the building as well as deliveries to the business occur between the hours of 8:00am and 10:00pm to minimize noise impact surrounding residential neighbors, with deliveries before 8:00am to occur in the front of the building;
- That trash and recycle bins be locked.

MOTION PASSED unanimously by a roll call vote of the seven eligible voters present with all seven in favor ("Yes" or "Aye") (Berker, Bhatia, Gerberding, Uyeda Kantrim, Luftman, Nakata and Wayne);
zero opposed;
zero abstained.

Item 10. Possible Funding for Historic Cultural Monument. Discussion and possible action on possible funding to help establish a Historic Cultural Monument at a suitable location in Mid City West. Public Comment Welcome – For Potential Action.

Mr. Nakata reported that "several properties are potentially vulnerable," possibly including Pink's, Canter's and Bergin's.

MOTION (by Mr. Berker, seconded by Mr. Bhatia): The Mid City West Community Council Planning and Land Use Committee recommends to the MCWCC Board to allocate an amount not to exceed \$2,500 of Community Improvement Project funds to be used in partnership with other parties toward preparation of a Historic Cultural Monument application for the Tom Bergin's Tavern building at 840 S. Fairfax Ave., conditioned upon current ownership support.

MOTION PASSED by a roll call vote of the seven eligible voters present with six in favor ("Yes" or "Aye") (Berker, Bhatia, Gerberding, Uyeda Kantrim, Luftman and Wayne); zero opposed; one abstained (MCWCC abstentions are counted as neither "yes" or "no" votes) (Nakata).

Item 11. Standing Item on PLUC Member Updates, Concerns, or Questions. Public Comment Welcome – For Potential Action

Ms. Saunders encouraged having specific Committee Members know details of each land use project. Mr. Bhatia suggested a website or other resource with links to relevant agencies involved. Mr. Luftman suggested Agendizing upcoming projects. There was extensive discussion of whether and how to Agendize and consider potential and upcoming projects. Mr. Nakata urged Members, if they resign, to "be respectful" and put it in writing so that they can be replaced. Regarding the Sweet Chick Restaurant letter, he indicated that they were given approval to continue selling alcohol, but not for more dancing. Also, the 431 La Cienega project was considered tonight by the West Hollywood City Council. He said that "the old Small Lot [Subdivision] is now Early Start to convert to condos." He noted that developers have indicated that it is easier to apply for an Early Start permit than for Small Lot Subdivisions.

Item 12. Adjournment

Mr. Berker declared the Meeting **ADJOURNED** at 11:25 p.m.

The first paragraph of some Items, Motions/Resolutions and other wording may have been copied from the Agenda. Minutes written by DL, possibly edited by MCWCC. The MCWCC PLUC Minutes page is <http://www.midcitywest.org/committees/planning-land-use>.

EXHIBIT B



Board of Directors Meeting

March 13, 2018

543 N. Fairfax Avenue, Los Angeles, CA 90036

Approved by the Board on August 14, 2018

Submitted by Amanda Sonnenschein

1. Call to order and roll call

Call to Order: 6:41 pm, 22 present, 2 absent, 11 excused

Present: Susan Belgrade, Mehmet Berker, Dina Brown, Doug Cullum, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson (arrived 7:01pm), Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall (arrived 7:01pm), Joshua Paget, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish

Absent: Taylor Nichols, Marc Sigal

Excused: Ravi Bhatia, Shem Bitterman, Heather Fox, Karen Hollis, Dean Howell, David Mann, Amy Mucken, Laura Petry, Scott Sale, Don Whitehead, Roque Wicker

2. General Public Comments

- a. **Susan Gladstone, California Dance Institute:** We wanted to introduce ourselves. Please consider going to our shows. These are the children growing up in your neighborhood. Money-back guarantee that you will enjoy the hour of your time.
- b. **Amanda Laflen, Commissioner with WeHo Public Safety Commission:** We have been bombarded by Mid-city residents around Poinsettia Park talking about the danger of the homeless around there. Most people want to help the homeless, but they feel like their hands are tied and it's affecting their quality of life and community.
- c. **Max Kirkham, Conrad Starr, Greater Wilshire Neighborhood Council:** Doing Quake Ready to focus on earthquake preparedness. April 7th, 2018.
- d. **Mark Kirunchyk, Race director for Run to Remember Los Angeles:** April 8th, 2018, a half-marathon and 10k. Doing the uniform challenge this year as a sign of solidarity. You can create your own team and raise funding for anything you want. RuntorememberLA.org.
- e. **Joe Rose:** I just wanted to speak in support of Run to Remember LA.

3. Review and approval of outstanding minutes

TABLED.

4. Announcements from government agencies and elected officials

- a. **Councilmember Koretz:**

- I have proposed to move Billy the elephant from the zoo to the sanctuary. But I also support Ryu's decision for an independent health assessment for Billy. I think there is a history of information supporting Billy needing to move to a sanctuary. I find it hard to accept that the zoo and its advocates would fight against improving the environments for all of these elephants. Personally I would like to see all the elephants out of the zoo. But I think this is a significant compromise and will be a win-win for everyone.
 - The homelessness prevalence in my district is fairly recent. We try to get people to do outreach to get as many homeless as we can into services. We request bulky item pick up to remove couches and signs of more permanence in the area. We don't want this encampment to take over Poinsettia Park and are working with police, etc. to get the situation under control.
 - In the last 4-5 years we've had almost a 50% increase in homelessness. We aren't able to keep up. It's time to be much more aggressive at the state level about housing.
- b. **Rob Fisher, Senior Field Deputy for Councilman Ryu**: Introducing myself. We're happy about the party house ordinance just passed to minimize the number of houses that can be rented out for parties. Please contact me at rob.fisher@lacity.org.
 - c. **Officer Perry Jones, LAPD - Wilshire Division**: We have a protocol for homeless in the area. If you know of any vacant homes or businesses where you see activity, please notify us, because that can be a site for homeless activity. On 3/22, we will be covering the gun buy-back event at the Public Safety meeting, please come.
 - d. **Fernando Morales, with Supervisor Sheila Kuehl's Office**: Outreach is very important to control homelessness. Coming up we will be having a 30 day exploratory discussion as to different policies for gun control.
 - e. **Ned Racine, LA Metro (Purple Line Extension)**: You can no longer make left handed turns on Wilshire to Crescent Heights. We have finished the Wilshire Western full weekend closures. It will be 20 months to mine the two tunnels.
 - f. **Melissa Kaufler, Field Representative for Assemblymember Richard Bloom**: Costa Hawkins did not make it out of the housing committee. We're still in conversations seeing where to move next. We've introduced some new bills to help reform the Ellis act. Bloom has also introduced a synthetic clothing cleanup bill. On Friday March 23, 9-11am we are having a senior scam stoppers event.
 - g. **John Darnell, DONE**: Spoke about the Senior Scam Stoppers event and ethics event.
5. Informational presentation on current Measure H funding and projects at the County level by Dhakshike Wickrema, Assistant Senior Deputy for Mental Health and Homeless Advocacy, Office of Supervisor Mark Ridley-Thomas.
 - If you are a janitor, you would need to have three jobs to afford rental housing in Los Angeles. The homeless crisis is a subset of this. Measure HHH is trying to build 10,000 units of supportive housing over 10 years, for the chronically homeless with a disabling condition of some sort. Measure H is the complement to HHH, because HHH will build the housing units and H will provide the

integrated services.

- Measure H has a 21 point strategy. Since July, we have housed 1,300 with the HHH slots. We are also building up interim housing, or recuperative care, where homeless can stay before they relocate to HHH housing, a place to discharge homeless from the hospital. The CDC in the county is building up the affordable housing infrastructure through the county system. We are now budgeting the second year of Measure H. We are adding \$18 million dollars to the existing pot of money \$69 million, so we can ramp up the shelter so that outreach teams have somewhere to place the clients.
- 70% of 1,500 people would support housing for homeless folks in their own neighborhood. This is the silent majority. If you hear about projects in your neighborhood and you feel like you would support them, please take the time. We will also have a volunteer portal.
- If you are a landlord, and want to take a chance on a homeless person, there are subsidies to make it worth their while.
- Please visit Homeless.LAcounty.gov. for more information. And Jobscombatinghomeless.org, our paycheck with a purpose initiative, because we are struggling to fill these jobs.

6. **Message from Chair, Scott Epstein:** We have a vacancy in our PLUC committee for a stakeholder. We have won the EmpowerLA award two years in a row. Winners will be announced the 29th of this month.
7. **Informational updates from Standing Committees, Ad Hoc Committees, and Board Liaisons.**
8. Executive Council Motions
 - a. Presentations related to and discussion of Community Impact Statement in reference to Council File 17-0453.

Draft Motion Recommended by Executive Council: Mid City West Community Council moves to support Council File 17-0453 unless the independent panel provides a unanimous report that Billy the elephant is in excellent health. Jhun made the motion at the January 31, 2018 Executive Council meeting. Seamans seconded. The committee voted 4 Yeas (Epstein, Jhun, Mucken, and Seamans), 0 Nays, 0 Abstentions. Motion passed.

Background: In April 2017, Councilmember Koretz introduced a motion to the Arts, Entertainment, Parks, and River Committee. Text of the motion can be found at http://clkrep.lacity.org/online/docs/2017/17-0453_mot_04-19-2017.pdf. The motion concerns Billy, the male Asian elephant living at the LA Zoo. Councilmember Koretz's motion calls for the zoo's breeding program to be discontinued, for Billy to be moved to a wildlife sanctuary, and for the elephant exhibit to only include females in the future. The motion is motivated by concerns about Billy's health and small amount of space he is afforded in zoo. In January 2018, the

committee called for a three-person independent expert panel to review Billy's health and provide a report to the city council.

The board will hear two brief presentations offering different points of view on Councilmember Koretz's motion. Each presenter will also show a short video. The presenters will be John R. Lewis, Director, Los Angeles Zoo & Botanical Gardens, and Kiersten Cluster of Elephant Guardians of Los Angeles.

PUBLIC COMMENTS:

In Support of sending Billy to a sanctuary: Wendy Marcus Minovitz, Graciela Iparraguirre, Britt Lind, Marlene Goodman, Patty Shenker, Aaron Leider, Heather Hamza, Karim Hamza (did not speak), Lisa Chess, Lisa Goldsmith, Erica Nielsen, Judi Powell, Cecile [spelling of last name unclear from speaker card], Silvio Curtis, Marcy Winograd, Poiya Payan (did not speak)

Spoke against moving Billy from the LA Zoo: Juanita Kempe, Susan Pearson, Beth Schaefer, Megan Runquist, Alex Spada, Jeff Lee, Pat Maluy, Kevin Copley, Rose Legato

Presentation from John R. Lewis, Director of Los Angeles Zoo & Botanical Gardens.

Presentation from Kiersten Cluster and Mark Kleiman of Elephant Guardians of Los Angeles.

BOARD DISCUSSION:

- **Dina Brown:** Because of a lack of transparency and because of Koretz's track record with animals, I would support this. If I had the choice, I would not support any zoo.
- **Liza Gerberding:** Animal rights is an important issue, but I'm a little flummoxed by why we're considering it. I would still vote for the motion.
- Josh Paget requests an amendment deleting the condition.
- **Emily Kantrim:** I understand why we're here, but I'm not interested in hearing more of this until we actually decide if we want to support all of this.
- **Andy Meselson:** I would like to see the report.
- **Paul Motschall:** If a majority comes back saying he's healthy, then we are going against Koretz's motion without that necessarily being our intention.
- **Abraham Langer:** Don't bring this back before this board again. Let's vote on it tonight. I think the most important thing is that the city of LA get out of the zoo's business.
- **Christine Johnson:** I think Koretz has worked really hard on the issue and I like what he brought to us. I think we need some momentum behind this and I would like our council to show our support for it.

MOTION: Mid City West Community Council moves to support Council File 17-0453 unless the independent panel provides a unanimous report that Billy the elephant is in excellent health.

Scott Epstein makes the motion, and Andrew Jhun seconds.

YEAS: Dina Brown, Doug Cullum, Scott Epstein, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Steven Luftman, Joshua Paget, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish

NAYS: Susan Belgrade, Mehmet Berker, Michael Hilty, Abraham Langer, Paul Motschall

ABSTENTIONS: Andy Meselson

Motion passes with 16 yeas, 5 nays and 1 abstention.

- b. Community Impact Statement in support of Council File 18-0115: Designation of Pinks Square.

Draft Motion Recommended by the Executive Council: Mid City West will draft a Community Impact Statement in support of Council File 18-0115. The motion by Councilmember Koretz designates the intersection of Melrose and La Brea as Pinks Square. On February 27, 2018, the Executive Council voted 4 Yeas (Epstein, Guzman, Jhun, and Seamans), 0 Nays, 0 Abstentions. Motion passed.

Background: Mid City West is already on record in support of the Pinks Square designation, as well as the implementation of pink creative crosswalks at the intersection to create a sense of place, celebrate the history of Pinks, and make the intersection safer. Subsequently, Greater Wilshire NC also supported the designation and crosswalks. This motion would lead to a Community Impact Statement in support of Council File 18-0115, introduced by Councilmember Koretz to officially designate the square and install ceremonial signs.

MOTION: Scott Epstein makes the motion, and Mehmet Berker seconds.

Mid City West will draft a Community Impact Statement in support of Council File 18-0115. The motion by Councilmember Koretz designates the intersection of Melrose and La Brea as Pinks Square.

YEAS: Susan Belgrade, Mehmet Berker, Dina Brown, Doug Cullum, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Joshua Paget, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish

NAYS: --

ABSTENTIONS: --

Motion passes with 22 yeas, 0 nays and 0 abstentions.

9. Transportation, Parking, and Streetscape Committee Motion: Bird Scooters

Draft Motion Recommended by the Committee: Mid City West Community Council will draft a letter to Bird encouraging the company to bring their electric scooter sharing service to Mid City West. The committee voted 6 Yeas (Bitterman, Howell, Langer, Nichols, Paget, and Solish), 0 Nays, 2 Abstentions (Gabbai and Goldenberg). Motion passed.

Background: Bird is a mobile app that gives its users access to shared personal electric vehicles that can be picked up and dropped off anywhere. Bird scooters are currently available in Santa Monica, Venice, Westwood and San Diego, CA. Bird is also looking for new areas for expansion. Mid City West currently has limited mobility options with few bikeways, only 1 bike share station, and no transit with its own right of way. Bird Scooters provide a mobile transportation solution that could allow Mid City West stakeholders to ride from the Grove to LACMA, or over to the Beverly Center. The scooters travel at up to 15 miles per hour. The committee discussed whether to reach out to Bird about encouraging them to test this area as a new market and voted in favor of writing a letter to them encouraging them to come here. Committee members believe that the inclusion of these scooters will encourage more people to travel without their cars and will be an attractive option in several areas of Mid City West currently not safe for cyclist traffic.

Steven Luftman points out the issues Santa Monica has had with Bird scooters and suggests an amendment.

AMENDED MOTION: Steven Luftman makes the amendment, and Patrick Seamans seconds.

Mid City West Community Council will draft a letter to Bird encouraging the company to bring their electric scooter sharing service to Mid City West, ***if they can assure that they will minimize hazards to obstruction of access to public rideaways that have been found in other municipalities.***

YEAS: Liza Gerberding, Steven Luftman

NAYS: Susan Belgrade, Mehmet Berker, Doug Cullum, Scott Epstein, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Andy Meselson, Paul Motschall, Joshua Paget, Richard Risemberg, Marc Sinnott, David Sobel, Nick Solish

ABSTENTIONS: Dina Brown, Patrick Seamans

Amendment does not pass with 2 yeas, 17 nays and 2 abstentions.

BOARD DISCUSSION:

Mehmet Berker: I disagree with this amendment. Some scooter left on the sidewalk is not nearly as much of a hazard as non-compliant sidewalks and cars being parked in places they shouldn't be.

Nick Solish: I understand Steve's concern, but the purpose of the conversation is really just to reach out to Bird about them possibly coming to the area. Us telling Bird to reform their business model isn't going to make any difference to them. We should try everything we can get with alternative transportation.

Richard Risemberg: This amendment is unworkable.

Marc Sinnott: This is just to start a discussion, I think the amendment is unnecessary.

MOTION: Nick Solish makes the motion, and David Sobel seconds.

Mid City West Community Council will draft a letter to Bird encouraging the company to bring their electric scooter sharing service to Mid City West.

YEAS: Susan Belgrade, Mehmet Berker, Dina Brown, Doug Cullum, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Andy Meselson, Paul Motschall, Joshua Paget, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish

NAYS: --

ABSTENTIONS: Steven Luftman

Motion passes with 21 yeas, 0 nays and 1 abstention.

10. Planning and Land Use Case Motions

a. 7200 W Melrose Ave - Fratelli Cafe (ZA-2017-5129-CUB-ZV)

Project Description: CUP for on-site beer and wine and extension of hours. Zoning Variance for parking reduction.

Requested Actions: 1. Per section 12.24 of the LAMC, a conditional use to allow the sale and dispensing of beer and wine for on-site consumption for an existing restaurant expanding to a total of 1,718 square feet indoors and 316 square feet outdoors and to allow the hours of operation from 8:00 am to midnight daily in lieu of hours between 7:00 am and 11:00 pm required for commercial corner development. Per section 12.27 of the LAMC, a Zone Variance for relief of 12.21.a.4 of the LAMC required parking of 17 auto spaces to 4 spaces currently provided.

Draft Motion Recommended by the Committee: Mid City West Community Council supports the application for 7200 W. Melrose Ave., Fratelli Café, as presented with the following conditions:

- That trash deposit and collection in dumpsters in the rear of the building as well as deliveries to the business occur between the hours of 8:00am and 10:00pm to minimize noise impacts on the surrounding residential neighbors, with deliveries before 8:00am to occur in the front of the

building;

- That trash and recycle bins be locked

On February 20, 2018, the committee voted 7 Yeas (Berker, Bhatia, Gerberding, Luftman, Nakata, Uyeda Kantrim, and Wayne), 0 Nays, 0 Abstentions. Motion passed.

Background: The applicant is an established restaurant seeking to expand its space. The applicant is seeking additional off-site parking to compensate for lack of on-site parking. Conditions were discussed regarding “good neighbor” noise issues along the alley. A community member representing a neighborhood group spoke in support.

PUBLIC COMMENT:

Lucille Saunders, La Brea Willoughby Coalition: We have done a thorough investigation on Fratellis and we have only gotten back positive feedback. Help us re-enforce a model business in our neighborhood.

MOTION: Mehmet Berker makes the motion, and Angela Guzman seconds.

Mid City West Community Council supports the application for 7200 W. Melrose Ave., Fratelli Café, as presented with the following conditions:

- That trash deposit and collection in dumpsters in the rear of the building as well as deliveries to the business occur between the hours of 8:00am and 10:00pm to minimize noise impacts on the surrounding residential neighbors, with deliveries before 8:00am to occur in the front of the building;
- That trash and recycle bins be locked

YEAS: Susan Belgrade, Mehmet Berker, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Joshua Paget, Marc Sinnott, David Sobel, Nick Solish

NAYS: --

ABSTENTIONS: Patrick Seamans

Motion passes with 19 yeas, 0 nays and 1 abstention.

b. 7315 W Melrose Ave - Blackheart Restaurant (ZA-2017-5072-CUB)

Project Description: A conditional use permit (CUP) to allow for the sale and dispensing of a full line of alcoholic beverages for on-site consumption.

Requested Actions: 1. Pursuant to sec. 12.24-W.1 a conditional use permit (CUB) to allow for the sale and dispensing of a full-line of alcoholic beverages for on-site consumption in conjunction with an existing 2,259 sq. ft. restaurant with 62 indoor seats and a 434 sq. ft.

outdoor uncovered patio with 28 seats. Hours of operation from 11:00am to 2:00am daily.

Draft Motion Recommended by the Committee: Mid-City West Community Council Planning & Land Use Committee supports a Conditional Use Permit (CUP) at 7315 W. Melrose Ave. (Blackheart Restaurant) to allow for the sale and dispensing of a full line of alcoholic beverages for on-site consumption with the following conditions:

- That hours be 7am to 11pm Sunday to Thursday, and 7am to 12 am Friday through Saturday;
- That trash deposit and collection in dumpsters in the rear of the building as well as deliveries to the business occur between the hours of 8:00am and 10:00pm to minimize noise impacts on the surrounding residential neighbors, with deliveries before 8:00am to occur in the front of the building;
- That trash and recycle bins be locked;
- That a parking lot attendant be present until closing;
- That parking lot lighting be directed away from adjacent residential buildings;
- That employees park in the on-site spaces or in other commercial spaces to minimize impacts on the surrounding residential neighborhoods.

On February 20, 2018, the committee voted 6 Yeas (Berker, Bhatia, Gerberding, Luftman, Nakata, and Wayne), 1 Nay (Uyeda Kantrim), 1 Abstention (Seamans). Motion passed.

Background: The Planning and Land Use Committee commented on the over- concentration of alcohol licenses for this census tract. Other concerns included hours of operation during the week and potential noise impacts of the outdoor patio along the western side of the building adjacent to the parking lot.

Two friendly amendments are added to the motion (indicated in italics).

MOTION: Mehmet Berker makes the motion, and Paul Motschall seconds.

Mid-City West Community Council Planning & Land Use Committee supports a Conditional Use Permit (CUP) at 7315 W. Melrose Ave. (Blackheart Restaurant) to allow for the sale and dispensing of a full line of alcoholic beverages for on-site consumption with the following conditions:

- That hours be 7am to 11pm Sunday to Thursday, and 7am to 12 am Friday through Saturday, *excluding holidays*;
- That trash deposit and collection in dumpsters in the rear of the building as well as deliveries to the business occur between the hours of 8:00am and 10:00pm to minimize noise impacts on the surrounding residential neighbors, with deliveries before 8:00am to occur in the front of the building;
- That trash and recycle bins be locked;
- That a parking lot attendant be present until closing;

- That parking lot lighting be directed away from adjacent residential buildings;
- That employees park in the on-site spaces or in other commercial spaces to minimize impacts on the surrounding residential neighborhoods.
- That a solid sound-absorbing wall will be installed on the north end of the patio.

YEAS: Susan Belgrade, Mehmet Berker, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Joshua Paget, Marc Sinnott, David Sobel, Nick Solish

NAYS: Patrick Seamans

ABSTENTIONS: --

Motion passes with 19 yeas, 1 nay and 0 abstentions.

c. 8326-8332 Blackburn Ave (TT-74711-CN)

Project Description: Tentative tract map for 15 new condominium units. An existing duplex and triplex will be demolished.

Requested Actions: 1. Pursuant to lamc 17.00, tentative tract map for 15 new condominium units.

Draft Motion Recommended by the Committee: Mid City West Community Council opposes the Tentative Tract Map for 15 new condominium units at 8326-8332 Blackburn Ave due to the loss of character defining historic, Rent Stabilization Ordinance (RSO) housing, abuse of the Early Start apartment program, and inconsistency with the Wilshire Community Plan.

On February 20, 2018, the committee voted 7 Yeas (Berker, Gerberding, Luftman, Nakata, Seamans, Uyeda Kantrim, and Wayne), 0 Nays, 1 Abstention (Bhatia). Motion passed.

Background: The Planning and Land Use Committee discussed the incompatibility of the mass, scale and design of the proposed project along with the loss of the existing buildings, which is not consistent with The Wilshire Community Plans stated goal: 1-3.1 "Promote architectural compatibility and landscaping for new Multiple Family residential development to protect the character and scale of existing residential neighborhoods." Other committee concerns about possible issues of tenant displacement under the Ellis Act and abuse of the "early start" apartment program and subsequent condominium conversion to avoid proper CEQA review prior to demolition and meeting necessary minimum vacancy rate requirements.

PUBLIC COMMENT:

Steve Nazemi, Gabriel Davenport Applicants: There is nothing historical about the properties in question. The soil tests prove that there was no subterranean oil to worry about. We would like your support on this.

Against the project: Sanford Weinberg, Mark Day, Kari Bower, Yasin Al-Khalesi (did not speak), MK Viakley, Keith Nakata, Heather Natzel, Natalie Windsor

Matthew Conrad: Please review the setbacks on this project should it get approved.

BOARD COMMENTS:

Mehmet Berker: The applicant says that five of the units would be rent stabilized, but it would be a moot point. If it's a rental project, it should be a rental project. It felt a little disingenuous, and there seemed to be a lot of moving the goal post.

Steven Luftman: If it was a rental unit, those who were evicted by Ellis would be able to move back in, and that is not the case.

Liza Gerberding: The neighbors were very upset with the displacement of their long time neighbors. That was one of the primary issues. And then the immediate neighbors think that they will have to move due to construction. So it's a variety of things all amounting to the destruction of affordable, historic housing in our area which is something as a board that we have consistently tried to stop.

AMENDMENT TO THE MOTION: Mehmet Berker makes the amendment, and Steven Luftman seconds.

Mid City West Community Council opposes the Tentative Tract Map for 15 new condominium units at 8326-8332 Blackburn Ave due to the loss of character defining historic, Rent Stabilization Ordinance (RSO) housing, abuse of the Early Start apartment program, and inconsistency with the Wilshire Community Plan.

Mid City West would prefer a multifamily resident so Ellised residents have a right to return.

YEAS: Susan Belgrade, Mehmet Berker, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Marc Sinnott, David Sobel, Nick Solish

NAYS: Joshua Paget

ABSTENTIONS: Patrick Seamans

Amendment passes with 18 yeas, 1 nay and 1 abstention.

AMENDED MOTION: Mehmet Berker makes the motion, and Liza Gerberding seconds.

Mid City West Community Council opposes the Tentative Tract Map for 15 new condominium units at 8326-8332 Blackburn Ave due to the loss of character defining

historic, Rent Stabilization Ordinance (RSO) housing, abuse of the Early Start apartment program, and inconsistency with the Wilshire Community Plan.

Mid City West would prefer a multifamily resident so Ellis Act residents have a right to return.

YEAS: Susan Belgrade, Mehmet Berker, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Joshua Paget, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish

NAYS: --

ABSTENTIONS: --

Motion passes with 20 yeas, 0 nays and 0 abstentions.

d. 1017-1027 N. Croft Ave (VTT-74835)

Project Description: Demo of a duplex, a 5-unit apt bldg. and a detached garage and the construction of a (N) 4-story, 16-unit condominium bldg with subterranean parking on a 12,998.2 s.f. site in the [Q]R3-1 zone.

Requested Action: 1. A vesting tentative tract pursuant to lamc section 17.15 for the construction of a (N) 4-story, 16-unit condominium building with subterranean parking and the demolition of a duplex, a 5-unit apt building and a detached garage on a 12,998.2 s.f. site in the [Q]r3-1 zone.

Draft Motion Recommended by the Committee: Mid City West Community Council opposes the conversion from apartments to condominiums at 1017-1027 N. Croft Ave, as this was an Ellis Act-evicted property and an apartment project would allow the tenants to return.

On February 20, 2018, the committee voted 7 Yeas (Berker, Gerberding, Luftman, Nakata, Seamans, Uyeda Kantrim, and Wayne), 0 Nays, 1 Abstention (Bhatia). Motion passed.

Background: The Planning and Land Use Committee heard testimony from a tenant that spoke about issues of "harassment and intimidation" surrounding their eviction, squatting issues of a homeless person in the building and illegal short term rental of one unit after the Ellis Act evictions had taken place. The applicant described their efforts to comply with the underlying "Q" condition in the zoning on this block by articulation and step-backs. The project property is completely within the City of Los Angeles boundaries, although it abuts the City of West Hollywood. Concerns were discussed about abuse of the "early start" apartment program and subsequent condominium conversion avoiding proper CEQA review prior to demolition and meeting necessary minimum vacancy rate requirements.

PUBLIC COMMENTS:

Patrick Stevens: I am one of the Ellis Act evicted tenants of this building. I was the newest tenant in this building, and had been there for almost 10 years. They forced a 96 year old Holocaust survivor out of her apartment. These are the type of people you would be letting into the neighborhood.

Ashley Hamblin: I should technically still be living here. I got an extension because of a disability, and they were livid when they found out about that. They tried to get me out early. It was an absolute nightmare and it was ongoing. My security deposit from 10 years ago is completely gone. I think this is a giant money laundering scheme.

Keith Nakata: I don't understand how this complies with the Q conditions from 2007. It's supposed to be stepped back all across the front facade. There are supposed to be facade breaks. That being said, my biggest issue is with the treatment of the tenants.

MOTION: Mehmet Berker makes the motion, and Marc Sinnott seconds.

Mid City West Community Council opposes the conversion from apartments to condominiums at 1017-1027 N. Croft Ave, as this was an Ellis Act-evicted property and an apartment project would allow the tenants to return.

YEAS: Mehmet Berker, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Joshua Paget, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish

NAYS: --

ABSTENTIONS: --

Motion passes with 19 yeas, 0 nays and 0 abstentions.

11. Treasurer's Report and Funding Motions

a. **Motion** to approve Monthly Expenditure Report for February 2018. (5 minutes)

MOTION: Approve the Monthly Expenditure Report for February 2018.

Scott Epstein makes the motion, and Andrew Jhun seconds.

YEAS: Mehmet Berker, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Joshua Paget, Marc Sinnott, David Sobel, Nick Solish

NAYS: --

ABSTENTIONS: --

Motion passes with 18 yeas, 0 nays and 0 abstentions.

- b. Overview of progress toward implementation of Mid City West's 2017-18 Strategic Budget three quarters of the year into the Fiscal Year. Review will cover (1) operational and outreach expenditures made in the first three quarters of the fiscal year; (2) projected operational expenditures in the final quarter of the fiscal year; (3) outreach and community improvement project allocations obligated via board motions but not yet spent; and (4) projected balance of 2017-18 funds after subtracting projected and obligated funds. Committees may provide updates on the status of incomplete projects. (20 minutes)

TABLED.

- c. Neighborhood Purpose Grant Funding Motion #1: Tarfest (10 minutes)

Draft Motion Recommended by the Ad Hoc Committee: Mid City West Community Council funds Launch Productions Inc (LAUNCH LA) with a \$1,000 Neighborhood Purpose Grant to help defray site rental costs associated with Tarfest 2018, a free, community event and concert, now in its 15th year.

On March 6, 2018, the Ad Hoc Committee voted 5 Yeas (Berker, Jhun, Sobel, Solish, and Uyeda Kantrim), 0 Nays, 0 Abstentions. Motion passed.

Description: Tarfest is an annual free community festival held at Hancock Park, featuring local artists. Tarfest is a well-established festival, now in its 15th year. MCW has partnered with Tarfest in the past, most recently awarding an NPG to Tarfest last year. MCW has the opportunity to table at Tarfest.

MOTION: Mehmet Berker makes the motion, Marc Sinnott seconds.

Mid City West Community Council funds Launch Productions Inc (LAUNCH LA) with a \$1,000 Neighborhood Purpose Grant to help defray site rental costs associated with Tarfest 2018, a free, community event and concert, now in its 15th year.

YEAS: Mehmet Berker, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Joshua Paget, Marc Sinnott, David Sobel, Nick Solish

NAYS: --

ABSTENTIONS: --

Motion passes with 18 yeas, 0 nays and 0 abstentions.

d. Neighborhood Purpose Grant Funding Motion #2: Friends of Hancock Park School (10 minutes)

Draft Motion Recommended by the Ad Hoc Committee: Mid City West Community Council funds Friends of Hancock Park School with a \$1,000 Neighborhood Purpose Grant to help pay for “buddy benches” to be installed on the Hancock Park Elementary School campus.

On March 6, 2018, the Ad Hoc Committee voted 5 Yeas (Berker, Jhun, Sobel, Solish, and Uyeda Kantrim), 0 Nays, 0 Abstentions. Motion passed.

Description: Friends of Hancock Park School would like to install four “buddy benches” around a tree on campus. These buddy benches would be used to encourage empathy and connection between students by being a place where making connections with new friends would be an implicit part of the space. Friends of Hancock Park School requested a \$2,000 NPG; however, in order to help all three awardees for whom the NPG Ad Hoc Committee would recommend funding, the committee recommends funding this project at \$1,000.

MOTION: Mehmet Berker makes the motion, Nick Solish seconds.

Mid City West Community Council funds Friends of Hancock Park School with a \$1,000 Neighborhood Purpose Grant to help pay for “buddy benches” to be installed on the Hancock Park Elementary School campus.

YEAS: Mehmet Berker, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Joshua Paget, Marc Sinnott, David Sobel, Nick Solish

NAYS: --

ABSTENTIONS: --

Motion passes with 18 yeas, 0 nays and 0 abstentions.

e. Neighborhood Purpose Grant Funding Motion #3: Carthay Center PTA (10 minutes)

Draft Motion Recommended by the Ad Hoc Committee: Mid City West Community Council funds Carthay Center PTA with a \$1,000 Neighborhood Purpose Grant to help pay for educational signage, soil, and plants for their front lawn conversion project.

On March 6, 2018, the Ad Hoc Committee voted 3 Yeas (Sobel, Solish, and Uyeda Kantrim), 0 Nays, 2 Abstentions (Berker and Jhun. Motion passed.

Description: Carthay Center PTA, the PTA for Carthay Center Elementary School is currently replacing their front lawn with drought-tolerant landscaping. This project involves replacing the grass lawn with drought-tolerant landscaping, as well as installing educational signage. This area functions as a pocket park since it is on a part of campus which is not fenced off (the

corner of Crescent Heights and Olympic). In January the PTA and volunteers helped replaced the lawn, the NPG would be to help pay for educational signage as well as cover any additional costs associated with soil, plantings or the installation.

MOTION: Mehmet Berker makes the motion, David Sobel seconds.

Mid City West Community Council funds Carthay Center PTA with a \$1,000 Neighborhood Purpose Grant to help pay for educational signage, soil, and plants for their front lawn conversion project.

YEAS: Mehmet Berker, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Joshua Paget, Marc Sinnott, David Sobel, Nick Solish

NAYS: --

ABSTENTIONS: Andrew Jhun

Motion passes with 17 yeas, 0 nays and 1 abstention.

- f. Fairfax Village Improvement Ad Hoc Committee Funding Motion for Meet and Greet event (10 minutes)

Draft Motion Recommended by the Ad Hoc Committee: Mid City West Community Council supports the recommendation from the MCW Fairfax Village Improvement Ad Hoc Committee, and allocates an amount not to exceed \$600 for flyers, online outreach, refreshments, food, and presentation materials for a meet-and-greet event for business owners and other Fairfax Ave stakeholders for a date to be determined.

On February 1, 2018, the committee voted 5 Yeas (Belgrade, Berker, Jhun, Meselson, and Uyeda Kantrim), 0 Nays, 0 Abstentions to make the recommendation. Motion passed.

Description: In order to bring together local stakeholder on Fairfax Avenue to work together to address some common issues, the MCW Fairfax Ad Hoc recommends the allocation of an amount not to exceed \$600 for flyers, online outreach, refreshments, food, and presentation materials for a meet-and-greet event for business owners and other Fairfax Ave stakeholders for a date to be determined.

MOTION: Andy Meselson makes the motion, Andrew Jhun seconds.

Mid City West Community Council supports the recommendation from the MCW Fairfax Village Improvement Ad Hoc Committee, and allocates an amount not to exceed \$600 for flyers, online outreach, refreshments, food, and presentation materials for a meet-and-greet event for business owners and other Fairfax Ave stakeholders for a

date to be determined.

YEAS: Mehmet Berker, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Andrew Jhun, Christine Johnson, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Joshua Paget, Marc Sinnott, David Sobel, Nick Solish

NAYS: --

ABSTENTIONS: --

Motion passes with 18 yeas, 0 nays and 0 abstentions.

g. Planning and Land Use Committee Funding Motion: Tom Bergin's Historic Cultural Monument (15 minutes)

Draft Motion Recommended by the Committee: Mid City West Community Council allocates an amount not to exceed \$2,500 of Community Improvement Project funds to be used in partnership with other parties toward preparation of a Historic Cultural Monument application for the Tom Bergin's building at 840 S. Fairfax Ave., conditioned upon current ownership support.

On February 20, 2018, the committee voted 6 Yeas (Berker, Bhatia, Gerberding, Luftman, Uyeda Kantrim, and Wayne), 0 Nays, 1 Abstention (Nakata). Motion passed.

Background: Tom Bergin's is an iconic establishment within the Mid City West boundaries that is in potential jeopardy because of the sale of the site. The establishment has been home to a long line of Hollywood celebrities, athletes and politicians over its many years in operation. There is much community interest in documenting and preserving the history and cultural significance of this local landmark by utilizing the Historic Cultural Monument Ordinance. The goal is to engage other groups and individuals to participate along with the MCWCC in this effort. The committee had made an earlier funding request as part of the strategic budget and feels this is an important piece of the committee's work in the community.

TABLED.

12. Motion to Adjourn at 11:05 p.m.

EXHIBIT C



Board of Directors Meeting
April 10, 2018
543 N. Fairfax Avenue, Los Angeles, CA 90036
Approved by the Board on August 14, 2018
Submitted by Amanda Sonnenschein

1. Call to order and roll call (5 minutes)

Call to Order: 6:45 pm, 23 present, 3 absent, 9 excused

Present: Mehmet Berker, Ravi Bhatia, Dina Brown, Doug Cullum, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Karen Hollis, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Paul Motschall, Taylor Nichols, Joshua Paget, Laura Petry, Richard Risemberg, Scott Sale, Patrick Seamans, David Sobel

Absent: Shem Bitterman, Marc Sigal, Roque Wicker

Excused: Susan Belgrade, Heather Fox, Dean Howell, Andrew Jhun, Keith Kirkwood, Amy Mucken, Marc Sinnott, Nick Solish, Don Whitehead

2. General Public Comments (10 minutes)
 - a. **Paul Motschall:** A street light has been knocked over on Fairfax. It should be removed, it's a hazard.
 - b. **Lucille Saunders, La Brea Willoughby Coalition:** Some neighbors and Neighborhood Council members think input after the project presents at Mid-City West, including the board opposition, seals the deal. Well La Brea coalition attends meetings to assert oppositions and clarify full clear facts, and we remain poised and focused until construction is completed.
 - c. **Cathy Palmer:** There will be a meeting tomorrow morning at Poinsettia Park. If our Zone 2 representative or Public Safety can attend, it will include representatives from DWP, Sanitation and LAPD. This issue is separate from the homelessness problem in terms of the public safety. Please have some interaction with those neighbors.
 - d. **David Mann:** I wanted to circulate a brochure on Mike Feuer's blue ribbon panel on school safety. We're really getting into the meat of it in terms of school shootings. He is going to all six school districts in our area.
 - e. **Audience member, Sarah S.:** Hello, I work with the non-profit PESA, Parents, Educators/Teachers and Students in Action. We need funding to handle our expansion.

3. Review and approval of outstanding minutes (5 minutes)

TABLED.

4. Announcements from government agencies and elected officials (5 minutes)
 - a. **Ned Racine, LA Metro (Purple Line Extension):** We're just working to build the stations. La Brea is farthest along.
 - b. **Rob Fisher, Senior Field Deputy for Councilman Ryu in CD4:** May 4th is our tentative date for opening at Pan Pacific Park soccer field. The councilman has been promoting a children's savings account matter. There's a report coming out from the health and safety committee that council members are reviewing to see ways to protect the population without having to give social security numbers. Short-term rental was before the PLUM

- committee today, so updates for that are coming soon. And lastly, we are sponsor of the identity L.A. concert and festival coming up as part of the Asian Pacific heredity month.
- c. **Robert Oliver, Councilman Koretz's Office:** Beverly was torn up over the weekend, and it's a work in progress. I apologize for not giving you notice, I was not notified that the work was going to get done until it was already in progress and I was getting questions about it. Armenian Genocide Remembrance March is April 24th, so there will be rolling closures until the March gets to Wilshire and Wilshire will be closed 8am to 4pm between San Vicente and Fairfax.
 - d. **Officer Inga Wecker, LAPD Senior Lead Officer:** There has been an increase in property crimes but a decrease in violent crimes since last year. I suggest doorbells that allow you to interact with people on your property when you're not home. Everyone wants to stop homelessness, and there are differing opinions on how to do that, but together we can get the ball rolling.
 - e. **John Darnell, DONE:** The only thing that I have to say is a lot of your ethics and code of conduct training certificates are going to expire soon, so I'll send you a private email notifying you of the date because some of you for the next board meeting, it will have expired.
 - f. **Allison Towle, District Representative for Senator Ben Allen:** Let me know if you have any strong feelings about state bills coming up. SB827 is still being changed, we're in communication with Senator Weiner every day.
5. **Message from Chair, Scott Epstein:** Thank you to the Fairfax committee for hosting your meet and greet. Thank you to Keith Kirkwood for attending the EmpowerLA awards with me. We did not win, but it was hinted strongly that our work was award-worthy, so thank you board for your work.
 6. **Informational updates from Standing Committees, Ad Hoc Committees, and Board Liaisons (20 minutes)**
 - a. **David Mann, C&O:** Our adhoc was concerned with school safety so we want to turn our attention this year as our signature event to hosting a 4C4C5R area. Kids are uncomfortable, parents don't know how to talk to them, staff is having problems. So I would like to return \$1,500 that was allocated for the GreenFest and keep the other \$1,500 for this. We want to be preemptive.
 - b. **Mehmet Berker, NPG:** Patrick sent in the necessary forms to the city clerk.
 - c. **Emily Kantrim:** June 10th is our new movie night. Moana at the La Brea Tar Pits.
 - d. **Taylor Nichols, TPS:** May is bicycle month. Bike to work day. We've been playing with doing a town meeting on SB827 too.
 - e. **Angela Guzman, Public Safety:** Thank you everyone at Public Safety for your efforts.
 - f. **Informational presentation by board member and NC Budget Advocate Patrick Seamans on 2018-2019 Neighborhood Council Budget Advocates (NCBA) White Paper and NCBA Survey**
 - g. **Informational update from Executive Council and EmpowerLA's John Darnell on proposed NC 101 event to be co-hosted by EmpowerLA and Mid City West and focused on the senior population:** Budget advocates are getting more and more included in the process, which is exciting. Ncbala.com.
 7. **Planning and Land Use Case Motion: 145 S. Robertson Blvd - Cuvee (ZA-2018-28-CUB, ENV-2018-29-CE) (15 minutes)**

Project Description: A Conditional Use Permit to continue the sale for on-site consumption in conjunction with an existing 1,626 square foot restaurant and the ancillary sales, for off-site consumption, of beer and wine in conjunction with an existing 302 square foot retail takeout deli, all totaling 1,929 square feet and 62 seats; with 28 interior seats and two patios totaling 895 square feet, with 8 and 26 seats respectively, in a [Q] C2-1VL zone. Hours of operation are 7:30am to 10:00pm (consistent with the previous CUP), Monday through Saturday and 8:00am-5:00pm on Sunday.

Requested Actions: 1. Pursuant to LAMC 12.24-W,1 Request a Conditional Use Permit to allow the continued sale and dispensing for on-site consumption and off-site consumption of beer and wine, in conjunction with an existing restaurant-deli with interior seating for 28 and exterior seating for 34 (all on property).

Proposed Motion: The Mid City West Community Council Planning and Land Use Committee recommends supporting a Conditional Use Permit (CUP) at 145 S. Robertson Blvd. for Cuvee to allow for the sale and dispensing on beer and wine for on site and off site consumption in conjunction with an existing restaurant-deli with interior seating for 28 and exterior seating for 34 (all on property), with the following standard conditions for restaurants adjacent to residential alleys and abutting residential buildings:

- a. That trash deposit and collection in dumpsters in the rear of the building as well as deliveries to the business occur between the hours of 8:00am and 10:00pm to minimize noise impacts on the surrounding residential neighbors, with deliveries before 8:00am to occur in the front of the building,
- b. That trash and recycle bins be locked,
- c. That employees park in the on-site spaces or in other commercial spaces to minimize impacts on the surrounding residential neighborhoods.

On March 20, 2018, Steven Luftman made the motion, and Emily Uyeda Kantrim seconded. The committee voted 7 Yeas (Bhatia, Luftman, Nakata, Sale, Seamans, Uyeda Kantrim, and Wayne), 0 Nays, 0 Abstentions. Motion passed.

Background: The committee reviewed the previous CUB for this location ZA-2010-1423-CUB-ZV and clarified the proposed hours of operation along with adding the standard conditions for restaurants adjacent to residential alleys and abutting residential buildings. Also discussed was the continued use of the city owned parking structure to meet the city parking requirements. Change of the building ownership along with expiration of the previous CUB required this new application.

Emily Kantrim: LAPD has no complaints and is waiting to hear from us.

MOTION: The Mid City West Community Council Planning and Land Use Committee recommends supporting a Conditional Use Permit (CUP) at 145 S. Robertson Blvd. for Cuvee to allow for the sale and dispensing of beer and wine for on site and off site consumption in conjunction with an existing restaurant-deli with interior seating for 28 and exterior seating for 34 (all on property), with the following standard conditions for restaurants adjacent to residential alleys and abutting residential buildings:

- o That trash deposit and collection in dumpsters in the rear of the building as well as deliveries to the business occur between the hours of 8:00am and 10:00pm to minimize noise impacts on the surrounding residential neighbors, with deliveries before 8:00am to occur in the front of the building,

- o That trash and recycle bins be locked,
- o That employees park in the on-site spaces or in other commercial spaces to minimize impacts on the surrounding residential neighborhoods.

Mehmet Berker made the motion, Michael Hilty seconded.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Doug Cullum, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Karen Hollis, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Paul Motschall, Taylor Nichols, Joshua Paget, Laura Petry, Richard Risemberg, Scott Sale, Patrick Seamans, David Sobel

NAYS: --

ABSTENTIONS: --

Motion passes with 23 yeas, 0 nays and 0 abstentions.

8. CVS at 3rd and La Brea CUP Renewal (reviewed by both Public Safety and Planning and Land Use Committees): **303 S La Brea Ave - CVS #3825 (ZA 2009-3968- CU- GB- PA1)** (20 minutes)

Project Description: A Plan Approval of Case No ZA-2009-3698 (CUB)(CU) to allow the continued off- site sale of a full line of alcoholic beverages at an existing CVS pharmacy with approved operating hours of 24 hours, daily.

Requested Actions: 1. A Plan Approval of Case No ZA-2009-3698 (CUB)(CU) to allow the continued off-site sale of a full line of alcoholic beverages at an existing approximately 10,545 sq ft CVS pharmacy with approved operating hours of 24 hours, daily; and a request to continue 24 hour operations in lieu of commercial corner restrictions limiting hours of operation from 7am to 11pm.

Motion as recommended by Public Safety Committee: Public Safety Committee recommends that Mid City West Community Council Board approve CVS's CUP renewal and includes LAPD Vice's recommendation, Condition 16 which states: "the applicant shall retain a licensed uniformed security guard during applicant's business hours to maintain order and to protect resident's enjoyment of their property." And, the door at the corner of 3rd and La Brea shall not be locked during hours of operation.

On March 22, 2018, the committee voted 3 Yeas (Abrahams, Guzman, and Hilty), 0 Nays, 0 Abstentions. Motion passed.

Background provided by Public Safety Committee: The matter of CVS's CUP renewal was referred to Public Safety committee from the Board by way of Planning and Land Use Committee due to issues related to their license renewal. Ms. Oden, CVS's representative, Robert Cherno and several (6) public speakers, who completed speaker cards, were heard. In view of the claim made by Mr. Cherno that all crimes in that area are attributed to the sale of alcohol from that CVS and after hearing all, it was determined that the claim was unsupported. CVS has moved the access to alcohol deeper into the store away from the 3rd & La Brea entrance, does not sell single cans of beer (only 6-pack or higher), has taken steps to ensure the stairwell is clear, operates until 10:00 p.m., and satisfied other issues previously brought to their attention. It was noted that the 3rd and La Brea corner door was locked at the time Mr. Cherno visited the CVS at 1:30 p.m. Ms. Oden was unaware but will inform the store to keep the door unlocked during business hours, as per the Vice (LAPD) recommendations. Therefore, the stated amended motion was made, seconded and voted unanimously in support that MCWCC approve the

renewal.

Please note: In the interest of full disclosure, Angela Guzman, PS Chair, stated she met with Ms. Oden, CVS representative and PLUC's Co-Chair Keith Nakata on March 15, 2018 as an information gathering meeting. Additionally, Mr. Chernov provided several e-mails containing histories, photos of the area and nearby vandalism and reports offered by Ralph's Market, across the street. All of Mr. Chernov's e-mails were forwarded to each committee member with a request to review them before the meeting.

Motion as Recommended by Planning and Land Use Committee: The Mid City West Community Council Planning and Land Use Committee recommends that Mid City West approves the 303 S. La Brea Ave., CVS #3825 Plan Approval of Case No. ZA-2009-3698 (CUB)(CU) to allow the continued off-site sale of a full line of alcoholic beverages at an existing CVS pharmacy with approved operating hours of 24 hours, daily, as presented, with the operation of the corner door at Third and La Brea continuing to operate as conditioned.

On January 16, 2018, the motion was proposed by Uyeda Kantrim, and seconded by Berker. The committee voted 8 Yeas (Berker, Fox, Gerberding, Luftman, Nakata, Sale, Uyeda Kantrim, and Wicker), 0 Nays, 1 Abstention (Seamans). Motion passed.

Background provided by Planning and Land Use Committee: The Committee wanted to check in with CVS to see how operations were going as well as to determine the status of the corner door on 3rd and La Brea. Previously, the CVS had been operating with that door closed at certain hours. The Manager of the store, and the CVS representative spoke as to how the policy had been changed, and would remain changed moving forward, so that the corner door was open during most hours.

Angela Guzman: The same day as our meeting, LAPD did an analysis of crime in the area and there were a number of calls made about that CVS of which there were 20 for theft, two prowler, 1 vandalism, a possible burglary, etc. We did not have this information at the time of our meeting.

Robert Chernov, Public Comment: I have lived in the area for 25 years and we've had nothing but trouble for the past 7. There is frequent theft and transient activity around this CVS. The bottom line is that LAPD is fed up with all the service calls. The figures from that report is lower than what is accurate because CVS does not report all of the crimes. CVS has not worked with the community or put the money towards fixing the problem like other businesses in the neighborhood has. LAPD has recommended that this be denied, and that if it is approved that armed guards be placed 24/7 and the alcohol be locked up.

Jennifer Odin and Bruce Evans, CVS Representative: Our operating hours are 7am to 10pm now, so we just want a renewal of the off-site alcohol sales. LAPD has been opposed and it's a policy in the LAPD Wilshire division to oppose alcohol CUPs. We agree to LAPD's terms, except we only want to use the security guards from 6pm until 30 minutes after closing.

BOARD DISCUSSION:

Emily Kantrim: It is true that the LAPD has a standing policy to oppose CUP. They do not want security to put their hands on anyone ever and actively encourage to not escalate. Given my experience communicating with LAPD and Vice, we should be focusing on the conditions that Vice recommended, and we don't have any more complaints about this particular location.

Mehmet Berker: I think we need to stipulate where the recommendation comes from. The stipulation of the armed security guard disturbs me, and I don't want to be part of anything that recommends that. Something about security cameras to monitor the stairwell would also be fine.

Ravi Bhatia: It's called deterrence. As long as that person is properly trained, I think an armed guard should be in there.

Josh Paget: I live very close to this store. There was a homeless man living there and stealing from the store who wasn't dealt with for days. It was upsetting and discouraging. They have made a lot of changes and I appreciate that, but I don't think CVS is really a member of this community. We need to ride CVS to make sure they are behaving appropriately for our community. I would not vote for this without more mitigations.

Liza Gerberding: I don't understand why CVS sells alcohol, it's supposed to be a place where people get medication and a few household items.

David Sobel: I agree with Mehmet about not supporting an armed guard, and I would definitely object if that was added to the motion. I would strike the language about the door, because clearly it being opened isn't working.

Richard Risemberg: There's no store staff watching the door, that's my biggest objection. I think the door should remain open. CVS sells alcohol for the same reason they have candy bars, they are trying to make a living. Ralphs has a pharmacy in it.

Patrick Seamans: The security at this CVS can be very negligent. There is a homeless camping tent there. The security themselves are non-hands on and they aren't very vigilant.

AMENDMENT: Also, the applicant shall routinely clear trash and debris from the stairway on the third street side of the block adjacent to the store, and the applicant shall have all distilled spirits locked, secured and only accessible by CVS employees upon request from customer.

Mehmet Berker makes the amendment, and Scott Epstein seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Doug Cullum, Scott Epstein, Liza Gerberding, Angela Guzman, Emily Kantrim, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Paul Motschall, Scott Sale, Patrick Seamans

NAYS: Michael Hilty, Karen Hollis, Christine Johnson, Taylor Nichols, Joshua Paget, Laura Petry, Richard Risemberg, David Sobel

ABSTENTIONS: --

Amendment passes with 15 yeas, 8 nays and 0 abstentions.

AMENDED MOTION: Public Safety Committee recommends that Mid City West Community Council Board approve CVS's CUP renewal and includes LAPD Vice's recommendation, Condition 16 which states: "the applicant shall retain a licensed uniformed security guard during applicant's business hours to maintain order and to protect resident's enjoyment of their property." And, the door at the corner of 3rd and La Brea shall not be locked during hours of operation.

Also, the applicant shall routinely clear trash and debris from the stairway on the third street side of the block adjacent to the store, and the applicant shall have all distilled spirits locked, secured and only accessible by CVS employees upon request from customer.

Angela Guzman makes the motion, and Steven Luftman seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Doug Cullum, Scott Epstein, Emily Kantrim, Abraham Langer, Steven Luftman, Andy Meselson, Paul Motschall, Taylor Nichols, Richard Risemberg, Scott Sale, Patrick Seamans, David Sobel

NAYS: Dina Brown, Michael Hilty, Karen Hollis, Christine Johnson, David Mann, Joshua Paget, Laura Petry

ABSTENTIONS: Liza Gerberding, Angela Guzman

Amended motion passes with 14 yeas, 7 nays and 2 abstentions.

9. **Public Safety motion on school safety.** (10 minutes)

Motion: Public Safety Committee suggests that the Mid City West Community Council Board make a statement in support of students who are speaking out about safety in their schools.

On March 22, 2018, the committee voted 3 Yeas (Abrahams, Guzman, and Hilty), 0 Nays, 0 Abstentions. Motion passed.

Background: In view of the recent school shootings in Florida, the Public Safety Committee is in favor of school safety. The committee's discussion found that since there is no existing Council File (that we know of) to attach a Community Impact Statement to and we wish to support school safety, the motion was put forth.

MOTION: Public Safety Committee suggests that the Mid City West Community Council Board make a statement in support of students who are speaking out about safety in their schools.

Angela Guzman makes the motion, and David Mann seconds.

Item is sent back to committee to draft a letter.

10. Treasurer's Report and Funding Motions

a. Motion to approve Monthly Expenditure Report for March 2018 (5 minutes)

MOTION: Patrick Seamans makes the motion to approve the MER for March 2018. Mehmet Berker seconds.

YEAS: Mehmet Berker, Dina Brown, Doug Cullum, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Karen Hollis, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Paul Motschall, Laura Petry, Scott Sale, Patrick Seamans

NAYS: --

ABSTENTIONS: Joshua Paget, Richard Risemberg, David Sobel

Motion passes with 18 yeas, 0 nays and 3 abstentions.

- b. Overview of progress toward implementation of Mid City West's 2017-18 Strategic Budget three quarters of the year into the Fiscal Year. Review will cover (1) operational and outreach expenditures made in the first three quarters of the fiscal year; (2) projected operational expenditures in the final quarter of the fiscal year; (3) outreach and community improvement project allocations obligated via board motions but not yet spent; and (4)

projected balance of 2017-18 funds after subtracting projected and obligated funds.
Committees are encouraged to provide updates on the status of incomplete projects.
(30 minutes)

- c. Communications and Outreach Committee Funding Motion: MCW business cards. (10 minutes)

Motion: The Communications and Outreach Committee recommends that Mid City West allocates an amount not to exceed \$100 to purchase MCW business cards. The cards will contain general contact and social media information for MCW, and would be handed out to stakeholders to encourage involvement.

On March 28, 2018, the motion was made by Marc Sinnott and seconded by Doug Cullum. The committee voted 6 Yeas (Cullum, Mann, McCallum, Risemberg, Rose, Sinnott), 0 Nays, 0 Abstentions. Motion passed.

MOTION: The Communications and Outreach Committee recommends that Mid City West allocates an amount not to exceed \$100 to purchase MCW business cards. The cards will contain general contact and social media information for MCW, and would be handed out to stakeholders to encourage involvement.

Doug Cullum makes the motion and Michael Hilty seconds.

YEAS: Mehmet Berker, Dina Brown, Doug Cullum, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Karen Hollis, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Paul Motschall, Joshua Paget, Laura Petry, Richard Risemberg, Scott Sale, Patrick Seamans

NAYS: --

ABSTENTIONS: --

Motion passes with 20 yeas, 0 nays and 0 abstentions.

- d. Planning and Land Use Committee Funding Motion: Tom Bergin's Historic Cultural Monument (15 minutes)

Motion: Mid City West Planning and Land Use Committee recommends that Mid City West allocates an amount not to exceed \$2,500 of Community Improvement Project funds to be used in partnership with other parties toward preparation of a Historic Cultural Monument application for the Tom Bergin's building at 840 S. Fairfax Ave., conditioned upon current ownership support.

On February 20, 2018, the committee voted 6 Yeas (Berker, Bhatia, Gerberding, Luftman, Uyeda Kantrim, and Wayne), 0 Nays, 1 Abstention (Nakata). Motion passed.

Background: Tom Bergin's is an iconic establishment within the Mid City West boundaries that is in potential jeopardy because of the sale of the site. The establishment has been home to a long line of Hollywood celebrities, athletes and politicians over its many years in operation. There is much community interest in documenting and preserving the history and cultural significance of this local landmark by utilizing the Historic Cultural Monument Ordinance. The goal is to engage other groups and individuals to participate along with the MCWCC in this effort. The committee had made an earlier funding request as part of the strategic budget and feels this is an important piece of the committee's work in the community.

DISCUSSION:

Keith Nakata, Public Comment: PLUC has always planned on having some kind of project like this. This motion would help us get through the first phase, the initiation of the application. The idea is that we wanted other people to participate with us. The money will go into the preparation of the application by professional historical resource.

Andy Meselson: Since we're stipulating that it's subject to the owner, and something goes wrong, are we just giving money to the owner?

Scott Epstein: I think if we pass this, we should strike the ownership support language to the motion. I think we should specify that this money is to contract with a city-preferred vendor that would prepare a historical cultural monument application for Tom Bergin's. (Friendly amendment).

MOTION: Mid City West Community Council allocates an amount not to exceed \$2,500 of Community Improvement Project funds to be used to contract with a city preferred vendor that would to prepare a historical cultural monument application for the Tom Bergin's building at 840 S. Fairfax Ave.

Scott Epstein makes the motion and Steven Luftman seconds.

YEAS: Mehmet Berker, Dina Brown, Doug Cullum, Scott Epstein, Liza Gerberding, Angela Guzman, Michael Hilty, Emily Kantrim, Abraham Langer, Steven Luftman, David Mann, Paul Motschall, Joshua Paget, Laura Petry, Scott Sale, Patrick Seamans, David Sobel

NAYS: Andy Meselson

ABSTENTIONS: --

Motion passes with 17 yeas, 1 nay and 0 abstentions.

11. Motion to Adjourn at 10:12 pm.

EXHIBIT D





MCWCC (and all other) Meeting Minutes are a summary; Minutes were not, are not and are never meant to be an exact, verbatim, word-for-word transcript or comprehensive record of what was said at a Meeting. Exceptions: Motions/Resolutions (as stated at the Meeting, which take precedence over versions written on the Agenda, if different); quotes (words that have quotation marks ("") at the beginning and ending of a word or words); and other wording from the Agenda such as the first paragraph(s) of some Items. Items are listed in and match the same order as on the Agenda.

Item 1. Call to Order and Roll Call

Co-Chair Mehmet Berker introduced himself and called the Meeting to order at 6:35 p.m. Roll Call was taken by Emily Uyeda Kantrim. Eight of the 12 Committee Members were present at the Roll Call: Mehmet Berker (Co-Chair), Ravi Bhatia, Liza Gerberding, Emily Uyeda Kantrim, Steven Luftman, Keith Nakata (Co-Chair), Dr. Patrick Seamans and (new Member) Nora Wyman. Heather Fox arrived later. Dr. Scott Sale (excused), Rosalie Wayne (excused) and Roque Wicker (unexcused) were absent. The Committee quorum (the minimum number of Committee Members needing to be present to take binding votes on Agendized Items) is seven (see the Bylaws at <http://www.midcitywest.org/about-us/bylaws-standing-rules>), so the Committee could take such votes. Also attended: nine Stakeholders and Guests.

Item 2. Review and Approval of Minutes from January 16, 2018; February 20, 2018; and March 20, 2018 Meetings.

MOTION (by Mr. Nakata, seconded by Mr. Luftman): The Mid City West Community Council Planning and Land Use Committee approves the Minutes of its March 20, 2018 Meeting as written.

MOTION PASSED with three in favor; zero opposed; five abstained (MCWCC abstentions are counted as neither "yes" or "no" votes).

Committee Member Heather Fox arrived at this time (6:44), making nine Committee Members present (the Committee quorum is seven).

Item 3. Public Comment Period

There were no comments at this time.

Item 4. Announcement from Co-Chairs

Mr. Berker was concerned that companies too easily are exempted from CEQA

requirements. Mr. Nakata reported that the City Planning Dept.'s Ruben Vasquez said he received the MCWCC letter regarding the 1017-1027 N. Croft Ave. project. City Planning Dept. Land Use trainings will be conducted May 12th in South L.A. and May 25th downtown. This Committee's June meeting will be June 26th, not the usual third Wednesday on June 19th. He listed possible upcoming projects to consider.

[There was no Item #5 on the Agenda.]

Item 6. 5822 W 3rd St - (ZA-2017-4257-ZV-CU). Project description: Change of use from synagogue/school to office/wholesale warehouse shipping center with parking reduction. Requested Actions:

1. Pursuant to LAMC section 12.27-D, a zone variance to allow 4 auto parking spaces and 4 bicycle parking spaces in lieu of 7 auto parking spaces otherwise required for office and wholesale uses.
2. Pursuant to LAMC section 12.27-D, a zone variance to allow 2 standard and 2 compact auto parking spaces in lieu of 4 standard parking spaces otherwise required.
3. Pursuant to LAMC section 12.27-d, a zone variance to allow a parking bay width of 38 feet for 9-foot long standard stalls with a 77.5 degree angle (in lieu of 42'-6" required) and 36 feet for compact stalls with a 77.5 degree angle (in lieu of 39'-7).

John Parker, of Pacific Crest Consultants, presented about the one-story structure at the southeast corner of Third and Cochran. The applicant/owner, Mr. Shin, bought the property in 2013; the building was built around 1955. A permit/covenant for a parking lot at the southwest corner "was never properly terminated." There currently is no parking on the southeast corner. "The roll-up door is going to be removed . . . the use is permitted in a C-2 zone . . . there's no walk-in traffic . . . no drive-in traffic to this building . . . he hopes long-term to convert this property to retail." The owner has been unable to secure nearby off-site leased parking. They are requesting a 10 percent parking bay reduction and "no loading space . . . it would be physically impossible to provide the required loading space on a site of this size . . . this is not a self-imposed hardship." They are requesting to build "offices and retail." He described surrounding buildings as commercial, a DWP office, a Fire Station and an apartment building "covered by ivy . . . all they see is their own fence." They have five employees, "not all at the same time." It is an "e-commerce" business. UPS delivers and picks up in the back. "Trash is . . . stored . . . [and] collected inside the building . . . the front would be unchanged."

Mr. Berker suggested possible design improvements. Ms. Gerberding was concerned about "unintended consequences" of making specific asks on the front design. Ms. Uyeda Kantrim believed this to be an "opportunity . . . to improve the streetscape . . . by having some softening of the frontage." Mr. Berker and Ms. Gerberding suggested having trees in front.

MOTION (by Mr. Berker, seconded by Mr. Luftman): The Mid City West Community Council Planning and Land Use Committee recommends that the Board approve the project at 5822 W. 3rd St. for a change of use from synagogue/school to office/wholesale warehouse shipping center with parking reduction as proposed with the following conditions:

- That the applicant will work with the MCWCC and the City of L.A. to help plant up to three street trees in the parkway on Third Street; and
- That the applicant will explore the reduction or alteration of the current fence on the front of the property.

MOTION PASSED unanimously by a roll call vote of the nine eligible voters present with:

all nine in favor ("Yes" or "Aye") (Berker, Bhatia, Fox, Gerberding, Uyeda Kantrim, Luftman, Nakata, Seamans and Wyman);

zero opposed;
zero abstained.

Item 7. 8474 W 3rd St - Sushi Koo (ZA-2018-908-CUB). Project description: A conditional use permit for the sale and dispensing of beer and wine for on-site consumption in conjunction w/ a 1,176 sq. ft. restaurant with 31 indoor seats. hours of operation 11:30 a.m-1:30 a.m. Requested Actions:

1. Pursuant to code section 12.24-W, 1 a conditional use permit for the sale and dispensing of beer and wine for on-site consumption in conjunction with a 1,176 square-foot restaurant with 31 indoor seats and hours of operation from 11:30 a.m. to 1:30 a.m., daily.
2. Pursuant to code section 12.24-W, 27 a conditional use permit to allow the hours of operation from 11:30 a.m. to 1:30 a.m., daily in lieu of 7:00 a.m. to 11:00 p.m. as restricted by mini-shopping center regulations.

Owner Odonchimeg (Ogi) Jiimen passed around photos. She said the former Sushi Mac restaurant, which she managed, near the Beverly Connection and zoned C-2, was "established in 2000" and indicated that there would not be any outside seating. This is the "first time applying for a beer and wine license." She applied for the license "in order to stay competitive." In the "parking lot 38 cars can park." She said "we have trash bins in the back" that are shared with other businesses. Ms. Uyeda Kantrim noted that "in that area there are 25 active alcohol licenses; there are only supposed to be three." Mr. Nakata read aloud findings. Ms. Fox wanted "something in between" non-approval and the situation of there being far more licenses in the area "than [are] supposed to be." Dr. Seamans wanted the Committee to discuss with elected officials the "overconcentration of licenses."

MOTION (by Mr. Berker, seconded by Mr. Luftman): The Mid City West Community Council Planning and Land Use Committee supports the project at 8474 W. 3rd

St. for a Conditional Use Permit for the sale and dispensing of beer and wine for on-site consumption in conjunction with a 1,176 sq. ft. restaurant with 31 indoor seats and hours of operation 11:30 a.m.-1:30 a.m., with the following conditions:

- That the hours of operation be 11:30 a.m.-11:00 p.m. Sundays-Wednesdays and 11:30 a.m.-1:30 a.m. Thursdays-Saturdays.

MOTION PASSED by a roll call vote of the nine eligible voters present with:
seven in favor (“Yes” or “Aye”) (Berker, Bhatia, Fox, Gerberding, Luftman, Nakata and Wyman);
one opposed (“No” or “Nay”) (Uyeda Kantrim);
one abstained (MCWCC abstentions are counted as neither “yes” or “no” votes) (Seamans).

Item 8. Tom Bergin’s Historic Cultural Monument. Mid City West Community Council has authorized spending up to \$2,500, in partnership with other community groups, to work on cataloging Tom Bergin’s history in preparation for a potential Historic Cultural Monument. The committee will discuss the effort.

Mr. Nakata noted that the Board already approved \$2,500 of Community Improvement Project funds toward preparation of a Historic Cultural Monument application for Tom Bergin’s. He spoke about it with DONE’s John Darnell. Architectural Resources Group has worked on it. There was discussion of whether this is a Community Improvement Project or a Neighborhood Purposes Grant and how to proceed.

MOTION (by Mr. Berker, seconded by Mr. Luftman): The Mid City West Community Council Planning and Land Use Committee recommends to the Board to select and contract with the Architectural Resources Group to prepare a nomination for a Historic Cultural Monument for Tom Bergin’s Tavern at 840 S. Fairfax Ave. The contract would be for \$2,500 of Community Improvement Project funds to be used in partnership with other parties as approved by the MCWCC Board at its April 10, 2018 meeting.

MOTION PASSED by a roll call vote of the nine eligible voters present with:
six in favor (“Yes” or “Aye”) (Berker, Fox, Gerberding, Uyeda Kantrim, Luftman and Seamans);
zero opposed;
three abstained (MCWCC abstentions are counted as neither “yes” or “no” votes) (Bhatia, Nakata and Wyman).

Item 9. Standing Item on PLUC Member Updates, Concerns, or Questions. A standing item for open discussion between PLUC members on ideas for the committee, or for MCW; concerns or questions regarding PLUC items or operations and upcoming meetings, individual pursuits, events, or opportunities.

For the first meeting of 2018, committee members should be prepared to discuss any goals they have for the committee in 2018.

Project "background" will continue to be provided for the Board. There was discussion of whether the Committee can meet June 19th in another room, as this room will be unavailable. There was discussion of whether and how to use Google Docs for document storage. Mr. Nakata and Mr. Berker will answer clarifying questions asked in Minutes drafts. Mr. Nakata indicated that one or more Committee Members will meet with City Councilmember Paul Koretz to hear Mr. Koretz's views on housing and land use issues. There was extensive discussion of where and under what circumstances Committee Members would communicate with Mr. Koretz or his Deputies. Ms. Uyeda Kantrim noted that the Committee could contribute to the La Cienega Streetscape concept. Mr. Nakata announced that the Hollywood Community Plan [see <https://planning.lacity.org>, the "General Plan" link] for that section of La Cienega is being updated [see <https://planning.lacity.org/complan/othrplan/pdf/HWDCRA.PDF>].

Mr. Nakata and Mr. Luftman gave a Powerpoint presentation, which originally was shown at the 2017 Neighborhood Councils Congress, entitled "No More Stupid Boxes: How to Build Great Apartments in Your Neighborhood." They showed examples of good design around the world, including low fences and front doors facing the street. One "must consider the sidewalk experience." "Perceived height" is important, especially of the second through fifth floors. "Conceal parking." Graphics were shown of how to "break the mass," including varied heights and setbacks. It is good to have ground floor "high ceilings that can convert to other uses as needs change"; courtyards that "mesh with adjacent historic designs"; and "Q" conditions, including regarding massing and articulation. Design Review Boards facilitate Community Plan updates, including specific numbers and/or percentages for dimensions. "Bad design" includes "no articulation"; street-facing driveways; "garages on the street front"; and multiple floors of unscreened parking.

Item 10. Adjournment

Mr. Berker declared and the Committee agreed to **ADJOURN** the Meeting at 9:37 p.m.

The first paragraph of some Items, Motions/Resolutions and other wording may have been copied from the Agenda. Minutes written by DL, possibly edited by MCWCC. The MCWCC PLUC Minutes page is <http://www.midcitywest.org/committees/planning-land-use>.

EXHIBIT E



1. Call to order and roll call (5 minutes)

Call to Order: 6:48 pm, 24 present, 2 absent, 9 excused

Present: Susan Belgrade, Mehmet Berker, Ravi Bhatia, Shem Bitterman, Scott Epstein, Heather Fox (arrived 6:58pm), Liza Gerberding, Angela Guzman, Karen Hollis (arrived 6:58pm), Andrew Jhun (late), Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Andy Meselson (arrived 7:46pm), Taylor Nichols (arrived 7:07pm), Josh Paget, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Don Whitehead, Roque Wicker

Absent: Paul Motschall, Marc Sigal

Excused: Dina Brown, Doug Cullum, Michael Hilty, Dean Howell, Keith Kirkwood, David Mann, Amy Mucken, Laura Petry, Scott Sale

2. General Public Comments (10 minutes)
 - a. **Susan Belgrade:** Jewish Family Service is sponsoring their annual senior health fair at Pan Pacific Park On Thursday May 31st from 10am-1pm. (323) 937-5900.
 - b. **Saad Rubaye:** I am here on behalf of my mother and 93 year old father. We live behind Taco Bell. There are extensive parking issues, homelessness, defecation, drug use, etc. Go to tacobellwtf.com to see a timelapse video. The police are not doing anything.

3. Review and approval of outstanding minutes (5 minutes)

TABLED.

4. Announcements from government agencies and elected officials (5 minutes): Robert Oliver, Ned Racine, John Damell
5. Informational Presentation by Climate Resolve regarding neighborhood impacts of climate change and energy and water efficiency solutions that can help address climate change and save residents money. (20 minutes) - Anna Van, Kristina Von Hoffman and Tiffany Lam
 - Cool Roofs reflect the sun's energy back into the atmosphere by 80%
 - 20% of LA surface area is roof and 40% is asphalt, so there is much opportunity for cooling surfaces to be installed
 - Heat is a key ingredient in smog
 - Heat is the leading weather-related cause of death and illness
 - Go to climateresolve.org/rebates to help reach our goals, you can take advantage of the rebates. Also visit pathtopositive.la/join
6. **Message from Chair, Scott Epstein:** Skipped in service of time.
7. **Informational updates from Standing Committees, Ad Hoc Committees, and Board Liaisons (10 minutes)**

8. Status of Request Made for Full Closure of sidewalk and parking lane in front of Mohr Center Construction Site at 330 N Fairfax Avenue. [Ad Hoc Fairfax Village Improvement Committee]. (25 minutes)

Item Discussion: Mid City West Community Council will discuss, and possibly take a position on a request by Jewish Family Services to fully close the sidewalk and parking lane in front of the Mohr Center construction site at 330 N Fairfax indefinitely for up to two years.

Draft Motion: Mid City West Community Council opposes the full closure of the sidewalk and parking lane for an indefinite period of time in front of the construction site for Jewish Family Services of Los Angeles.

On April 12, 2018, the motion was made by Berker and seconded by Sands. The committee voted 4 Yeas (Berker, Jhun, Meselson, and Sands), 0 Nays, 0 Abstentions, with Belgrade recusing. Motion passed.

Background: It is unclear what exactly JFS may be asking for, but the committee's understanding is that their contractor may be asking for an indefinite full closure of the sidewalk and parking lane in front of the construction site at 330 N Fairfax for up to two years.

PUBLIC COMMENTS:

- **Eli Veitzer, JFS:** Construction will aid us in helping the community. This construction will make Fairfax our center, our home. The only access for equipment is through the street, so we are trying to set up a system that will allow traffic to be regulated and keep pedestrians safe. Without these closures the construction time will be longer and it will increase the cost which is being paid for by fundraised dollars.
- **Jesse Spiegel:** I moved to this council district 6 months ago. JFS does great work on the East Coast too. I have no objection towards this construction, it seems like it will be for the overall good of JFS and the community, so I wanted to continue to voice my support for them.
- **David Levine, former president of JFS:** We are a critical part of the social safety network in this community. We are the first charity created in the city of Los Angeles and we serve over 100,000 people a year. Our goal throughout this process is to be as fair as we can be to this community, but we feel that getting this construction done as quickly and efficiently as possible is in the service of this community.
- **Hannah Lainer:** I work at JFS and live very close. I get the sidewalk issues and traffic issues. Keeping this area open does not seem to me like a high priority for the community.
- **David Felman, CFO of JFS:** JFS does so much good for our community. The closure of the sidewalk is routine in construction projects. Minimizing the time for completion will help serve the clients who need us the most.
- **Fabian Jolivet:** I have lived here 24 years. This place supported my camp survivor neighbors. I don't think this will interfere much with the neighborhood, most people walk on the other side because it's on the way to Trader Joe's. They should be saving their money for better things, you should push through and allow them to construct as quickly as possible.

BOARD QUESTIONS:

- **Josh Paget:** We have already granted many asks for this project because we know JFS is tremendous for the community, but I'm concerned about safety, about the homelessness encampments, and about destroying the vitality in the community.

- **Shem Bitterman**: I would appreciate if you tell the construction trucks not to idle because it is illegal and does impact the neighborhood. You are going to profoundly impact the walkability of this neighborhood, and the crossing guard will not be there in the evening or weekends, so I would consider having someone there those times too.
- **Richard Risemberg**: Why not a partial closure of the traffic lane and only the pedestrian closure when a truck is coming in or out of the staging area? Putting in a pedestrian bypass in the traffic lane should be considered.
- **Josh Paget**: What about high visibility crosswalks? Maybe some murals on the permanent scaffolding that speak to your mission? Just things that would make the closure not just an inconvenience, but a positive for the community.
- **Andrew Jhun**: It is very rare for an applicant to come back after we approve your project, so I am very thankful for that. I hope that you will be able to come back to TPS to talk about some of the issues that they've raised.

BOARD DISCUSSION:

- **Scott Epstein**: This isn't about approving the project, we do approve it, it's about the best way to do the construction. There are safety concerns.
- **Mehmet Berker**: It frustrates me that we are put in this position. I hate that we even get to this point. Now that we actually have some information, there is money there, but that's why budgets have contingencies. I'm sad that this construction firm treated this as routine.
- **Emily Kantrim**: I'm appreciative that we got to hear straight from JFS. I think our concerns are heard by the wonderful turnout we had from JFS. My biggest questions were around pedestrian safety and how it got pushed through. With this information, I am ready to agree to do this work as quickly as possible.
- **Heather Fox**: What are the statistics of pedestrian safety for something like this? Answer: Fairfax is high incident.
- **Nick Solish**: First of all, JFS, please don't take this as an attack. What is the guarantee that this will only last 2 years and not go on to 3? What mitigations will be in place to stop pedestrians from walking into the traffic lanes?
- **Ravi Bhatia**: We have to vote consistently on projects like this.
- **Shem Bitterman**: We are neglecting the fact that people bike along fairfax. You're taking away a sidewalk for two years. It's unfortunate that such a fantastic organization has to spend your own money, the city should really be helping you and paying the difference.
- **David Sobel**: It seems like either we approve closing it two years, or we don't approve it and they mostly close it for two + years, and then they have to spend an extra \$1 million. I don't see what we gain by passing this motion.
- **Mehmet Berker**: I appreciate that JFS gave us as much information and time as they did. We were working in the dark and now we have some more information. I'd be in support of tabling it and getting some more information, keeping that open dialog.

MOTION to table Item 8: Mehmet Berker made the motion, Andrew Jhun seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Shem Bitterman, Scott Epstein, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Kantrim, Abraham Langer, Steven Luftman, Andy Meselson, Richard Risemberg, Patrick Seamans, Nick Solish

NAYS: Heather Fox, Christine Johnson, Josh Paget, Marc Sinnott, David Sobel, Don Whitehead, Roque Wicker

ABSTENTIONS: --

RECUSALS: Susan Belgrade

Motion tabled with 14 yeas, 7 nays, 0 abstentions, 1 recusal.

9. Planning and Land Use Case Motions

a. 5822 W. 3rd St - (ZA-2017-4257-ZV-CU) (15 minutes)

Project Description: Change of use from synagogue/school to office/wholesale warehouse shipping center with parking reduction.

Requested Actions:

1. Pursuant to LAMC section 12.27-D, a zone variance to allow 4 auto parking spaces and 4 bicycle parking spaces in lieu of 7 auto parking spaces otherwise required for office and wholesale uses.
2. Pursuant to LAMC section 12.27-D, a zone variance to allow 2 standard and 2 compact auto parking spaces in lieu of 4 standard parking spaces otherwise required.
3. Pursuant to LAMC section 12.27-D, a zone variance to allow a parking bay width of 38 feet for 9-foot long standard stalls with a 77.5 degree angle (in lieu of 42'-6" required) and 36 feet for compact stalls with a 77.5 degree angle (in lieu of 39'-7).
4. Pursuant to LAMC section 12.27-D, a zone variance to allow for no loading space in lieu of the code requirements.
5. Pursuant to 12/24-E, a Conditional Use Permit to allow the conversion of an existing building to a commercial corner development containing office and wholesale uses.

Proposed Motion: The Mid City West Community Council Planning and Land Use Committee recommends that the Board approve the project at 5822 W. 3rd St. for a change of use from synagogue/school to office/wholesale warehouse shipping center with parking reduction as proposed with the following conditions:

- That the applicant will work with the MCWCC and the City of L.A. to help plant up to three street trees in the parkway on Third Street; and
- That the applicant will explore the reduction or alteration of the current fence on the front of the property.

On April 17, 2018, the motion was made by Berker and seconded by Luftman. The committee voted 9 Yeas (Berker, Bhatia, Fox, Gerberding, Luftman, Nakata, Seamans, Uyeda Kantrim, and Wyman), 0 Nays, 0 Abstentions. Motion passed.

Background: The committee discussed the property's previous use as a synagogue which had a minimal parking requirement and how the change of use to a warehouse will require additional parking to be constructed. Therefore, the committee established that findings could be made to allow for a variance in the required parking requirement to allow for a reduction. Further discussions involved seeking cooperation with the property owner to improve the streetscape and walkability along the 3rd Street

frontage of the building.

DISCUSSION:

- **Public Comment, Chris Parker, representing owner Paul Shin:** It's been used as an office space for many years. We want to shrink the back wall to allow parking on site. This is just stating that we don't need to demo the entire building in order to provide two more parking spaces.
- **Christine Johnson:** I want to be able to follow up with these people, I want to know what the business is.
- **Liza Gerberding:** I am not in favor of the second bullet point. I'm wary about asking them to change the fence, because who knows what you're going to get?
- **Richard Risemberg:** We are not voting on the business. We're having a lot of discussion that's not about the motion.

AMENDMENT: Add the following bullet point:

- **That the applicant will explore improving the aesthetics of the front facade on 3rd street.**

Mehmet Berker made the motion to amend, Steven Luftman seconds.

YEAS: Susan Belgrade, Mehmet Berker, Ravi Bhatia, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Andy Meseison, Josh Paget, Patrick Seamans, David Sobel, Nick Solish, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: --

RECUSALS: Marc Sinnott

Amendment passes with 21 yeas, 0 nays, 0 abstentions and 1 recusal.

AMENDED MOTION: The Mid City West Community Council recommends approval of the project at 5822 W. 3rd St. for a change of use from synagogue/school to office/wholesale warehouse shipping center with parking reduction as proposed with the following conditions:

- That the applicant will work with the MCWCC and the City of L.A. to help plant up to three street trees in the parkway on Third Street; and
- **That the applicant will explore improving the aesthetics of the front facade on 3rd street.**

Mehmet Berker made the motion, Scott Epstein seconds.

YEAS: Susan Belgrade, Mehmet Berker, Ravi Bhatia, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Andy Meselson, Josh Paget, Richard Risemberg, Patrick Seamans, David Sobel, Nick Solish, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: --

RECUSALS: Marc Sinnott

Motion passes with 21 yeas, 0 nays, 0 abstentions and 1 recusal.

b. 8474 W. 3rd St - Sushi Koo (ZA-2018-908-CUB) (15 minutes)

Project Description: A conditional use permit for the sale and dispensing of beer and wine for on-site consumption in conjunction w/ a 1,176 sq. ft. restaurant with 31 indoor seats. Hours of operation: 11:30 a.m.-1:30 a.m.

Requested Actions:

1. Pursuant to code section 12.24-W, 1 a conditional use permit for the sale and dispensing of beer and wine for on-site consumption in conjunction with a 1,176 square-foot restaurant with 31 indoor seats and hours of operation from 11:30 a.m. to 1:30 a.m., daily.
2. Pursuant to code section 12.24-W, 27 a conditional use permit to allow the hours of operation from 11:30 a.m. to 1:30 a.m., daily in lieu of 7:00 a.m. to 11:00 p.m. as restricted by mini-shopping center regulations.

Proposed Motion: The Mid City West Community Council Planning and Land Use Committee supports the project at 8474 W. 3rd St. as presented, with the following conditions:

- That the hours of operation be 11:30 a.m.-11:00 p.m. Sundays-Wednesdays and 11:30 a.m.-1:30 a.m. Thursdays-Saturdays.

On April 17, 2018, the motion was made by Berker and seconded by Luftman. The committee voted 7 Yeas (Berker, Bhatia, Fox, Gerberding, Luftman, Nakata, and Wyman), 1 Nay (Uyeda Kantrim), 1 Abstention (Seamans). Motion passed.

Background: The committee discussed issues regarding concerns by LAPD about over-concentration of alcohol licenses in this area, as well as proposed hours of operation during the week. After discussion with the owner, the committee requested hours that are consistent with those found elsewhere in the MCWCC area. The restaurant has a history in the community and has shared on-site parking for their customers.

Public Comment. Oki, owner of Sushi Koo: We have been a neighbor for 17 years. I was first the manager and then the owner retired and I took over. The alcohol will only be about 10% of our sales, we mostly sell sushi.

MOTION: The Mid City West Community Council Planning and Land Use Committee supports the project at 8474 W. 3rd St. as presented, with the following conditions:

- That the hours of operation be 11:30 a.m.-11:00 p.m. Sundays-Wednesdays and 11:30 a.m.-1:30 a.m. Thursdays-Saturdays.

Mehmet Berker made the motion, Susan Belgrade seconds.

YEAS: Susan Belgrade, Mehmet Berker, Ravi Bhatia, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Abraham Langer, Steven Luftman, Andy Meselson, Josh Paget, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Emily Kantrim

Motion passes with 21 yeas, 0 nays and 1 abstention.

10. **Bike to Work Day.** (5 minutes)

Motion: Mid City West will co-sponsor a Bike to Work Pit Stop with Metro and the West Hollywood Bicycle Coalition at the corner of Willoughby and Vista on Bike To Work Day on May 17 from 7 to 9 AM.

Background: The event offers an opportunity for Mid City West to engage the community regarding the Willoughby Avenue Neighborhood Greenway project, which MCW voted to support, and which sits at the border of MCW and West Hollywood. The motion was requested by board members Taylor Nichols and Mehmet Berker, but comes without a committee recommendation due to lack of quorum at TPS. There is no cost involved.

MOTION: Mid City West will co-sponsor a Bike to Work Pit Stop with Metro and the West Hollywood Bicycle Coalition at the corner of Willoughby and Vista on Bike To Work Day on May 17 from 7 to 9 AM.

Mehmet Berker made the motion, Richard Risemberg seconds.

YEAS: Susan Belgrade, Mehmet Berker, Ravi Bhatia, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Josh Paget, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: --

Motion passes with 20 yeas, 0 nays and 0 abstentions.

11. Treasurer's Report and Budget Review

a. Motion to approve Monthly Expenditure Report for April 2018. (5 minutes)

MOTION: Patrick Seamans makes the motion to approve the MER for April 2018. David Sobel seconds.

YEAS: Susan Belgrade, Mehmet Berker, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Ravi Bhatia, Josh Paget

Motion passes with 17 yeas, 0 nays and 2 abstentions.

- b. **Budget Review.** Overview of progress toward implementation of MidCity West's 2017-18 Strategic Budget with less than 2 months left in the Fiscal Year. Review will cover (1) expenditures to date by budget category; (2) projected operational expenditures in the final two months of the fiscal year; (3) outreach, community improvement project, and neighborhood purpose grant allocations obligated via board motions but not yet spent; and (4) projected balance of 2017-18 funds after subtracting projected and obligated funds. **Committees are encouraged to provide updates on the status of incomplete projects.** (15 minutes)

12. Committee Funding Motions (45 minutes)

- a. **Discussion and possible action on accepting as complete UCLA Graduate Student Researcher Gilberto Cruz' report "Accommodating the 'Coolest Street' in Los Angeles," written for the Mid City West Community Council Fairfax Village Project as his Applied Planning Research Project (APRP), and authorizing payment of a previously approved \$1,500 of Community Improvement Project funds to Mr. Cruz. [Fairfax Village Improvement Ad Hoc Committee].**

Item Discussion: Mid City West Community Council will discuss, and possibly take action on, a report "Accommodating the 'Coolest Street' in Los Angeles" written by Gilberto Cruz for Mid City West Community Council as the client as part of an Applied Planning Research Project (APRP) undertaken as a graduating requirement of the Masters in Urban and Regional Planning graduate program at UCLA. Upon acceptance of the report as complete by the Board of Directors for Mid City West Community Council, a previously approved payment of \$1,500 in Community Improvement Project funds will be authorized to be paid to Mr. Cruz.

Draft Motion: Mid City West Community Council accepts as complete the report, "Accommodating the 'Coolest Street' in Los Angeles" written by Gilberto Cruz as part of his Applied Planning Research Project (APRP). As such, the Board authorizes the previously approved payment of \$1,500 in Community Improvement Project funds to Mr. Cruz as outlined in the Client Student Agreement between Mid City West Community Council and Mr. Cruz, approved by the Board at the February 13, 2018 Board of Directors meeting.

Background: In order to satisfy the requirements of the Client Student Agreement (CSA) approved by the Mid City West Community Council at the Board of Directors meeting of February 13, 2018 and pay Mr. Cruz the approved \$1,500 payment in Community Improvement Project funds, his final report has to be accepted as complete by the Board of Directors. By accepting the report as complete, the Board is saying that they consider the report complete and that Mr. Cruz has performed the tasks outlined in the CSA. This does not mean that MCW is adopting the recommendations made in the report at this time. It will be up to the Board at a future date whether it wants to adopt any of the recommendations of the report. If the Board accepts the report as complete today, the plan is to place the report on our website to be easily accessible to Board members, stakeholders, and members of the public.

MOTION: Mid City West Community Council accepts as complete the report, "Accommodating the 'Coolest Street' in Los Angeles" written by Gilberto Cruz as part of his Applied Planning Research Project (APRP). As such, the Board authorizes the previously approved payment of \$1,500 in Community Improvement Project funds to Mr. Cruz as outlined in the Client Student Agreement between Mid City West Community Council and Mr. Cruz, approved by the Board at the February 13, 2018 Board of Directors meeting.

Mehmet Berker makes the motion. Marc Sinnott seconds.

YEAS: Susan Belgrade, Mehmet Berker, Ravi Bhatia, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Josh Paget, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Andy Meselson

Motion passes with 20 yeas, 0 nays and 1 abstention.

- b. Tom Bergin's Historic Cultural Monument Application Community Improvement Project.

[Planning and Land Use Committee]

Motion: The Mid City West Community Council Planning and Land Use Committee recommends to the Board to select and contract with the Architectural Resources Group to prepare a nomination for a Historic Cultural Monument for Tom Bergin's Tavern at 840 S. Fairfax Ave. The contract would be for \$2,500 of Community Improvement Project funds to be used in partnership with other parties as approved by the MCWCC Board at its April 10, 2018 meeting.

On April 17, 2018, the motion was made by Berker and seconded by Luftman. The Planning and Land Use Committee voted 6 Yeas (Berker, Fox, Gerberding, Luftman, Seamans, and Uyeda Kantrim), 0 Nays, 3 Abstentions (Bhatia, Nakata, and Wyman). Motion passed.

Background: Tom Bergin's is an iconic establishment within the Mid City West boundaries that is in potential jeopardy because of the sale of the site. The establishment has been home to a long line of Hollywood celebrities, athletes and politicians over its many years in operation. There is much community interest in documenting and preserving the history and cultural significance of this local landmark by utilizing the Historic Cultural Monument (HCM) Ordinance. PLUC has reached out to Architectural Resources Group, a consulting firm experienced in putting together nominations for HCM status, and Architectural Resources Group has agreed to contract with MCWCC to perform the work.

MOTION: The Mid City West Community Council will select and contract with the Architectural Resources Group to prepare a nomination for a Historic Cultural Monument for Tom Bergin's Tavern at 840 S. Fairfax Ave. The contract would be for \$2,500 of Community Improvement Project funds to be used in partnership with other parties as approved by the MCWCC Board at its April 10, 2018 meeting.

Mehmet Berker made the motion, Marc Sinnott seconds.

YEAS: Susan Belgrade, Mehmet Berker, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Josh Paget, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead, Roque Wicker

NAYS: –

ABSTENTIONS: Ravi Bhatia

Motion passes with 18 yeas, 0 nays and 1 abstention.

c. Poinsettia Community Garden Informational Meetings. *[Ad Hoc Sustainability Committee]*.

Motion: Mid City West will hold a series of two informational meetings about the proposed Community Garden planned for Poinsettia Park. The purpose of the meetings is to engage the community in the design process, as well as to cultivate future garden leaders and members. One meeting will take place on a weekday evening, the other on a weekend morning, pending park availability. The cost for these events is not to exceed \$500.

On May 1, 2018, the committee voted 3 Yeas (Epstein, Sobel, and Uyeda Kantrim), 0 Nays, 0 Abstentions. Motion passed.

Background: The Sustainability Committee has identified a location within MCW to build a Community Garden. The location is part of Poinsettia Park, on Poinsettia, between the tennis courts and the sidewalk. The area is currently planted with grass. Both CD5 and the park management support this plan. We are working with the LA Community Garden Council (LACGC), who is advising and supporting these efforts.

These meetings are the first step in getting the approval of LA Department of Recreation and Parks, as well as building a garden that meets the needs of the community it serves. The costs will cover refreshments, meeting room space, community outreach costs, as well as all printing and materials costs. The tentative dates for the meetings are June 14 & 16, pending availability.

MOTION: Mid City West will hold a series of two informational meetings about the proposed Community Garden planned for Poinsettia Park. The purpose of the meetings is to engage the community in the design process, as well as to cultivate future garden leaders and members. One meeting will take place on a weekday evening, the other on a weekend morning, pending park availability. The cost for these events is not to exceed \$500.

David Sobel made the motion, Angela Guzman seconds.

YEAS: Susan Belgrade, Mehmet Berker, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Josh Paget, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Ravi Bhatia

Motion passes with 18 yeas, 0 nays and 1 abstention.

d. Poinsettia Garden soil test. *[Ad Hoc Sustainability Committee].*

Motion: The Sustainability Committee recommends that Mid City West allocate \$85 towards having the soil at Poinsettia Park analyzed by Wallace Laboratories, in advance of beginning a community garden at this location.

On May 1, 2018, the committee voted 3 Yeas (Epstein, Sobel, and Uyeda Kantrim), 0 Nays, 0 Abstentions. Motion passed.

MOTION: Mid City West allocates \$85 towards having the soil at Poinsettia Park analyzed by Wallace Laboratories, in advance of beginning a community garden at this location.

David Sobel made the motion, Scott Epstein seconds.

YEAS: Susan Belgrade, Mehmet Berker, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Josh Paget, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Ravi Bhatia

Motion passes with 18 yeas, 0 nays and 1 abstention.

e. Fairfax Avenue Clean Up Event. *[Ad Hoc Fairfax Village Improvement Committee].*

Motion: MCWCC allocates no more than \$1000 for cleaning supplies, and/or rentals, advertisements, refreshments, Facebook marketing, etc., for a community cleanup event to be held on Fairfax Avenue

prior to the end of the fiscal year.

On April 12, 2018, the motion was made by Jhun and seconded by Sands. The committee voted 5 Yeas (Belgrade, Berker, Jhun, Meselson, and Sands), 0 Nays, 0 Abstentions. Motion passed.

MOTION: MCWCC allocates no more than \$1000 for cleaning supplies, and/or rentals, advertisements, refreshments, Facebook marketing, etc., for a community cleanup event to be held on Fairfax Avenue prior to the end of the fiscal year.

Andrew Jhun made the motion, David Sobel seconds.

YEAS: Susan Belgrade, Mehmet Berker, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Josh Paget, Patrick Seamans, David Sobel, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Ravi Bhatia, Marc Sinnott

Motion passes with 17 yeas, 0 nays and 2 abstentions.

f. Co-hosting NC 101 event with EmpowerLA. *[Executive Council]*.

Motion: Mid City West will co-host an NC 101 event with EmpowerLA focused on the senior citizen population and allocate an amount not to exceed \$400 for refreshments, publicity, and other costs.

On March 27, 2018, the motion was made by Epstein and seconded by Guzman. The EC voted 4 Yeas (Epstein, Guzman, Jhun, and Seamans), 0 Nays, 0 Abstentions. Motion passed.

Background: The event is scheduled for June 1, 2018 from 12 to 1 PM at the Fairfax Senior Center, 7929 Melrose Avenue. The event will be co-sponsored by the Department of Neighborhood Empowerment, the Department of Recreation and Parks, the Department of Transportation, and the Department of Public Works. The event will coincide with the senior center's meal program. Presentations will be made on the Neighborhood Council system, the Department of Public Works' sidewalk repair program for individuals with mobility disabilities, and LADOT's Safe Routes for Seniors program. The goal of this event is to reach out to the senior community in the area, and have city departments provide information about programs they offer, while promoting the Neighborhood Council System.

MOTION: Mid City West will co-host an NC 101 event with EmpowerLA focused on the senior citizen population.

Scott Epstein made the motion, David Sobel seconds.

YEAS: Susan Belgrade, Mehmet Berker, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Josh Paget, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Ravi Bhatia

Motion passes with 18 yeas, 0 nays and 1 abstention.

g. Facebook Advertising Allocation. *[Executive Council]*.

Motion: Mid City West allocates an additional \$500 to be used for facebook advertising in the current fiscal year.

On April 24, 2018, Epstein made the motion and Guzman seconded. The EC voted 4 Yeas (Epstein, Guzman, Jhun, and Seamans), 0 Nays, 0 Abstentions. Motion passed.

Background: The advertising is anticipated to yield approximately 300 additional Facebook followers. Those new followers would help us meet our strategic goal of being one of the top 5 NC Facebook pages citywide.

MOTION: Mid City West allocates an additional \$500 to be used for facebook advertising in the current fiscal year.

Scott Epstein made the motion, Marc Sinnott seconds.

YEAS: Susan Belgrade, Mehmet Berker, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Josh Paget, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Ravi Bhatia

Motion passes with 18 yeas, 0 nays and 1 abstention.

h. Mobile Gardening Supply Package. *[Executive Council]*.

Motion: Mid City West allocates an amount not to exceed \$1000 to purchase a mobile gardening supply package including a garden hauling cart, bike hitch, watering bags, tools, and other related items.

On April 24, 2018, Jhun made the motion and Epstein seconded. The EC voted 4 Yeas (Epstein, Guzman, Jhun, and Seamans), 0 Nays, 0 Abstentions. Motion passed.

Background: The package is designed to support Mid City West's expanding portfolio of urban greening projects, including the revitalization of Rosewood Garden, and the planting of trees on Rosewood Avenue, San Vicente Boulevard, and other Mid City West streets. The cart and hitch would allow Mid City West's urban gardeners to water and maintain our green investments in a sustainable way without the use of an automobile.

MOTION: Mid City West allocates an amount not to exceed \$1000 to purchase a mobile gardening supply package including a garden hauling cart, bike hitch, watering bags, tools, and other related items.

Scott Epstein made the motion, David Sobel seconds.

YEAS: Susan Belgrade, Mehmet Berker, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Josh Paget, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead

NAYS: --

ABSTENTIONS: Ravi Bhatia

Motion passes with 17 yeas, 0 nays and 1 abstention.

i. Donation to Congress of Neighborhoods. *[Executive Council]*.

Motion: Mid City West donates an amount not to exceed \$300 to the Congress of Neighborhoods.

On April 24, 2018, Guzman made the motion and Jhun seconded. The EC voted 4 Yeas (Epstein, Guzman, Jhun, and Seamans), 0 Nays, 0 Abstentions. Motion passed.

Background: The Congress of Neighborhoods is the biggest Neighborhood Council event of the year. Mid City West board members have regularly spoken and attended the event. Mid City West has donated to the event in the past.

MOTION: Mid City West donates an amount not to exceed \$300 to the Congress of Neighborhoods.

TABLED.

j. Donation to Neighborhood Council Budget Advocates. *[Executive Council]*.

Motion: Mid City West donates an amount not to exceed \$100 to the Neighborhood Council Budget Advocates.

On April 24, 2018, Seamans made the motion and Jhun seconded. The EC voted 4 Yeas (Epstein, Guzman, Jhun, and Seamans), 0 Nays, 0 Abstentions. Motion passed.

Background: The Budget Advocates depend on funds from the neighborhood councils to support its work and outreach to neighborhood councils and stakeholders. Funds are used for Budget Day; Regional Budget Day; and outreach tools such as Constant Contact and Survey Monkey; website hosting and maintenance; business cards; operational expenses (i.e. printing, copying); translation services; Channel 35 Budget Day broadcast; and more.

MOTION: Mid City West donates an amount not to exceed \$100 to the Neighborhood Council Budget Advocates.

Scott Epstein made the motion, Susan Belgrade seconds.

YEAS: Susan Belgrade, Mehmet Berker, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Josh Paget, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead

NAYS: --

ABSTENTIONS: Ravi Bhatia

Motion passes with 17 yeas, 0 nays and 1 abstention.

k. Speed and performance improvements to the website. *[Communications and Outreach Committee]*.

Motion: The Mid City West Community Council allocates an amount not to exceed \$1,000 to hire the original web designer for speed and performance improvements to the website.

On May 2, 2018, the committee voted 7 Yeas (Cullum, Mann, McCallum, Risemberg, Rose, Sinnott, and Whitehead), 0 Nays, 0 Abstentions. Motion passed.

Background: The Communications and Outreach Committee has observed, and received comments relating to slow speeds and poor performance on the MCW website. The committee would engage the web developer who constructed the current site, in order to make necessary improvements to improve the site's performance and usability.

MOTION: The Mid City West Community Council allocates an amount not to exceed \$1,000 to hire the original web designer for speed and performance improvements to the website.

MOTION IS TABLED.

13. Support for Students Speaking Out About Gun Safety. *[Public Safety Committee]. (10 minutes)*

Motion: The Mid City West Community Council's PUBLIC SAFETY COMMITTEE is in support of the students who are speaking out about gun safety in their schools.

On April 19, 2018, the committee voted 3 Yeas, 0 Nays, 0 Abstentions. Motion passed.

Background: In view of the recent school shootings in Florida, the Public Safety Committee is in favor of school safety, including support for those students who spoke up for safety in their schools. Many of the students who marched on March 24, 2018 made a profound national statement for school safety. Public Safety is consequently compelled to make this support motion. There is no City Council File to attach a Community Impact Statement (CIS) to, therefore, the motion was crafted as a civic record from our committee.

Reasons for Supporting the Motion (or committee majority view): Students at the Stoneman-Douglas high school in Parkland, Florida took action regarding safety in their school after a horrible tragedy took 17 classmates' lives and injured another 17 students during the February 14, 2018 deadly school massacre by a lone gunman, a former student. The Parkland students helped organize a national march in protest of guns at school. Public Safety is standing up to support the students who spoke out.

MOTION: The Mid City West Community Council is in support of the students who are speaking out about gun safety in their schools.

Angela Guzman made the motion, Andrew Jhun seconds.

YEAS: Susan Belgrade, Mehmet Berker, Shem Bitterman, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Emily Kantrim, Abraham Langer, Steven Luftman, Patrick Seamans, Marc Sinnott, David Sobel, Don Whitehead

NAYS: --

ABSTENTIONS: Ravi Bhatia, Josh Paget

Motion passes with 16 yeas, 0 nays and 2 abstentions.

14. Community Impact Statement supporting Neighborhood Council Budget Advocates and the 2018 White Paper (Council File 18-0600). [*Executive Council*]. (10 minutes)

Motion: The MCWCC hereby supports the work of the Neighborhood Council Budget Advocates and their 2018 White Paper and approves the filing of a Community Impact Statement for Council File 18-0600.

On April 24, 2018, the motion was made by Seamans and seconded by Guzman. The EC voted 3 Yeas (Guzman, Jhun, and Seamans), 0 Nays, 1 Abstention (Epstein). Motion passed.

Background: The 2018 White Paper is available at <http://ncbala.com/wp-content/uploads/2017/06/2018-White-Paper-complete.pdf> and includes 10 overall recommendations as well as detailed recommendations by city department. Council File 18-0600 is the city Budget Proposal for Fiscal Year 2018-19.

MOTION: The MCWCC hereby supports the work of the Neighborhood Council Budget Advocates and their 2018 White Paper and approves the filing of a Community Impact Statement for Council File 18-0600.

Patrick Seamans made the motion, Andrew Jhun seconds.

YEAS: Susan Belgrade, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Christine Johnson, Patrick Seamans, Marc Sinnott

NAYS: --

ABSTENTIONS: Mehmet Berker, Ravi Bhatia, Shem Bitterman, Scott Epstein, Emily Kantrim, Abraham Langer, Steven Luftman, Joshua Paget, David Sobel, Don Whitehead

Motion does not pass with 8 yeas, 0 nays and 10 abstentions.

15. Motion to Adjourn at 11:05 pm.

EXHIBIT



Neighborhood Council Funding System

Dashboard

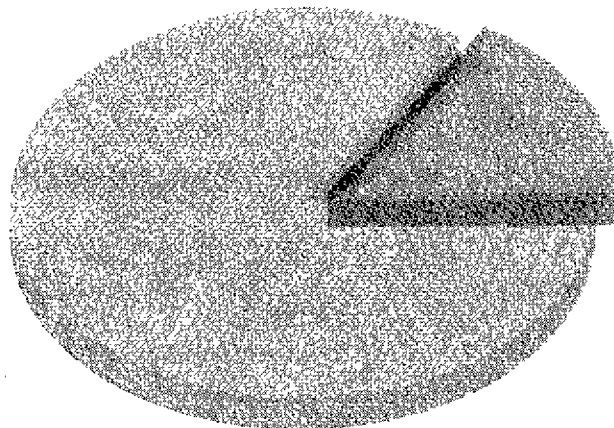
▼ Mid City West Community Council

▼ Fiscal Year:

2017-2018 ▼

Budget **Payment Requests** **pCard Transactions** **MER** **Special Accounts**

Payment Request Status



Request Approved:
58 (83.8%)

Request Denied:
11/68 (16.2%)

Overall Summary

Total Number of Payment Requests: 68

Payment Request Total Amount: \$36,409.72

Payment Request Average Amount: \$535.44

Payment Request Average Completion Time: 1.33 days

Status Total

Approved: \$27,611.64

Denied: \$8,798.08

Mid City West Community Council: Request Denied

Show Funding Requests

Search:

CD:	Region:	Category:	Amount:	Submitted Date:	Approval Date:	Vendor:	Status:
4, 5	Central	Community Improvement Project	\$2,500.00	5/12/2018	N/A	Architectural Resources Group	Denied
4, 5	Central	Neighborhood Purpose Grants	\$1,000.00	4/9/2018	N/A	Launch Productions, Inc.	Denied
4, 5	Central	Neighborhood Purpose Grants	\$1,000.00	4/9/2018	N/A	Friends of Hancock Park School	Denied
4, 5	Central	Neighborhood Purpose Grants	\$1,000.00	4/9/2018	N/A	Carthay Center PTA	Denied
4, 5	Central	Neighborhood Purpose Grants	\$1,000.00	6/1/2018	N/A	Carthay Center PTA	Denied
4, 5	Central	Office	\$924.00	7/31/2017	N/A	APPLEONE EMPLOYMENT SERVICES	Denied
4, 5	Central	Office	\$471.74	2/23/2018	N/A	AT&T	Denied
4, 5	Central	Office	\$417.16	5/16/2018	N/A	Marc Sinnott	Denied
4, 5	Central	Office	\$232.47	8/3/2017	N/A	Calnet AT&T (Acct: 9391034015)	Denied
4, 5	Central	Office	\$232.47	8/1/2017	N/A	AT&T	Denied

Fund Request Total: \$8,777.84 (\$8,798.08 total)

Showing 1 to 10 of 11 Funding Request Previous 1 2 Next

EXHIBIT G



Board of Directors Meeting
July 10, 2018
543 N. Fairfax Avenue, Los Angeles, CA 90036
Approved by the Board on August 14, 2018
Submitted by Amanda Sonnenschein

1. Call to order and roll call

Call to Order: 6:38 pm, 25 present, 2 absent, 5 excused

Present: Susan Belgrade, Mehmet Berker, Ravi Bhatia (arrived 7:29pm), Doug Cullum, Dina Brown, Scott Epstein, Heather Fox (arrived 7:20pm), Liza Gerberding, Michael Hilty, Karen Hollis (6:50pm), Christine Johnson, Emily Uyeda Kantrim, Keith Kirkwood (6:45pm), Abraham Langer, Steven Luftman (6:48pm), David Mann, Andy Meselson, Paul Motschall (late), Joshua Paget, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel (6:52pm), Nick Solish, Roque Wicker

Absent: Shem Bitterman, Taylor Nichols, Dean Howell

Excused: Angela Guzman, Andrew Jhun, Laura Petry, Scott Sale, Don Whitehead

2. General Public Comments

- **Diana Nyad, with EverWalk:** Walking is a universal way to be in a community and discover yourselves. We want to partner with MCW to start a big public walk every first Saturday of the month in Pan Pacific Park. We want your help with the business communities making a fair out of this day.
 - **Joshua Paget:** I am resigning from the board at the end of the month. Thank you for making this neighborhood a better place every day. I hope Mid City West continues to be involved with homelessness, because it is going to be the defining issue of our time here.
 - **Andy Meselson:** On this coming Sunday, 8-11 am we will be doing the cleaning project on Fairfax and I want to make sure we have enough people to get the job done. Please sign up.
 - **Peter Curry, Launch LA:** September 22, 1-8pm we will be having the LA Tarfest event.
3. Appointment of a new **Zone 5 Representative** to serve out the remainder of the term through approximately May 2019. To be eligible for the seat, stakeholders must live in Mid City West Zone 5, the area of MCW west of Fairfax Avenue between Wilshire Boulevard and West Third Street. More information and MCW map at <http://www.midcitywest.org/board-member-seat-vacancy-zone-5-representative/>. Interested stakeholders will have 3 minutes to address the board at the current meeting. Appointment is by a majority vote of the board. If no candidate receives a majority of the vote in the first round, runoff vote(s) will be called eliminating the lowest vote getter in each round.

NOMINEE SPEECHES

- **Brandon Douglas:** I grew up in LA, I became a homeowner in Zone 5 2.5 years ago. I was nominated by Nick Solish, we grew up together. I want to be more involved in my community. I am interested in what is happening and I want to make a difference. I am on the board of my HOA. I work in real estate. I ran Relay for Life in Beverly Hills for 3 years. I want to be here to vote and make a difference.
- **Michael Shear:** I have lived in LA 20 years and 1 week. I moved here shortly after college, and it

was a great place to be young. This is also a fantastic place to raise a family. I changed my mind about a beer and wine license based on what people said at a meeting, and I was really impressed by that. The vision I have for the neighborhood is us coming together.

- **Tony Regenstreif**: Zone 5 is my LA, from when I was single to when I got married became a homeowner and got kids, so I feel a tremendous bond and need to get involved. I am a board member at the JCC. I think it is important to take all of our stakeholders of this community, and I want to get involved now.
- **Charles Lindenblatt**: I've lived in this community since 1975. I am trained in economic policy. I have been a regular attendee at the board meetings and committee meetings. I am interested in re-joining the board so I can continue the work I did before on many committees including PLUC and the EC.

PUBLIC COMMENTS IN SUPPORT OF CANDIDATES

Dale Kendall: Spoke in support of Charles Lindenblatt.

MOTION: Appointing a new Zone 5 Member

VOTE 1:

- **Brandon Douglas**: Mehmet Berker, Michael Hilty, Nick Solish
- **Michael Shear**: Susan Belgrade, Emily Uyeda Kantrim, David Sobel, Roque Wicker
- **Tony Regenstreif**: Scott Epstein, Abraham Langer, Joshua Paget, Marc Sinnott
- **Charles Lindenblatt**: Doug Cullum, Dina Brown, Liza Gerberding, Karen Hollis, Christine Johnson, Keith Kirkwood, Steven Luftman, David Mann, Andy Meselson, Richard Risemberg, Patrick Seamans
- **ABSTENTIONS**: Paul Motschall

CL: 11; TR: 4; MS: 4; BD: 3

Runoff among Michael Shear, Tony Regenstreif and Charles Lindenblatt

VOTE 2:

- **Michael Shear**: Susan Belgrade, Emily Uyeda Kantrim
- **Tony Regenstreif**: Mehmet Berker, Scott Epstein, Michael Hilty, Abraham Langer, Paul Motschall, Joshua Paget, Marc Sinnott, David Sobel, Nick Solish, Roque Wicker
- **Charles Lindenblatt**: Doug Cullum, Dina Brown, Liza Gerberding, Karen Hollis, Christine Johnson, Keith Kirkwood, Steven Luftman, David Mann, Andy Meselson, Richard Risemberg, Patrick Seamans
- **ABSTENTIONS**: --

CL: 11; TR: 10; MS: 2

Runoff between Tony Regenstreif and Charles Lindenblatt

VOTE 3:

Tony Regenstreif: Susan Belgrade, Mehmet Berker, Scott Epstein, Michael Hilty, Emily Uyeda Kantrim, Abraham Langer, Paul Motschall, Joshua Paget, Marc Sinnott, David Sobel, Nick Solish, Roque Wicker

Charles Lindenblatt: Doug Cullum, Dina Brown, Liza Gerberding, Karen Hollis, Christine Johnson, Keith Kirkwood, Steven Luftman, David Mann, Andy Meselson, Richard Risemberg, Patrick Seamans

ABSTENTIONS:

TR: 12; CL: 11

Tony Regenstreif is elected new Zone 5 representative board member.

4. Appointment of a new **At Large Representative** to serve out the remainder of the term through approximately May 2019. All Mid City West stakeholders are eligible for the seat. A stakeholder is defined as an individual who lives, works, or owns property within Mid City West's boundaries, or who affirms a substantial and ongoing participation within the Mid City West boundaries and who may be in a community organization such as, but not limited to, educational, non-profit or religious organizations. More information at <http://www.midcitywest.org/additional-board-member-seat-vacancy-at-large-representative/>. Appointment is by a majority vote of the board. If no candidate receives a majority of the vote in the first round, runoff vote(s) will be called eliminating the lowest vote getter in each round.

NOMINEE SPEECHES

- **Ginger Crawford:** I am an accounting manager for the farmer's market. I don't live in Mid City West but I used to and I bring my family here all the time. I have been out of the volunteering game and I want to come back into this community.
- **Chris Wiggins:** I moved here right after college, I've been in this district eight years and want to be a homeowner here. In 2014 I was a board member with the West L.A. Democrat Club. In 2016 I ran for U.S. house and ran a primary, focusing on ways to fix income inequality and supporting small businesses.
- **Charles Lindenblatt:** I was board secretary for three years. I was here when the office flooded. I dealt with compiling data about unexcused absences and minutes. I know I can make a difference if you give me the chance.
- **Michael Shear:** This process is really amazing. I was at a meeting about the K-Mart by the elementary school, and there were a lot of angry voices there because they felt out of control about what was happening by their elementary school. This board is their voice.
- **Brandon Douglas:** My family owns property on Sweetzer and Beverly since the 1940s. My parents live there and I have a lot of vested interest in the neighborhood. I am here to hear both sides.
- **Henry Van Moyland:** I am a regular attendee of PLUC and board meetings. I am concerned about homelessness, retail and streetscape. I don't think our neighborhood has anything to fear for the future.

PUBLIC COMMENTS IN SUPPORT FOR CANDIDATES

Support Henry Van Moyland: Subash Kundanmal; Bindu Kundanmal (did not speak); Scott Kelsey; Alex Sternkovsky (did not speak); Rhonda Steffen (did not speak); Jill Fakuoto (did not speak); Josh Albrektsen; Linda Scheid; Evalena Easter; J. Roberts; Montrese Chandler; Armand Tatis (did not speak); Susann Perry

Appointing a new At Large Representative

Ginger Crawford: Michael Hilty

Chris Wiggins: David Mann, Richard Risemberg

Michael Shear: Karen Hollis

Brandon Douglas: --

Henry Van Moyland: Susan Belgrade, Mehmet Berker, Doug Cullum, Scott Epstein, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Paul Motschall, Joshua Paget, Marc Sinnott, David Sobel, Nick Solish, Roque Wicker

Charles Lindenblatt: Ravi Bhatia, Dina Brown, Heather Fox, Liza Gerberding, Christine Johnson, Steven Luftman, Andy Meselson, Patrick Seamans

HVM: 13; CL: 8; CW: 2; GC: 1; MS: 1; BD: 0.

Henry Van Moyland is elected new At Large representative board member.

5. Swearing in of new board members.
6. **Message from Chair:** Thank you to the board members leaving us. And congratulations this has been a very big month for us.
7. Announcements from government agencies and elected officials. Announcements may include but are not limited to the following offices: City Council District 4 (David Ryu), City Council District 5 (Paul Koretz), LAPD, LAFD, Metro LA, County Supervisorial District 3 (Sheila Kuehl), County Supervisorial District 2 (Mark Ridley-Thomas), State Assembly District 50 (Richard Bloom), State Senate District 26 (Ben Allen), 33rd Congressional District (Ted Lieu), 28th Congressional District (Adam Schiff), and the 37th Congressional District (Karen Bass).
 - a. **Senior Lead Officer Perry Jones, LAPD Wilshire Division:** Officer Wecker is promoted to work with bomb dogs on the busses and trains. Tim Estevez is being moved from the south end of the division to here temporarily. Poinsettia Park is currently being cleaned up.
 - b. **Rob Fisher, Senior Field Deputy for Councilmember David Ryu's Office, CD4:** We need to improve communication with DWP because there was not enough support from DWP during the blackout.
 - c. **Robert Oliver, Field Deputy for Councilmember Paul Koretz's Office, CD5:** Transportation committee passed a motion to regulate Bird Scooters. Poinsettia Park has become an issue, not because there are homeless people, but because of a few bad actors that have been using needles and harrasing people. If anyone finds they don't have power, we have cooling centers. 1/3 of California renters are exposed to secondhand smoke, so Councilman Koretz has introduced an indoor smoking ban in multi family units.
8. Informational Presentation by Ned Racine, Metro Los Angeles Construction Relations, on the Metro Transit Homeless Action Plan
9. Committee Policy Motions (non-funding items).

a. Fair Workweek LA Campaign.

Motion: The Mid City West Community Council endorses the Fair Workweek LA Campaign.

At the June 18, 2018 Executive Council meeting, the motion was made by Epstein and seconded by Jhun. The Executive Council voted 4 Yeas (Epstein, Jhun, Seamans, Uyeda Kantrim), 0 Nays, 1 Abstention. The motion passed.

Background: Fair Workweek LA is a policy campaign being led by Los Angeles Alliance for a New Economy (LAANE) along with a broad coalition of labor groups, community groups, health advocates, and retail workers. The campaign is advocating for a comprehensive policy for retail workers to have a fair schedule. More information on the campaign is available at <https://laane.org/blog/campaigns/grocery-retail/#>. A policy research report by LAANE and the UCLA Labor Center is available at <https://laane.org/wp-content/uploads/2018/03/Hour-Crisis-Unstable-Schedules-in-the-Los-Angeles-Retail-Sector.pdf>.

MOTION: The Mid City West Community Council endorses the Fair Workweek LA Campaign.

Scott Epstein makes the motion, Marc Sinnott seconds.

YEAS: Susan Belgrade, Mehmet Berker, Doug Cullum, Scott Epstein, Liza Gerberding, Michael Hilty, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, Paul Motschall, Joshua Paget, Tony Regenstreif, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Henry Van Moyland, Roque Wicker

NAYS: Andy Meselson

ABSTENTIONS: --

RECUSALS: --

Motion passes with 20 yeas, 1 nay, 0 abstentions, 0 recusals.

Marc Sinnott: I worked in retail when I first moved to LA and I can say first-hand we were not given more than 7 days notice for what our schedule would be. I think this is a no-brainer to support.

b. EverWalk monthly walk

Motion: Mid City West will co-sponsor and promote EverWalk's monthly walk series at Pan Pacific Park, on the first Saturday of each month.

At the June 22, 2018 Transportation, Parking, and Streetscape Committee meeting, the motion was made by Epstein and seconded by Paget. The committee voted 9 Yeas (Bitterman, Epstein, Gabbai, Goldenberg, Howell, Langer, Paget, Rudoy, and Solish), 0 Nays, 0 Abstentions. Motion passed.

Background: EverWalk, founded by Diana Nyad, the first person in history to swim from Cuba to Florida, and her Cuba expedition leader, Bonnie Stoll, aims to get people walking across the U.S. The organization leads epic walks (for example, from Los Angeles to San Diego), but is now also targeting a wider audience with its monthly walk right in Mid City West at Pan Pacific Park. The event involves 5 one-mile loops around the park, with participants choosing how far they want to walk.

MOTION: Mid City West will co-sponsor and promote EverWalk's monthly walk series at Pan Pacific Park, on the first Saturday of each month.

Nick Solish makes the motion, Susan Belgrade seconds.

YEAS: Susan Belgrade, Mehmet Berker, Ravi Bhatia, Doug Cullum, Scott Epstein, Liza Gerberding, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Paul Motschall, Joshua Paget, Tony Regenstreif, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Henry Van Moyland, Roque Wicker

NAYS: --

ABSTENTIONS: Michael Hilty

RECUSALS: --

Motion passes with 22 yeas, 0 nays, 1 abstention, 0 recusals.

c. 3rd and Fairfax Scramble Crosswalk.

Motion: Mid City West supports the implementation of a scramble crosswalk at West Third Street and Fairfax Avenue.

At the June 22, 2018 Transportation, Parking, & Streetscape Committee meeting, the motion was made by Solish and seconded by Bitterman. The committee voted 9 Yeas (Bitterman, Epstein, Gabbaian, Goldenberg, Howell, Langer, Paget, Rudoy, and Solish), 0 Nays, 0 Abstentions. Motion passed.

Background: A scramble crosswalk is an intersection where an exclusive signal phase is dedicated to pedestrians crossing in each direction. By eliminating the conflict between crossing pedestrians and turning vehicles, scramble crosswalks can make intersections much safer. Scramble crosswalks are an important treatment in Vision Zero LA's toolkit and have been used successfully at Hollywood and Highland, 7th and Alvarado, Wilshire and Alvarado, and 6th and Alvarado, with more intersections to be added soon. Third and Fairfax is a good candidates for this treatment because 1) it experiences high pedestrian volumes, and 2) it experiences an unusually high number of collisions. In fact, a Berkeley study found that Third and Fairfax had the 3rd highest number of crashes of any intersection in the whole city (see <https://www.ocregister.com/2018/05/06/do-not-publish-questions-where-southern-californias-many-deadly-vehicle-crashes-occur/>).

MOTION: Mid City West supports the implementation of a scramble crosswalk at West Third Street and Fairfax Avenue.

Nick Solish makes the motion, Mehmet Berker seconds.

YEAS: Susan Belgrade, Mehmet Berker, Ravi Bhatia, Doug Cullum, Scott Epstein, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, David Mann, Andy Meselson, Paul Motschall, Joshua Paget, Tony Regenstreif, Richard Risemberg, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Henry Van Moyland, Roque Wicker

NAYS: --

ABSTENTIONS: Michael Hilty

RECUSALS: --

Motion passes with 20 yeas, 0 nays, 1 abstention, 0 recusals.

Scott Epstein: I have never seen anything receive so much support on facebook as this.

d. 714-718 Sweetzer Ave -- (VTT-74129-CN, ENV-2018-2721-EAF)

Project Description: Demolition of 14 RSO units and development of a 5-story condominium building

with 26 units (2 of which will be income restricted) and 44 parking spaces.

Requested Actions:

- Requesting a vesting tentative tract map pursuant to LAMC section 17.00 & 17.15 for a 26-unit condominium complex; and also requesting a waiver of dedication & improvement for the required widening & dedications for the subject site located in the Mid City West neighborhood of the city.

Motion: Mid City West Community Council opposes the tentative Tract Map for 714-718 Sweetzer due to: the loss of character-defining historic Rent Stabilized Ordinance housing; abuse of the Early Start apartment program with conversion to condominium as this was an Ellis Act-evicted property and an apartment building would allow the tenants to return; and inconsistencies with the Hollywood Community Plan.

At the June 26, 2018 Planning and Land Use Committee meeting, the motion was made by Luftman and seconded by Gerberding. The committee voted 9 Yeas (Gerberding, Luftman, Nakata, Sale, Seamans, Uyeda Kantrim, Wayne, Wicker, and Wyman), 0 Nays, 1 Abstention (Berker). Motion passed.

Background: The PLUC discussion centered on the cumulative loss of rent-stabilized housing from a single developer with 3 projects (items 6a, 6b, 7) in close vicinity to one another, all in the same neighborhood.

By PLUC estimations, there was a loss of approximately 60 units of rent stabilized units in exchange for 2 new affordable units along with new condominiums, which is contrary to the MCWCC board's effort to create and maintain affordable housing within the neighborhood.

MOTION: Mid City West Community Council opposes the tentative Tract Map for 714-718 Sweetzer due to: the loss of character-defining historic Rent Stabilized Ordinance housing; abuse of the Early Start apartment program with conversion to condominium as this was an Ellis Act-evicted property and an apartment building would allow the tenants to return; and inconsistencies with the Hollywood Community Plan.

Steven Luftman makes the motion, Liza Gerberding seconds.

YEAS: Doug Cullum, Dina Brown, Scott Epstein, Liza Gerberding, Michael Hilty, Emily Uyeda Kantrim, Keith Kirkwood, Steven Luftman, David Mann, Joshua Paget, Patrick Seamans, David Sobel, Roque Wicker

NAYS: Susan Belgrade, Ravi Bhatia, Abraham Langer, Andy Meselson, Paul Motschall, Marc Sinnott

ABSTENTIONS: Mehmet Berker, Tony Regenstreif, Henry Van Moyland

RECUSALS: --

Motion passes with 13 yeas, 6 nays, 3 abstentions, 0 recusals.

PUBLIC COMMENTS

Afshin Etebar, owner: My intent was not to get three projects off the ground at once. We started with one of the properties on Sweetzer. The property was primarily vacant and was in a very rundown state. Then I was approached by the next door neighbor who also wanted to sell. There were many homeless people living in the units and them leaving helped clean up the community. I want to work within the zoning guidelines and I don't ask for any variances. We are adding housing that is being needed. We provide ownership for the price of renting. We will provide ample parking, which will help alleviate the

street parking issue in this area.

Carl Steinberg and Eric Lieberman answered questions from the board.

BOARD DISCUSSION

Abraham Langer: Rejecting this project feels reactionary. It feels like anything that is not affordable is just bad, and I know lots of people for whom this would be a great alternative.

Andy Meselson: More units available for sale makes it affordable for people who can buy something. If a developer is willing to build something, we should support it and he's following all the rules. We may not like some of the rules but they are the rules and he's following them. The more good quality building we can get the better it will be in the long run.

Doug Cullum: Was there any opposition from the community?

Mehmet Berker: We had one woman who spoke approvingly about the building on Croft but not on Sweetzer. My understanding of the committee's discussion is that we want these to be apartments for the reasons outlined, we are against the vesting tentative tract map. For my personal take I abstain from all of these motions because I have problems with the language. I don't know if it's abuse if they're just doing what the law says, I would prefer apartments but that is why I abstained.

Dina Brown: My understanding of the last homeless count is that 10,000 people fell into homelessness in the last year, many of them 60 years or older. We don't have a shortage of luxury houses. Yes we need more housing but we need the right kind of housing, and density doesn't mean affordability. Who are we trying to advocate for? I am always disappointed on these issues.

Steven Luftman: 60 families have lost homes from these three projects. We are destroying rental housing, what is the core of the community, for the greed of few. I hope this vote will help send a message.

Liza Gerberding: This language is consistent with others that have been brought to the board and been passed. This is in keeping with the stance of the board. We are very careful about deliberating about each project, and I think sometimes the board forgets the ones that we are 100% for. This is our voice about displacement of our neighbors. We're trying to be strong about what our values are.

Emily Uyeda Kantrim: This is how we communicate with city hall. We looked at each of these individually. We are continuing to work on how to phrase these motions carefully.

Scott Epstein: I struggle with these projects. I strongly prefer housing that does not involve displacement. On the other hand, I am troubled to see that it is too hard to build the displacement-free housing that we so desperately need. We need to think very strategically moving forward, because the car wash didn't displace a soul and it was downsized. I think we went the wrong direction on that one. We need to strongly embrace displacement-free housing and negotiate for it to be better: denser, more affordable components.

Abraham Langer: At this point, no one is going to step back and make these apartments. When projects come before us, let's try to make them the best projects possible because otherwise we won't have an impact. I personally think we would be more effective by filing community impact statements and then trying to make these individual projects as effective as possible.

Scott Epstein: Right now, those sites are not housing anybody. Is there an ask we want to make of these projects, because right now there isn't an ask.

Steven Luftman: We don't want those tract maps to happen. They have the right to build an apartment

complex.

Marc Sinnott: I'm a little unsettled that we're evaluating all three of these projects together. Once condo buildings are built, those units do often trickle back into the rental market.

e. 728-748 N Sweetzer Ave -- (VTT-74130-CN, ENV-2018-2175-EAF)

Project Description: New 4 story, 49 condominium complex with 2 levels of subterranean parking.

Requested Actions:

- A vesting tentative tract map for a new 4 story, 49 condominium complex with 2 levels of subterranean parking.

Motion: Mid City West Community Council opposes the tentative Tract Map for 724-728 Sweetzer due to: the loss of character-defining historic Rent Stabilized Ordinance housing; abuse of the Early Start apartment program with conversion to condominium as this was an Ellis Act-evicted property and an apartment building would allow the tenants to return; and inconsistencies with the Hollywood Community Plan.

At the June 26, 2018 Planning and Land Use Committee meeting, the motion was made by Luftman and seconded by Wayne. The committee voted 9 Yeas (Gerberding, Luftman, Nakata, Sale, Seamans, Uyeda Kantrim, Wayne, Wicker, and Wyman), 0 Nays, 1 Abstention (Berker). Motion passed.

Background: The PLUC discussion centered on the cumulative loss of rent stabilized housing from a single developer with 3 projects (items 6a, 6b, 7) in close vicinity to one another, all in the same neighborhood.

By PLUC estimations, there was a loss of approximately 60 units of rent stabilized units in exchange for 2 new affordable units along with new condominiums, which is contrary to the MCWCC board's effort to create and maintain affordable housing within the neighborhood.

MOTION: Mid City West Community Council opposes the tentative Tract Map for 724-728 Sweetzer due to: the loss of character-defining historic Rent Stabilized Ordinance housing; abuse of the Early Start apartment program with conversion to condominium as this was an Ellis Act-evicted property and an apartment building would allow the tenants to return; and inconsistencies with the Hollywood Community Plan.

Mehmet Berker makes the motion, Steven Luftman seconds.

YEAS: Doug Cullum, Dina Brown, Scott Epstein, Liza Gerberding, Michael Hilty, Emily Uyeda Kantrim, Keith Kirkwood, Steven Luftman, David Mann, Joshua Paget, Patrick Seamans, David Sobel, Roque Wicker

NAYS: Ravi Bhatia, Abraham Langer, Andy Meselson, Paul Motschall, Marc Sinnott

ABSTENTIONS: Mehmet Berker, Tony Regenstreif, Henry Van Moyland

RECUSALS: --

Motion passes with 13 yeas, 5 nays, 3 abstentions, 0 recusals.

Afshin Etebar, owner: If you do keep them as apartments, they will come back to market rate. So yes everybody can come back, but they would be paying the same rates as any other market property. And

any of these people who were displaced did get \$20,000 to help them move.

f. 734 N. Croft Ave -- (VTT-82019, ENV-2018-2176-EAF)

Project Description: A 28 unit four story residential condominium with one level of subterranean parking containing 62 automobile parking spaces and 32 bike spaces in the Hollywood community plan area.

Requested Actions:

- Vesting Tentative Tract Map for a 28 unit four story residential condominium with one level of subterranean parking containing 62 automobile parking spaces and 32 bike spaces in the Hollywood community plan area.

Motion: Mid City West Community Council opposes the tentative Tract Map for 734 N Croft Ave due to: the loss of character-defining historic Rent Stabilized Ordinance housing; and abuse of the Early Start apartment program with conversion to condominium, as this was an Ellis Act-evicted property and an apartment building would allow the tenants to return.

At the June 26, 2018 Planning and Land Use Committee meeting, the motion was made by Wayne and seconded by Luftman. The committee voted 8 Yeas (Gerberding, Luftman, Nakata, Seamans, Uyeda Kantrim, Wayne, Wicker, and Wyman), 0 Nays, 1 Abstention (Berker). Motion passed.

Background: The PLUC discussion centered on the cumulative loss of rent-stabilized housing from a single developer with 3 projects (items 6a, 6b, 7) in close vicinity to one another, all in the same neighborhood.

By PLUC estimations, there was a loss of approximately 60 units of rent stabilized units in exchange for 2 new affordable units, along with new condominiums which is contrary to the MCWCC board's effort to create and maintain affordable housing within the neighborhood.

There was some conversation regarding better aesthetic design than previous projects but the committee did not comment on the subject, due to the committee's previous approach of pursuing adequate affordable components to new-built projects.

MOTION: Mid City West Community Council opposes the tentative Tract Map for 734 N Croft Ave due to: the loss of character-defining historic Rent Stabilized Ordinance housing; and abuse of the Early Start apartment program with conversion to condominium, as this was an Ellis Act-evicted property and an apartment building would allow the tenants to return.

Mehmet Berker makes the motion, Steven Luftman seconds.

YEAS: Doug Culum, Dina Brown, Scott Epstein, Liza Gerberding, Michael Hilty, Emily Uyeda Kantrim, Keith Kirkwood, Steven Luftman, David Mann, Joshua Paget, Patrick Seamans, David Sobel, Roque Wicker

NAYS: Ravi Bhatia, Abraham Langer, Andy Meselson, Paul Motschall, Marc Sinnott

ABSTENTIONS: Mehmet Berker, Tony Regenstreif, Henry Van Moyland

RECUSALS: --

Motion passes with 13 yeas, 5 nays, 3 abstentions, 0 recusals.

10. Board Administrative Business

- a. Review and approval of outstanding minutes.

TABLED.

- b. Treasurer's Report

TABLED.

- c. Discussion and potential action regarding Neighborhood Council Self-Assessment for Fiscal Year 2017-18. The self-assessment is a tool for measuring how the council performed relative to the goals set forth in the council's 2017-18 Strategic Plan. A completed self-assessment is required to be submitted to EmpowerLA by August 1, 2018. A draft self-assessment prepared by the executive officers is posted on the Mid City West google drive and website along with this agenda.

MOTION: To approve the Neighborhood Council Self-Assessment for Fiscal Year 2017-18 with subsequent updates.

Scott Epstein makes the motion, Michael Hilty seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Doug Cullum, Scott Epstein, Michael Hilty, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Paul Motschall, Joshua Paget, Patrick Seamans, Marc Sinnott, David Sobel, Henry Van Moyland, Roque Wicker

NAYS: Liza Gerberding

ABSTENTIONS: Tony Regenstreif

RECUSALS: --

Motion passes with 18 yeas, 1 nay, 1 abstention, 0 recusals.

- d. Discussion and possible action regarding **2018 Neighborhood Council Election Information Worksheet** and formation of an **Ad Hoc Elections Committee**. The worksheet, also known as the Elections "Stip" Sheet, communicates the council's preferences on a variety of issues related to Mid City West's 2019 elections. A completed worksheet is required to be submitted to EmpowerLA by August 1, 2018. A draft worksheet, unanimously approved by the Executive Council at its June 18, 2018 meeting, is posted on the Mid City West google drive and website along with this agenda.

MOTION: To approve the 2018 Neighborhood Council Election Information Worksheet.

Scott Epstein makes the motion, Abraham Langer seconds..

YEAS: Ravi Bhatia, Doug Cullum, Dina Brown, Scott Epstein, Michael Hilty, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, David Mann, Paul Motschall, Joshua Paget, Tony Regenstreif, Patrick Seamans, Marc Sinnott, Roque Wicker

NAYS: Liza Gerberding

ABSTENTIONS: Mehmet Berker, Steven Luftman, Andy Meselson, David Sobel, Henry Van Moyland

RECUSALS: --

Motion passes with 15 yeas, 1 nay, 5 abstentions, 0 recusals.

e. Strategic Budget.

Discussion and possible action regarding strategic budget for the 2018-19 Fiscal Year. This year, EmpowerLA is recommending, but not requiring, a strategic budget.

Draft budget based on FY 2017-18:

- General and Operational Expenditures:
 - Office/Operational: \$24,500
 - Outreach: \$10,500
 - Elections: \$0
- Neighborhood Purpose Grants: \$3,000
- Community Improvement Projects: \$4,000

MOTION: To approve the following budget categories for fiscal year 2018-19.

- General and Operational Expenditures:
 - Office/Operational: \$24,500
 - Outreach: \$3,500
 - Elections: \$4,000
- Neighborhood Purpose Grants: \$3,000
- Community Improvement Projects: \$7,000

Scott Epstein makes the motion, Abraham Langer seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Doug Cullum, Scott Epstein, Liza Gerberding, Michael Hilty, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Joshua Paget, Patrick Seamans, David Sobel, Roque Wicker

NAYS: --

ABSTENTIONS: Andy Meselson, Paul Motschall, Marc Sinnott

RECUSALS: --

INELIGIBLE: Tony Regenstreif, Henry Van Moyland

Motion passes with 15 yeas, 0 nays, 3 abstentions, 0 recusals, and 2 ineligible.

- f. Discussion and potential action regarding NCJW lease for Fiscal Year 2018-2019 (July 1, 2018 to June 30, 2019). Draft lease is posted on Mid City West's google drive and website along with this agenda.

MOTION: Mid City West approves the draft lease with NCJW-LA.

Scott Epstein makes the motion, Steven Luftman seconds.

YEAS: Mehmet Berker, Doug Cullum, Scott Epstein, Liza Gerberding, Michael Hilty, Emily Uyeda

Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Joshua Paget, Patrick Seamans, Marc Sinnott, David Sobel, Roque Wicker

NAYS: --

ABSTENTIONS: Paul Motschall

RECUSALS: Ravi Bhatia

INELIGIBLE: Tony Regenstreif, Henry Van Moyland

Motion passes with 16 yeas, 0 nays, 1 abstention, 1 recusal, and 2 ineligible.

11. Committee Funding motions

a. Poinsettia Community Garden soil test.

Motion: Mid City West allocates \$85 towards having the soil at Poinsettia Park analyzed by Wallace Laboratories, in advance of beginning a community garden at this location.

On May 21, 2018, the Ad Hoc Sustainability Committee voted 3 Yeas (Epstein, Sobel, and Uyeda Kantrim), 0 Nays, 0 Abstentions. Motion Passed

Background: This motion was previously passed by the Mid City West board. It turned out, however, payment for the soil test could only be made by check. With the check deadline having passed for FY 2017-18 funds, the motion is now being re-introduced in order to access FY 2018-19 funds.

MOTION: Mid City West allocates \$85 towards having the soil at Poinsettia Park analyzed by Wallace Laboratories, in advance of beginning a community garden at this location.

David Sobel makes the motion, Scott Epstein seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Doug Cullum, Scott Epstein, Liza Gerberding, Michael Hilty, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Joshua Paget, Patrick Seamans, Marc Sinnott, David Sobel, Roque Wicker

NAYS: --

ABSTENTIONS: Paul Motschall

RECUSALS: --

INELIGIBLE: Tony Regenstreif, Henry Van Moyland

Motion passes with 17 yeas, 0 nays, 1 abstention, 0 recusals, and 2 ineligible.

b. Garder Tree Canvassing Day.

Motion: Mid City West will allocate an amount not to exceed \$100 for food and refreshments for the planned Gardner Avenue Tree Canvassing event on July 22nd.

At the June 22nd, 2018 Transportation, Parking, and Streetscape Committee meeting, the committee voted 9 Yeas (Bitterman, Epstein, Gabbaian, Goldenberg, Howell, Langer, Paget, Rudoy, and Solish), 0 Nays, 0 Abstentions. Motion passed.

Background: This event is the net in the board's continuous series of canvasses to obtain commitments by residents to water new street trees. Refreshments will help attract and energize volunteers.

MOTION: Mid City West will allocate an amount not to exceed \$100 for food and refreshments for the planned Gardner Street Tree Canvassing event on July 22nd.

Joshua Paget makes the motion, David Sobel seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Doug Cullum, Scott Epstein, Liza Gerberding, Michael Hilty, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Joshua Paget, Patrick Seamans, Marc Sinnott, David Sobel, Roque Wicker

NAYS: --

ABSTENTIONS: Paul Motschall

RECUSALS: --

INELIGIBLE: Tony Regenstreif, Henry Van Moyland

Motion passes with 16 yeas, 0 nays, 1 abstention, 0 recusals, and 2 ineligible.

c. Mid City West 5th Annual Park(ing) Day Event.

Motion: Mid City West will allocate an amount not to exceed \$2000 to produce a Park(ing) Day event on September 21, 2018. The budget would be used for rental of fencing, furniture, flooring, and other items for the parklet locations.

At the June 22, 2018 Transportation, Parking, and Streetscape Committee meeting, the motion was made by Paget and seconded by Langer. The committee voted 9 Yeas (Bitterman, Epstein, Gabbaiian, Goldenberg, Howell, Langer, Paget, Rudoy, and Solish), 0 Nays, 0 Abstentions. Motion passed.

Background: Park(ing) Day is an international event taking place on the third Friday of September, during which urban designers and community groups create pop-up parklets in parking spaces for one day. Since 2014, Mid City West has participated in the events each year. Previous installations took place on Melrose Avenue, West Third Street, Fairfax Avenue, La Brea Avenue, Wilshire Boulevard, and Stanley Avenue. The event has offered Mid City West the opportunity to collaborate with local businesses, and has consistently attracted local print, broadcast, and digital press.

TABLED.

d. Post Office Clean-up Day.

Motion: Mid City West will allocate an amount not to exceed \$1000 to support a clean-up and planting day at the Bicentennial Post Office on Beverly Boulevard.

At the June 22, 2018 Transportation, Parking, and Streetscape Committee meeting, the motion was made by Solish and seconded by Bitterman. The committee voted 9 Yeas (Bitterman, Epstein, Gabbaiian, Goldenberg, Howell, Langer, Paget, Rudoy, and Solish), 0 Nays, 0 Abstentions. Motion passed.

TABLED.

e. Mid City West Tree Video Budget.

Motion: Mid City West will allocate an amount not to exceed \$1000 to create, promote, and distribute a

video about tree canvassing and planting in Mid City West.

At the June 22, 2018 Transportation, Parking, and Streetscape Committee meeting, the committee voted 8 Yeas (Bitterman, Epstein, Gabbai, Goldenberg, Howell, Paget, Rudoy, and Solish), 1 Nay (Langer), 0 Abstentions. Motion passed.

TABLED.

f. School Safety Panel.

Motion: The Mid City West Community Council allocates an amount not to exceed \$2,500 for the School Safety Panel Event to take place in September 2018.

At the Communications & Outreach committee meeting on July 3, 2018, the committee voted 6 Yeas (Cullum, Mann, McCallum, Risemberg, Sinnott, and Whitehead), 0 Nays and 0 Abstentions. Motion passed.

Background: This project was originally introduced in the previous fiscal year, and preliminary planning is already underway. It was decided that the event would take place in Fall of 2018 after the start of the school year, and as such that the funds required would be from the FY 2018-19 budget. The committee has been in talks with City Attorney Mike Feuer's office, and with the Greenway Arts Alliance at Fairfax High School. As of now the event is slated for the evening of Wednesday September 12th, 2018 at the Greenway Court Theater. It would include several blue ribbon panelists and an introduction from the City Attorney, and discussion would focus on issues including school safety, gun violence prevention, smart school design, etc. The approximate breakdown of the requested budget would be as follows: Venue - \$500; Outreach/Advertising - \$1,000; Refreshments - \$500; Signage/Printed Material - \$500.

MOTION: The Mid City West Community Council allocates an amount not to exceed \$2,500 for the School Safety Panel Event to take place in September 2018.

Marc Sinnott makes the motion, Doug Cullum seconds.

YEAS: Mehmet Berker, Doug Cullum, Scott Epstein, Liza Gerberding, Michael Hilty, Emily Uyeda Kantrim, Keith Kirkwood, Steven Luftman, David Mann, Patrick Seamans, Marc Sinnott, Roque Wicker

NAYS: Abraham Langer, Andy Meselson

ABSTENTIONS: Ravi Bhatia, Paul Motschall, Joshua Paget

RECUSALS: --

INELIGIBLE: Tony Regenstreif, Henry Van Moyland

Motion passes with 12 yeas, 2 nays, 3 abstentions, 0 recusals, and 2 ineligible.

g. Tom Bergin's Historical Cultural Monument report.

Motion: Mid City West approved a \$2,500 community improvement project to contract with a vendor to produce a report/application for Historic Cultural Monument status for Tom Bergin's Tavern. After considerable effort on the part of Mid City West, City Clerk's office informed the council that the city rules would not allow Mid City West to contract with a private for profit vendor for these services. The projects now being re-structured as a Neighborhood Purpose Grant with the Los Angeles Conservancy as the grantee. Councilmember Ryu has introduced Council File 18-0650 to move the 2017-18 funds Mid City West allocated to this purpose to a special fund that Mid City West will use to complete the project in FY

2018-19.

MOTION: To approve the Neighborhood Purpose Grant to LA Conservancy for the purpose of producing a report/application for Historic Cultural Monument status for Tom Bergin's Tavern.

Mehmet Berker makes the motion, Patrick Seamans seconded.

YEAS: Mehmet Berker, Ravi Bhatia, Doug Cullum, Scott Epstein, Liza Gerberding, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, David Mann, Joshua Paget, Patrick Seamans, Marc Sinnott, Roque Wicker

NAYS: --

ABSTENTIONS: Michael Hilly, Andy Meselson, Paul Motschall

RECUSALS: Steven Luftman

INELIGIBLE: Tony Regenstreif, Henry Van Moyland

Motion passes with 13 yeas, 0 nays, 3 abstentions, 1 recusal, and 2 ineligible.

12. Informational updates from Standing Committees, Ad Hoc Committees, and Board Liaisons.

13. Motion to Adjourn at 11:32 p.m.

EXHIBIT H

Neighborhood Council Funding Program

POLICIES & GUIDELINES

1st Edition

February 1, 2018



Office of the City Clerk
Administrative Services

HOLLY L. WOLCOTT
CITY CLERK

City of Los Angeles
CALIFORNIA

OFFICE OF THE
CITY CLERK

SHANNON D. HOPPE
EXECUTIVE OFFICER



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ERIC GARCETTI
MAYOR

Neighborhood Council Leaders,

The Office of the City Clerk would like to extend a warm welcome to all new board members and particularly the new financial officers in the Neighborhood Council (NC) system. The NC system is indeed one of the gems in the City of Los Angeles, and we are proud to be able to provide the administrative support for NCs to run their financial operations successfully through the Neighborhood Council Funding Program.

The NC Funding Program was transferred from the Department of Neighborhood Empowerment to the Office of the City Clerk in July 2016. At that time, our City leaders had a vision to expand and strengthen support to the NC system while simultaneously allowing the Department of Neighborhood Empowerment to focus its staffing resources on capacity building and technical assistance in the field.

At the core of the City Clerk's approach to working with our NC system and creating the Neighborhood Council Funding Program Policies and Guidelines is TASC: Transparency, Accountability, Simplicity and Consistency. TASC is also the lens utilized in the creation of the online NC Funding System portal.

With the support from Mayor Garcetti's Commission on Innovation, the Office of the City Clerk was able to bring **simplicity** to the execution of financial transactions by NCs. The NC Funding System portal is an easy to use online platform for the NCs to request funds, track expenditures, upload documents, and generate financial reports. Utilizing the online platform, anyone with computer access can view spending trends by budget categories in detail creating a new level of **accountability** and **transparency** required in the expenditure of NC funds.

The Office of the City Clerk is committed to developing and implementing funding policies and guidelines that mirror sound accounting practices and make sense for the NC system. The **consistency** with which we will administer these funding policies and guidelines will make them both predictable and easy to follow. We will continue to work in partnership with our NC system, the Mayor, City Council, Office of Finance, Controller's Office, Risk Management, City Attorney's Office and Department of Neighborhood Empowerment to ensure that we continue to innovate and provide excellent service to the NC system.

Sincerely,

Holly L. Wolcott
City Clerk

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Governance and Administration

The Office of the City Clerk, Administrative Services Division, Neighborhood Council Funding Program (NC Funding Program) is pleased to distribute our "NC Funding Program, Policies & Guidelines, 1st Edition, February 1, 2018." It has been our goal since the NC Funding Program was transferred to our department to provide Neighborhood Councils (NC) with a fresh set of comprehensive policies that can be consistently applied and updated as necessary. These easy to follow guidelines build on the established financial management framework on which each NC is currently operating.

Background

On March 21, 2017, the Los Angeles City Council adopted ordinance 184835 which amended sections 5.517, 22.801(p), 22/810.1(g) and 22.815 of the Los Angeles Administrative Code in order to transfer administration of the NC Funding Program from Department of Neighborhood Empowerment to the Office of the City Clerk, and establish a trust fund for the City Clerk to administer NC Accounts. Said change came fourteen years after the inception of the NC Funding Program in March 2003 via Council File 02-0699.

Mission

Our Mission is to assist the NC System with its administrative needs as they relate to NC funding. Our philosophy in order to accomplish our mission is based on a two-pronged approach: 1) Facilitate access by the NCs to their annual budget allocation by making the process of spending public funds simple, while maintaining accountability and transparency, and 2) Ensure that public funds are spent appropriately following all City government laws, policies, rules, guidelines and expectations and that said regulations and policies are applied consistently across the NC System.

Administration of the NC Trust Fund

The Policies and Guidelines set forth in this set of documents (known as "policies") are the governing rules for the NC Funding Program. The Policies and Guidelines are subject to revision at the discretion of the Office of the City Clerk, Administrative Services Division, NC Funding Program. The NC Funding Program may issue additional instruction(s) on NC Funding matters not addressed in these documents.

Authority to Administer the NC Trust Fund

Los Angeles City Charter Article IX Section 911.

Funds shall be appropriated into a special fund to be established by ordinance. The Mayor and Council shall thereafter appropriate funds for the department and NCs at least one year in advance of each subsequent fiscal year.

Los Angeles Administrative Code Section 22.810.1(g) Subsection (1) & (2)

Money appropriated in the budget of each year for certified NCs for the costs related to the functions, operations and duties of a certified NC shall be placed in the NC Fund. The functions, operations and duties of a certified NC include, but are not limited to, meeting and office space, office equipment, computers, supplies and communications, such as the costs associated with newsletters, postage or printing written materials. At the discretion of each NC, and as approved by the City Clerk, all or part of the money so appropriated may be used for neighborhood improvement projects. The City Clerk is authorized to promulgate all procedures, rules and regulations, as well as to issue any directives necessary for the administration of NC expenditures, including neighborhood improvement projects and Neighborhood Purpose Grants.

Plan for a Citywide System of NCs (the Plan)

The NC Funding Program derives additional guidance not already implicit in the City Charter or Administrative Code from the Plan, such as general financial accountability, funding responsibilities and expectations, including operations, outreach, neighborhood projects and grants, corrective actions and remedial measures.

NC Boards and Financial Officers

NC Funding Program Policy 1.0 NC Boards and Financial Officers

In 1999, voters in the City of Los Angeles approved changes to the City Charter which added Section 900 to create the NC System. With the creation of the NC System, the Plan for a Citywide System of NCs (Plan) was also drafted and adopted. The Plan discusses financial accountability relative to NCs and the requirements for proper spending of public funds. The Plan also discusses Funding in Article IX which explains the purpose of the funding appropriated to NCs.

Each Certified NC's Governing Body is comprised of elected, selected, and/or appointed stakeholders. Each NC is allocated funds for their Office, Outreach, Election, Neighborhood Purposes Grants, and Community Improvement Project expenditures. Since NCs are City bodies who are subject to local, state and federal laws, and who use public funds for their activities, all expenditures by NCs must be agendaized and voted on at a properly noticed public meeting.

1. Fiduciary Responsibility

- a. All NC Board Members have the responsibility of ensuring that the funding account activity of their respective Boards complies with established Policies and Guidelines prescribed by the Office of the City Clerk. All Board members voting on funding-related matters at official NC meetings must complete and abide by all required trainings.
- b. If a Board member thinks they may have a potential conflict of interest, they must contact the Office of the City Attorney prior to engaging in discussion or voting on any matters that may pose a potential conflict of interest.
- c. All funding-related matters must be included on a board agenda, discussed and approved at a public meeting that complies with all Brown Act and other meeting notification requirements. The board should include enough information on the agenda regarding a funding matter so that the public can make a reasonable decision whether they would like to attend and provide their input on the matter.
- d. Treasurers are to report the Monthly Expenditure Report (MER) to the board and its stakeholders on a monthly basis regarding the status of its NC Funding Program account including expenditures, outstanding expenditures, and the total remaining balance for the fiscal year. If at any time a funding discrepancy is discovered, the board should be notified immediately so that it may be discussed and corrected. If the discrepancy cannot be resolved or is of a nature that may involve criminal activity, the board should notify the NC Funding Program immediately.

2. Eligibility to Vote on Financial Matters

- a. To be eligible to vote on any NC Expenditure, Financial Reports, and/or annual budgets, the board member must:

- i. Be an Elected, Appointed and/or Selected Board Member of the NC
- ii. Be 18 years of age or older
- iii. Have completed the California State Ethics Training Requirement for Local Officials (AB 1234)
- iv. Have completed the online NC Board Member Funding Training and obtain a passing score of 70% on any test associated with the online course.
 - 1. Board members may also, optionally, attend the in-person Funding Training required for NC Financial Officers.
- v. Have completed the Code of Conduct acknowledgement.

3. Board Member Responsibilities

- a. Every Board member eligible to vote on funding items has a fiduciary responsibility and must ensure that proper procedures are followed when expensing public funds.
- b. Each board member is responsible for understanding the NC Funding Program and educate himself or herself on the rules and guidelines governing the use of public funds.
- c. Every board member is responsible for completing all required trainings and abide by Conflict of Interest Laws applicable to NCs.
- d. Each board member must seek advice from the Office of the City Attorney, NC Advice Division, when applicable, and *PRIOR* to any discussion and/or vote.
- e. Every board member is responsible for understanding the funding items up for discussion and action. Each expenditure should be evaluated on its merit, with all of the necessary supporting documentation.
- f. Every board member must know what is appropriate and inappropriate use of public funds.
- g. All board members must review, understand, inquire, discuss and ultimately vote on the Monthly Expenditure Report (MER) on a monthly basis.
- h. Every board member must visit the NC Funding Program Public Dashboard and stay current with their NC's financial activity.
- i. Every board member must feel free to speak with their vote anytime there is a disagreement on any financial matter.

4. Financial Officers

- a. Every NC must select, elect, or appoint the following Financial Officers from the NC Board:
 - i. Treasurer
 - ii. 2nd Signer
 - iii. Alternate Signer
 - iv. NC Bank Cardholder
- b. Financial Officers of the NC must meet the following criteria:
 - i. Fully eligible to vote on expenditures, financial reports, and annual budgets as listed above
 - ii. Completed the in-person NC Funding Program Training
 - iii. Completed the in-person NC Funding System Portal Training

- iv. Complete Funding Program bank documents, providing two forms of identification
- v. Have a level of comfort with technology and utilization of an online Funding system

5. Financial Officer Responsibilities

- a. The NC **Treasurer** is responsible for the following:
 - i. Operation of the online Funding System portal which includes:
 - 1. Submitting check payment requests within 45 days of the NC Board approval vote taken.
 - 2. Generating the Monthly Expenditure Reports (MER) and presenting them to the Board for review and action on a monthly basis.
 - ii. Submit requests for bank card limit increases, as needed
 - iii. Keep track of the NC's annual budget for revisions by the Board, as needed
 - iv. Maintain custody of financial documents - unless appointed differently by the Board
- b. The NC **2nd Signer** is responsible for the following:
 - i. Verifies Funding Program documents have been correctly and completely filled out before submitted for processing.
 - ii. Acts as the second signer as required on Funding Program documents
- c. The NC **Alternate Signer** is responsible for the following:
 - i. In the absence or unavailability of the Treasurer or 2nd Signer, the Alternate Signer can sign Board-approved funding documents to be submitted to the NC Funding Program.
- d. The NC **Bank Cardholder** is responsible for the following:
 - ii. Maintains secure custody of the NC's bank card
 - iii. Ensures card is used for payment transactions as approved by the Board only.
 - iv. Obtains itemized receipts or itemized paid invoices for every card transaction.
 - v. Submits (Uploads) itemized receipts or itemized paid invoices for card no later than 10 days after the date the transaction posts.
 - vi. Must not accept cash refund. All refunds must be made as a credit return.
 - vii. Notifies the Funding Program immediately of lost or stolen cards
 - 1. Bank must be notified immediately by the NC Bank Cardholder to block any further usage of the card.
 - 2. A new card can be ordered upon notification
 - viii. Notifies NC Funding Program upon resignation or removal as the NC Bank Cardholder.

Annual Budget and Fiscal Year

NC Funding Program Policy 1.1 Annual Budget and Fiscal Year

"The fiscal year of the City shall begin on July 1 or each year and shall end on June 30 of the following year." City of Los Angeles, Charter Sec. 310.

As an entity of the City of Los Angeles, the NCs adhere to the same fiscal calendar as the City of Los Angeles. Each fiscal year, the NCs will be given access to their annual allocation through the Office of the City Clerk's prescribed method.

1. Annual Budget

Pursuant to Los Angeles Administrative Code Section 22.810.1(g), NCs are to spend the funds on the functions, operations, outreach, and projects of a NC. The budget is a plan for the utilization of resources and expenditures.

- a. The budget is comprised of three expenditure categories:
 - i. General and Operational Expenditures (comprised of three subcategories)
 1. Office/Operational
 2. Outreach
 3. Elections
 - ii. Neighborhood Purposes Grants
 - iii. Community Improvement Projects
- b. NCs must submit a budget to Department of Neighborhood Empowerment, with an electronic copy to the Office of the City Clerk, NC Funding Program.
 - i. NCs that have not submitted a Budget will be limited to \$333.00/month for General and Operational expenditures for 3 months. If a budget is not submitted by the 4th month of the fiscal year, the NC's funds will remain frozen.

2. Annual Budget Specific Line Items

- a. The Office of the City Clerk will not accept specific line items in the annual budget as authorization for payments except for monthly recurring Office/Operations-related expenditures. These may include:
 - i. Office rent and office equipment lease payments
 - ii. Storage facility rent payments
 - iii. Telephone and Internet services
 - iv. Meeting refreshments and snacks
 - v. Website hosting and maintenance
 - vi. Professional services, i.e. translators and minute-takers for monthly meetings
- b. Outreach, Election, Neighborhood Purposes Grants, and Community Improvement Project expenditures require individual approval by the NC and cannot be authorized for payment in annual budgets as specific line items.

3. Fiscal Year

- a. The Fiscal Year begins on July 1 and ends on June 30 of the following year.

Expenditures

NC Funding Program Policy 2.0 Expenditures

All expenditures made by a NC, or a board member on behalf of the NC, must be approved through action at a Brown Act compliant board meeting prior to the expenditure. Expenditures made by the NCs must abide by all laws, rules, and regulations applicable to NCs.

1. Expenditure Categories

The NC expenditures shall be categorized under one of the three budget categories and/or one of the three subcategories listed below, which are further explained in NCF Policies 2.1-2.5.

- a. General and Operational Expenditure (comprised of three subcategories)
 - i. Office/Operational
 - ii. Outreach
 - iii. Election
- b. Neighborhood Purposes Grant
- c. Community Improvement Projects

2. Prepayments/Advance Payments

- a. NCs are not authorized to make payments before services are rendered or goods are received. Payment for services and goods can only be made at the time of delivery of the services or goods. Any exceptions to allow for prepayments are made at the discretion of the Office of the City Clerk, NC Funding Program.

3. Fiscal Dates

- a. For the purposes of accounting and reconciliation, the following fiscal dates must be followed:
 - **May 20** - Final date to request an event approval for the current fiscal year using current fiscal years funds;
 - **June 1** - Final date to make a check request using current fiscal year funds;
 - **June 20** - Final day for any bank card transactions using current fiscal year funds.

4. Requirements for Check Payment Requests

- a. Check payments are issued to vendors as requested by the NC Treasurer. Check Payment requests must be submitted by the Treasurer within 45 days of the Board approval vote or before June 1 of the fiscal year, whichever is sooner. Check payment requests that are not submitted within 45 days, or by June 1, will not be processed by the NC Funding Program in the current fiscal year, and may need NC action to appropriate in the following fiscal year.

- b. The method of requesting a check payment is as prescribed by the Office of the City Clerk, Funding Program. The check payment request generally requires:
- c. Board Action Certification (BAC) form authorizing the requested payment, completed and signed by the NC Treasurer, 2nd Signer and/or Alternate Signer.
- d. Vendor invoice, which provides the following:
 - i. Vendor name
 - ii. Vendor address and contact information
 - iii. Invoice number
 - iv. Invoice date
 - v. Payment Amount due
 - vi. Description of purchase
 - vii. Name of the NC in the "bill to" section
- e. The NC Funding Program may request additional supporting documentation or information to further evaluate and account for payment requests, such as, W-9 forms, IRS Letters of Determination, quotes, etc.
- f. Check payment requests, once submitted, may take 1 to 3 business days for staff review and authorization, depending on level of staff review necessary for requested payment and completeness of submission. Payment requests that are found to require contract considerations may take longer to process.

5. Requirements for Bank Card Payments and Cardholders

- a. The NC Bank Card is a credit-card based payment method to pay for low-value, non-contracted items less than one thousand dollars (\$1,000), including board or committee meeting incidentals, basic office supplies. NC Bank Cardholder usage is monitored through the NC Funding System portal by conducting daily and monthly reviews.
- b. The front of the card is printed with the City of Los Angeles seal and the board-appointed NC Bank Cardholder's name and respective NC name. The individual whose name appears on the card is the only individual authorized to use the card.
- c. Purchases made with a bank card must be approved by the board before the expenditures are made. NC Bank Cardholders must submit (upload) an itemized receipt or paid invoice by the 10th day after the transaction posting date, through the method prescribed by the NC Funding Program, which is currently to upload the receipt or invoice in the NC Funding System portal. Receipts must provide the following:
 - i. Vendor name
 - ii. Vendor address and contact information
 - iii. Receipt date
 - iv. Description of items for which payment was made
 - v. Price per item and total amount paid
- d. Payments made through PayPal or other non-descriptive payment methods are not allowed. Non-descriptive payment methods include those that do not provide necessary information as listed above in (c). NC Bank Cardholders are advised to check with vendors who accept bank card

payments to confirm if the method used to charge cards will be PayPal or another non-descriptive method. If so, payment to the vendor will need to be made through the check payment method.

- e. All expenditures paid through bank card may be subject to additional administrative procedures. NC Funding Program may request additional supporting documentation or information to further evaluate and account for transactions.
- f. NC Funding Program maintains the right to audit or revoke a bank card at any time.
 - i. Bank cards will be revoked automatically for the following:
 - 1. Someone other than the authorized user makes a purchase with the card
 - 2. Repeated infractions
 - 3. Prohibited uses

6. Bank Card Limits and Requests to Increase Limits

- a. Standard bank card limits are:
 - i. \$5,000.00 per month
 - ii. \$1,000.00 per transaction
- b. Any requests for increases to the above standard limits must be submitted in writing, via email, by the NC Treasurer to the Funding Program for review and approval. To request an increase, the Treasurer must provide the following:
 - i. Board Action Certification (BAC) authorizing the requested expenditure
 - ii. Vendor invoice/quote
 - iii. Project or Event budget, as necessary or requested by the Funding Program
- c. Once approved, the Funding Program will notify the Treasurer and the NC Bank Cardholder. There will be a limited amount of time to make the transaction with the authorized increase limit. Processing requests to increase bank card limits may take up to two business days.
- d. If the Funding Program considers that a NC is not in compliance with requirements of the Program, such as being delinquent with Monthly Expenditure Reports or with bank card transaction receipts or other necessary documentation, it may deny requests to increase card limits.

7. Lost or Missing Receipts

- a. When a required NC bank card receipt is lost or otherwise unavailable and all measures to obtain a copy have been exhausted, a Missing Receipt Affidavit should be completed and submitted.
- b. A Missing Receipt Affidavit should be used on rare occasions and may not be used on a routine basis. A maximum of two (2) Affidavit submissions are permitted during a fiscal year. More than 2 uses of the Affidavit during the fiscal year may revoke the privilege of providing a declaration in lieu of a receipt, lead to freezing of the NC bank card, and any further action by the Funding Program as deemed appropriate or necessary.
- c. A Board Action Certification (BAC) form authorizing the use of the Missing Receipt Affidavit must be provided when submitting the Affidavit in lieu of

the missing receipt. The Affidavit and BAC must be submitted through the NC Funding System portal

8. Accidental Payments

- a. In situations where a NC Bank Cardholder has accidentally or inadvertently issued a payment with the NC bank card which was not for the purpose of NC business, the NC Bank Cardholder will be required to either return the merchandise to the vendor for full credit returned to the bank card or reimburse the NC in the total amount spent, as prescribed by the NC Funding Program.
 - i. When reimbursing the NC:
 1. the Board member must do so using a personal check, money order, or cashier's check.
 2. The NC Board must approve the reimbursement to its funding account during a Brown Act-compliant and properly posted meeting.

9. Prohibited Usage of the NC Bank Card

- a. Expenditure Types
 - i. Personal purchases
 - ii. Transaction of product or vendor considered inappropriate (e.g. firearms, tobacco, alcohol, adult entertainment)
 - iii. Transactions of products or vendor not compliant with all applicable laws
 - iv. Cash-in-lieu of credit to card
 - v. ATM cash withdrawals
- b. Vendors
 - i. Bars
 - ii. Liquor Stores
 - iii. Travel Agencies
 - iv. Night Clubs
 - v. Cocktail lounges
 - vi. Casinos
- c. Products
 - i. Airline Tickets, event tickets, movie tickets, etc.
 - ii. Alcoholic beverages
 - iii. Gasoline, diesel fuel, propane gas (exceptions may apply)
 - iv. Jewelry
 - v. Flowers for individuals
- d. Services
 - i. Car Wash
 - ii. Cash Advance
 - iii. Dry cleaning for uniform and carpets
 - iv. Cleaning
 - v. Telecommunication
 - vi. Tuition reimbursements
 - vii. Vehicle leases
 - viii. Payments by "Paypal" or other non-descriptive payment services

10. Unacceptable Purchases/Transactions with NC Funds

- a. Below are transaction guidelines for the use of NC funds. Please contact the NC Funding Program in the event you are unsure of the proper transaction method for any expenditure. The following are prohibited:
 - i. Any purchases made without prior approval of the Board, and any purchases that are not identified in the NC approved budget.
 - ii. Payment for services over an extended period of time that may require a contract or services agreement executed by the Office of the City Clerk. Treasurers should consult with the Funding Program prior to using the bank card for this purpose
 - iii. Split charges - using multiple transactions for a single charge to circumvent the maximum single transaction amount allowed on the bank card.
 - iv. Donations of money or goods, i.e. flowers, gift cards, to individuals or groups. State law prohibits public funds from being given as a gift.
 - v. Any purchases and/or capital improvement projects that impact the value of private property or do not benefit the general public.
 - vi. Events or projects that do not have the required insurance and permits. Liability is always an important consideration with any project. Please contact the Funding Program for further information.
 - vii. Third-party payments. Payments must be made to vendors who have billed the NC directly, not to a third party who will then pay the vendor.
 - viii. Purchases of alcohol, tobacco, firearms, or adult entertainment products.
 - ix. Purchases that violate the constitutional separation of church and state (City funds cannot be used to endorse religion and/or interfere with free religious exercise)
 - x. Purchases that violate City and/or State conflict of interest laws.
 - xi. Supporting or opposing ballot measures or candidates, and political forums or debates unless following City Attorney guidelines.
 - xii. Lawsuits against the City or City agencies, and appeals against any discretionary decisions made by any City agency.
 - xiii. Payment by "Paypal" or other non-descriptive payment service
 - xiv. Personal vehicle parking fees and traffic tickets
- b. Exceptions to the items listed above may be granted if possible by the Funding Program with proper justification. The listing above serves as a guideline and should not be construed as an all-inclusive or all-exhaustive listing of prohibited card usages.

11. Tipping

- a. Under the LA Administrative Code, gratuities not exceeding 15 percent are allowable where reasonable and customary. For the NC Funding Program, fees and tips given to food delivery personnel, catering and service personnel, (up to 15 percent of the bill exclusive of taxes) are considered customary.
- b. Exception to exceeding the 15 percent will be allowed when there is a required gratuity and the amount is added on the bill by the service provider.

12. Custodial Payments

- a. In situations where a NC does not have access to its funds or does not have a Treasurer, 2nd Signer, or NC Bank Cardholder, due to action by the NC Funding Program or Department of Neighborhood Empowerment, or resignation or removal by Board action, the Funding Program will assist the NC in issuing custodial payments on behalf of the Board for Office/Operations-related expenditures only (office rent, storage space, P.O. boxes, phone/web service, professional temp services, etc.). This also includes Financial Officers who are unavailable to carry out their duties due to temporary causes as determined by the Funding Program. The NC will be responsible to provide necessary invoices to the Funding Program to ensure continuation of services.
- b. The Funding Program will issue custodial payments for a period of up to three (3) months.
 - i. If custodial payments are needed beyond 3 months, the Funding Program may take corrective action as set forth in NCF Policy 6.0, Corrective Measures.
- c. In situations where a NC has been placed in "Exhaustive Efforts" by Department of Neighborhood Empowerment, the NC Funding Program and Department of Neighborhood Empowerment will authorize and issue office/operational, outreach, and election payments as deemed appropriate and fiscally responsible.

13. Additional Provisions

- a. NCs expenditures may be subject to additional administrative procedures not outlined in this document.
- b. The NC Funding Program may request additional supporting documentation or information to further evaluate and account for payment requests or transactions as deemed necessary by City standards.
- c. If in the situation when a NC violates any laws, rules, or regulations, the NC and/or members of the NC may be subject to corrective measures set forth in NCF Policy 6.0, Corrective Measures.

Office/Operational Expenditures

NC Funding Program Policy 2.1 Office Expenditures

Operational Expenditures are expenses made for the purpose of the NC's operations. As outlined under the Los Angeles Administrative Code 22.810 1 (g).

1. Office/Operational Expenditure

NCs may make expenditures for their functions, operations and duties.

a. Office/Operational expenditures include but are not limited to:

- i. Office leases
- ii. Storage space leases
- iii. P.O. boxes
- iv. Office supplies and equipment
- v. Printing
- vi. Postage
- vii. NC meetings and training-related expenses, i.e. light refreshments for meetings
- viii. Temporary staffing
- ix. Translation services
- x. Internet service

b. Office/Operational expenditures for a NC must be approved by the NC at a Brown Act compliant meeting. The expenditure must be approved as an individual agenda item. For certain monthly recurring operating expenses, specific line items may be created in the annual budget as payment authorizations, as described in NC Funding Program Policy 1.1.

2. Methods of Payment

a. Check Payment

- i. The NC must provide a Board Action Certification (BAC) Form and an itemized invoice, within 45 days from the date of approval vote taken. Check requests must be submitted through the NC Funding Portal as prescribed by the Office of the City Clerk.

b. Bank card Payment

- i. Purchases made with a bank card must be approved by the board before the expenditures are made. The NC Cardholder must submit (upload) an itemized receipt or itemized paid invoice by the 10th day after the transaction posting date, through the NC Funding System portal.

3. Additional Provisions

All Office/Operational expenditures may be subject to other administrative procedures. The NC Funding Program may request additional supporting documentation or information to further evaluate and account for payment requests or transactions as deemed necessary by City standards.

Outreach Expenditures

NC Funding Program Policy 2.2 Outreach Expenditures

One of the core purposes of NCs is to promote its activities, including meetings, events, projects, etc., and engage its stakeholders to become involved in the NC and their communities.

1. Outreach Expenditure

Outreach expenditures for a NC must be approved by the NC at a Brown Act compliant meeting. Each outreach expenditure must be identified and approved as an individual agenda item.

As outreach items can be effective tools for advertising and promoting NCs, NCs may purchase outreach promotional items such as t-shirts, pens, pencils, refrigerator magnets, etc., for the purpose of advertising its presence in the community. The NC must have its name and/or logo clearly affixed to these items so that the item becomes outreach in nature rather than a gift of public funds or donation.

- a. When the NC plans to purchase items for distribution at public events (i.e. holiday community events), items purchased must have the NC name and/or logo clearly visible on the items identifying the NC so that the item becomes outreach in nature rather than a gift of public funds or donation.

2. Examples of outreach expenditures:

- a. Advertising
- b. Newsletters
- c. Promotional branded items
- d. Website hosting and maintenance
- e. Booth presence at a community event sponsored by another organization

3. NC Events

- a. A NC Sponsored / Co-sponsored event is where the NC is hosting or co-hosting the event, taking part in the event planning and implementation efforts, and contributing financially or in-kind for the event to occur.
 - i. Sponsored Events: Events solely organized, implemented, and paid for by the NC.
 - ii. Co-sponsored Events: Event partially organized, implemented, and paid for by the NC, that requires the NC's financial support for the event to take place
- b. The NC Funding Program's threshold to understanding whether a NC is or is not sponsoring/co-sponsoring an event can be determined by asking the following question:
 - i. "If the NC does not contribute to this event, will the event still continue?"
 - ii. If the answer is NO, the NC is considered a sponsor or co-sponsor, and must submit an event review and pre-approval request, using a NC Event Approval Form, to the NC Funding Program. If the answer

is YES, the event will continue without the NC's contribution, then the NC is not considered a sponsor or co-sponsor of the event, and no pre-approval is required.

- c. As public community events involve different factors that can create liability considerations for the City and the public, NCs are required to provide 30-days advanced notice to the NC Funding Program to address potential liability considerations and secure necessary insurance, permits, or agreements with parties involved in the event.
- d. The NCs must submit a complete Event Approval request packet 30 days prior to the event for proper review and approval. The event approval packet is comprised of:
 - i. NC Event Approval Form (as provided by the NC Funding Program);
 - ii. Board Action Certification Form (BAC);
 - iii. Event Budget; and
 - iv. Other supporting documentation as applicable such as, but not limited to:
 - 1. Invoices/quotes (Billed to the NC)
 - 2. Insurance certificates
 - 3. Permits
 - 4. Service agreements/contracts
 - 5. Flyers/promotional material
 - 6. Proof of artwork
- e. If a complete Event Approval request packet is submitted with less than 30 days for review, the application package will be rejected, and the NC will not be authorized to sponsor/co-sponsor the event.
- f. If a NC submits an incomplete event packet, or the event itself violates any rules, laws, or policies applicable to NCs, the event application packet shall be rejected.
- g. If a NC sponsors/co-sponsors an event without the approval of the Office of the City Clerk, the NC and/or individual members of the NC may assume personal responsibility and liability for the event, and additional corrective measures will be taken as outlined in NC Funding Policy 6.0.
- h. Under Article II of the Plan it is stated:
 - i. Certified NCs must encourage all Community Stakeholders to participate in all of their activities, and may not discriminate in any of their policies, recommendations or actions against any individual or group on the basis of race, religion, color, creed, national origin, ancestry, sex, sexual orientation, age disability, marital status, income, homeowner status, renter status or political affiliation. Therefore, all events sponsored or co-sponsored by a NC, must be open, accessible, and free of charge to the general public.
- i. All Sponsored and Co-sponsored event packets for the current fiscal year must be submitted for approval July 1 - May 20 of the same fiscal year. NCs may submit Event Requests for future fiscal years for review as necessary. However, funding is contingent upon receipt of a future fiscal year allocation and cannot be expended until the new fiscal year.

4. Methods of Payment

a. Check Payment

- i. To request a check payment for general outreach expenditures, the NC must provide within 45 days from the date of the vote approving the expenditure:
 1. Itemized invoices
 2. Board Action Certification (BAC) Form;
- ii. Check payment requests for event-related outreach expenditures require the following documentation:
 1. Event Approval Form marked as "Approved" by NC Funding Program;
 2. Board Action Certification (BAC) Form;
 3. Itemized invoices
- iii. Check payment requests must be submitted through the NC Funding System portal.

b. Bank card Payment

- i. Purchase transactions made using the NC bank card must be approved by the board before the transactions are executed. The NC Bank Cardholder must submit (upload) an itemized receipt or itemized paid invoice by the 10th day after the transaction posting date, through the NC Funding System portal.

5. Additional Provisions

All outreach expenditures may be subject to other administrative procedures. The NC Funding Program may request additional supporting documentation or information to further evaluate and account for payment requests or transactions as deemed necessary by City standards.

Election Expenditures

NC Funding Program Policy 2.3 Election Expenditures

Election expenditures are expenses made for the purpose of the NC's periodic general governing board Election process, including Selections. NCs can pay for expenses related to voter engagement and participation, such as election advertising, voter outreach events and activities, social media and print media expenses, etc.

1. Election Expenditures

Election expenditures for a NC must be approved by the NC at Brown Act compliant meetings. The expenditures must be approved as individual agenda items, not as part of the general Election category in the annual budget.

2. Methods of Payment

a. Check Payment

- i. The NC must provide a Board Action Certification (BAC) Form and an itemized invoice, within 45 days from the date of vote taken. Check requests must be submitted through the NC Funding System portal.

b. Bank card Payment

- i. Purchases made with a bank card must be approved by the Board before the expenditures are made. The NC Cardholder must submit (upload) an itemized receipt or itemized paid invoice by the 10th day after the transaction posting date, through the NC Funding System portal.

3. Additional Provisions

All election expenditures may be subject to other administrative procedures. The NC Funding Program may request additional supporting documentation or information to further evaluate and account for payment requests or transactions as deemed necessary by City standards.

Neighborhood Purposes Grants

NC Funding Program Policy 2.4 - Expenditures for Neighborhood Purposes Grants (NPG)

Los Angeles Administrative Code 22.817:

NCs are authorized to make monetary grants to nonprofit corporation (excluding religious institution and private schools) organized under 26 United States Code Section 501(c)3 and to public schools pursuant to the criteria set forth in Article XI of the Plan for a Citywide System of NCs.

1. Neighborhood Purposes Grant

The Neighborhood Purposes Grant (NPG) program provides NCs with greater opportunity to benefit their communities while supporting and building partnerships with local public-benefit organizations. Eligible organizations include 501(c)(3) nonprofits and public schools.

- a. Grants cannot be issued to religious organizations or to private schools.
- b. NPGs must be approved by the NC at a Brown Act compliant meeting. The grant must be approved as an individual agenda item.
- c. Any NPG issued by a NC must be for a public purpose: How will the grant help the community? Please refer to document entitled, "What is a Public Benefit" of the application for Neighborhood Purposes Grant for more information.
- d. NPGs cannot be approved in an annual budget as a line item expenditure.
- e. NCs shall vote on a completed NPG application packets which include the following documents:
 - i. NPG Application Form as provided by the Office of the City Clerk
 - ii. 501(c)3 Letter of Determination from the Internal Revenue Service for a non-profit organization applicant; Or
 - iii. Letter from the school on the school's letterhead, signed by the school principal for a public school applicant.
- f. NPGs are primarily for prospective community-benefit projects, and NPG applications shall be approved by the NC before the Completion Date listed on the NPG application.
 - i. NPGs approved after the Completion Date shall not be authorized for payment by the Office of the City Clerk.
 - ii. Individual board members cannot commit NC funds without prior board approval.
 - iii. NPG funds may not be used for reimbursements for expenditures made in anticipation of the approval of an NPG
- g. NCs must submit (upload) the approved NPG application packet with a Board Action Certification to the Office of the City Clerk within 45 days from the date of the Board vote.
- h. Before funds are granted, NPG requests must be approved by both the NC Board and the Office of the City Clerk.
- i. The NC Funding Program may request additional information to further evaluate a proposed grant payment request.

2. NPG-Funded Events

- a. Article II Section (2) of the Plan states: "Certified NCs must encourage all Community Stakeholders to participate in all of their activities, and may not discriminate in any of their policies, recommendations or actions against any individual or group on the basis of race, religion, color, creed, national origin, ancestry, sex, sexual orientation, age disability, marital status, income, homeowner status, renter status or political affiliation." Therefore, all events funded by an NPG, whether in whole or partial funding support, must be open and accessible to the public and free of charge.

3. Eligibility to Award Neighborhood Purposes Grants

- a. Only NCs in good standing with the NC Funding Program will be eligible to participate in the NPG program. Good standing means the following:
 - i. NCs must have a current Fiscal Year budget on file with the NC Funding Program;
 - ii. NCs should ensure sufficient funds have been allocated within their annual budget for NPG awards;
 - iii. NCs cannot be delinquent with their Monthly Expenditure Reports submissions to the NC Funding Program (see NCF Policy 6.0.3 Corrective Measures);
 - iv. NCs must have an eligible Treasurer and 2nd Signer on the Board; and
 - v. NCs cannot be in Exhaustive Efforts.

4. Conflict of Interest Laws

- a. State and local conflict of interest laws that currently apply to the NC Funding Program also apply in the consideration of Neighborhood Purposes Grant requests.
- b. Should there be a conflict due to an affiliation with an applicant, board members should recuse themselves from the discussion and vote on an NPG request. Recusal means that a board member cannot participate in the presentation, discussion, and voting of the request and must leave the meeting room before any consideration on the request begins. Please refer to the document entitled, "*State and City Conflicts of Interest Laws for NCs*" of the application for Neighborhood Purposes Grant and/or Department of Neighborhood Empowerment's representative for more information.

5. Contract Requirements for Neighborhood Purposes Grants

- a. Through the Neighborhood Purposes Grant, NCs have the legal authority to issue grants of public funds in amounts up to \$5,000.00 without a written contract.
- b. Grants for amounts \$5,000.01 and over will require further review on a case by case basis for City contract considerations in coordination with the Office of the City Clerk so as to meet City contracting standards. NCs are not authorized to enter into contracts. When a contract is required, the City Clerk will enter into agreement on behalf of the NC.

6. Grant Project Completion Follow Up

- a. As a best practice, NCs are strongly encouraged to require the grantee to provide a Project Completion Report to provide accountability for the proposed project goals and use of the funds awarded and to demonstrate evidence of successful efforts benefiting the community. The Project Completion Report form is available online at clerk.lacity.org

7. Method of Payment

- a. Payment awards approved for Neighborhood Purposes Grants can only be issued through the check payment method:
 - i. The NC must provide a completed Board Action Certification (BAC) Form and a completed NPG application packet, within 45 days from the date of the board approval vote taken.
 - ii. Check payment requests must be submitted through the NC Funding System portal.
 - iii. Board-approved NPG applications submitted to the NC Funding Program after 45 days will not be accepted for processing. To be accepted:
 1. The Board will need to place the application on a Board meeting agenda again for approval, and submit (upload) the re-approved NPG within 45 days of the revote.
 2. Application must be approved before the Completion Date listed on the NPG application.

Community Improvement Projects

NC Funding Program Policy 2.5 - Expenditures of Community Improvement Projects

1. Community Improvement Projects (CIP)

CIPs include projects associated with beautification and capital improvement projects on public places such as, but not limited to:

- a. Street medians, parkways landscaping
- b. Neighborhood markers
- c. Street furniture
- d. Murals
- e. Tree plantings
- f. graffiti abatement
- g. Community gardens
- h. capital improvements on recreation centers, libraries, parks, fire stations, etc.
- i. Signage such as Neighborhood Watch signs

2. Review of CIPs

Community Improvement Projects are reviewed on a case by case basis, depending on the scope of work or services involved. Thus, the proposed project may require certain permits such as, but not limited to:

- Insurance certificates,
 - Authorizations from other agencies,
 - Contracts or agreements involving a number of public agencies, vendors, etc.
- a. Additional guidance from other City agencies and/or Departments may be necessary.

3. Submission Deadline

All Community Improvement Projects must be submitted to the NC Funding Program for review and approval no less than 30 days PRIOR to issuance of payment to involved vendors and commencement of project.

4. Unauthorized Projects

Capital improvement or beautification projects involving private property are not permitted under the NC Funding Program, except when permitted and authorized by applicable City Ordinance.

5. Method of Payment

- a. Payments for CIPs are primarily issued through the check payment method, in particular when a contract is involved and stipulates check payments to be issued:
 - i. The NC must provide a completed Board Action Certification (BAC) Form and an executed contract.
 - ii. Check payment requests must be submitted through the NC Funding portal or prescribed method by the Office of the City Clerk.

b. Bank card Payment

In certain instances, CIP payments may be made through the NC bank card. Payment transactions made through the NC bank card must be approved by the board and the CIP approved by the City Clerk with all permits, insurance, etc. in place before the transactions are executed. The NC Bank Cardholder must submit (upload) an itemized receipt or itemized paid invoice by the 10th day after the transaction posting date, through the NC Funding portal.

6. Additional Provisions

All CIP expenditures may be subject to other administrative procedures. The NC Funding Program may request additional supporting documentation or information to further evaluate and account for payment requests or transactions as deemed necessary by City standards.

Board Member Reimbursement

NC Funding Program Policy 3.0 - Board Member Reimbursements

NC activities should be well projected, with necessary expenditures payments planned in advance to determine whether the NC bank card or a check payment request will be needed to make payments to vendors. As an option of last recourse, if regular NC payment methods are not available, a Board Member may spend his/her own funds to pay for NC activity expenses, for which the Board Member may be reimbursed from the NC's funds.

1. Maximum Allowed

The total allowable reimbursement amount cannot exceed \$1000 per Board Member per Fiscal Year.

2. Requirements

In order for the Board Member to be reimbursed for the expense, the following conditions must be met:

- a. The NC activity or purpose for which the Board Member incurred the expense must have been authorized by the Board prior to the expenditure.
- b. The NC Board must authorize the reimbursement payment to the Board Member.
- c. Board Member must provide proof of purchase in the form of an itemized receipt.
 - i. if necessary, NC Funding Program may request additional supporting documentation based on the type of purchase and payment made.
 1. For example, for a reimbursement of purchases for meeting refreshments, Program staff may request copies of the meeting agenda and/or other supporting documentation such as sign-in sheets, flyers, minutes, etc. If a payment was made by personal bank card transaction, staff may request copy of the bank card monthly statement.
- d. Only a NC Board Member, or Alternate acting as a Board Member, if applicable, will be reimbursed.
 - i. Expenses for NC activities incurred by an individual who is not a Board Member, or an Alternate acting as a Board Member, at the time of the expenditure, will not be reimbursed.

3. Additional Provisions

The NC Funding Program may request additional supporting documentation or information to further evaluate and account for payment requests as deemed necessary by City standards.

Contracts and Leases

NC Funding Program Policy 4.0 – Contracts and Leases

To ensure that NCs and City assets are protected and liability is minimized, contracts or leases may be required before a NC is able to purchase a good or service. Under Article IX, Section 902, NCs do not have the authority to enter into contracts, agreements, permits, and/or memorandums of understanding. With the transfer of the NC Funding Program and the administration of the NC Trust Fund, the Office of the City Clerk is granted the authority to enter into contracts on behalf of the NC.

1. NC Contracts

- a. Expenditures will require a contract if the expenditure falls under one of the criteria listed below:
 - i. Owner of the location/business requires a contract
 - ii. Expenditure for the service exceeds \$5,000 within a fiscal year
 - iii. Expenditure for the service exceeds three months (exceptions may include subscription services)
 - iv. The risk and liability exposure to the City, as determined by the NC Funding Program, is excessive
- b. The Office of the City Clerk will sign a contract on behalf of the NC or issue a Letter of Authority.
 - i. Letters of Authority grant the NC Presidents the ability to sign an agreement on behalf of the Office of the City Clerk. Letters of Authority are granted on a case-by-case basis for smaller expenditures such as:
 1. Storage Facilities
 2. Mail Boxes (PO Boxes)
- c. If the NC Funding Program determines a contract or a Letter of Authority is required, the items listed below may be requested:
 - i. The Board Action Certification of the Expenditure
 - ii. Itemized invoice(s) and/or Quotes from the Vendor
 - iii. Copy of the vendor's insurance
 1. Unless insurance information has already been uploaded by the vendor's insurance broker to <http://track4la.lacity.org/>,
 - iv. Additional supporting documentation or information at the request of the NC Funding Program
- d. NCs must abide by all provisions set forth in the contract. If provisions of the contract are violated by the NC, the NC may be subject to corrective measures set forth in NCF Policy 6.0, Corrective Measures.
- e. Once we have all required documentation a contract will be completed within 60 days.

2. NC Lease Agreements

- a. Office space always requires a lease agreement and should be within the NC's geographic boundaries, whenever possible.

- b. Meeting space lease agreements are required in the following instances:
 - i. If the owner of the leased facility requires an agreement;
 - ii. If the NC wants to secure the meeting venue for certain dates and times on an on-going basis.
- c. Types of Lease Agreement
 - i. Privately-owned - This is space that is privately owned by an individual, corporation or business that is charging the NC a fee to use their location.
 - ii. Donated-space - This is space that is privately owned by an individual, corporation or business that is not charging the NC a fee to use their location. This will require of the owner to provide the City with a letter each fiscal year and on business letterhead, identifying the exact items and space they are providing the NC along with the monetary value associated with said donation. Donated space will require City Council to accept these donations on behalf of the NC as NCs are not authorized to accept donations.
 - iii. Shared Space - This is an agreement between City Departments to allow NCs to use space with a building operated (and possibly owned) by a City Department.
- d. The NC shall provide a copy the following items for an Office or Meeting Space Lease Agreement:
 - i. The Board Action Certification of the Expenditure
 - ii. Completed On-site Assessment Checklist
 - iii. Completed Meeting and public Events ADA Accessibility Checklist
 - iv. Copy of the vendor's insurance
 - 1. Unless insurance information has already been uploaded by the vendor's insurance broker to <http://track41a.lacity.org/>
 - v. Additional supporting documentation or information at the request of the NC Funding Program
- e. Once we have all required documentation a lease will be completed within 60 days.

Expenditures During Declared Emergencies

NC Funding Program Policy 5.0 Expenditures of NC Funds in a Declared Emergencies

1. Emergency Authority

- a. In the event that imminent and immediate danger to community persons and/or property is reasonably foreseen as a proximate result of a declared emergency, determined as a state of emergency by a government agency, the NC President may, at his or her discretion, direct the immediate use of NC funds under the conditions listed herein.
- b. This emergency authority may remain in effect until the following Board meeting. It is expected that the Board will make efforts to hold a meeting as soon as reasonably possible.

2. Use of NC Funds

- a. The NC is hereby authorized to expend NC funds not exceeding \$1,000.00 total for emergency services and/or supplies under the circumstances described herein **without** prior board approval.
- b. With prior approval by the NC Board at a properly noticed meeting, the NC may authorize more than \$1,000.00 for emergency services and/or supplies under the circumstances described herein
- c. Expenditures during a Declared Emergency are categorized under the Outreach Subcategory
- d. NCs may expense funds for items such as:
 - i. Water and light refreshments for first responders
 - ii. Water and light refreshments for affected persons
 - iii. Emergency generators
 - iv. Flood lights
 - v. Shelter amenities
 1. Blankets
 2. Toiletries
 3. Pet food
 - vi. Communication equipment/services
 1. Walkie-talkies
 2. Radios
 3. Bull-horns
 - vii. Printing services
 1. Flyers
 2. Banners

3. Bank Card Use

- a. The NC President may authorize the NC Bank Cardholder to utilize the NC bank card to purchase items and services listed above. Purchases may not exceed \$1,000.00 unless previously authorized by the board, as prescribed under Section 2.b. of these policies. Such expenses are strictly for

emergency services and/or supplies under the circumstances described herein.

4. Board Member Reimbursement

- a. In the event the NC bank card is not available for use and with authorization from the NC President as described herein, a Board member may use his/her personal funds for emergency services and/or supplies under the circumstances described herein.
- b. Board member reimbursements under circumstances described herein are exempt from the reimbursement payment limits of \$1000 allowed per Board member per Fiscal Year.

5. Alternative Authority

- a. In the absence or unavailability of the NC President, the NC Vice-President or Treasurer, in successive order, may authorize use of the NC bank card herein.

6. Receipts and Invoices

- a. Receipts or paid invoices itemizing payments must be obtained from the vendor and uploaded to the NC Funding portal per standard operating procedures.

7. Report and Board Action

- a. At the next regular or special meeting of the NC, the President shall report the expenditure to the governing board, including the details surrounding the emergency which gave rise to the expenditure. The expenditure shall be ratified by the governing board through a Board Action Certification (BAC) entered into the minutes of the meeting.
- b. If a Board member reimbursement as described herein is requested, the Board must review and approve the request through a separate BAC and submit (upload) for payment through the NC Funding System portal.

Corrective Measures

NC Funding Program Policy 6.0 Corrective Measures

1. Preliminary Review of Expenditures

The Office of the City Clerk, NC Funding Program may make a preliminary review of any expenditure or financial transaction contemplated by a NC to ensure that it is acceptable, appropriate, and comports with the NC Funding Program guidelines and laws that pertain. Where a NC is unsure whether a proposed expenditure is appropriate, it shall make a written request for guidance from the NC Funding Program on the matter before any commitment to expend funds is made or the transaction is completed.

2. Expenditure Oversight

The NC Funding Program may monitor and review any and all financial transactions made by a NC as follows:

- a. Online review of any information concerning check payments, bank card transactions, or any other applicable method by which NCs may access City funds and make financial transactions.
- b. On-site review of any NC's accounts, statements, books, records, receipts, invoices, or any other document that evidences any financial transaction.
- c. A NC Funding Program in-house review of any NC's accounts and records prior to releasing funds to the NC for the conduct of its business.

3. Admonition

- a. When the NC Funding Program determines that a NC has failed to account for its funds or has misused its funds, then the NC Funding Program may issue a Fiscal Responsibility Admonition Notice informing the NC of the problem. Failure to account for or misuse its funds includes:
 - i. Delinquent Monthly Expenditure Reports (MER). Delinquent MERs is defined as:
 1. 3 cumulative missing reports during the Fiscal Year or
 2. 2 consecutive missing reports during the Fiscal Year.
 - ii. Bank card receipts not uploaded to the NC Funding portal within 10 days of the posting date of the transaction.
- b. Where the NC Funding Program deems it necessary, the Financial Responsibility Admonition Notice may require as follows:
 - i. That the NC take specific corrective action to comply with Generally Accepted Accounting Principles applicable to NCs or those prescribed by the NC Funding Program.
 - ii. That the Treasurer, or any other NC representative, shall meet with the NC Funding Program staff to discuss accounting practices or any other financial matter involving the NC and, thereafter, follow a remedial plan as prescribed by the NC Funding Program.
- c. Corrective Action and Remedial Measures

If the NC Funding Program determines that a NC has misused its funds, then the NC Funding Program may impose corrective action or remedial measures. The NC Funding Program's decision to impose corrective action or remedial measures, or both, is final.

i. Corrective Action

As outlined in the NC Funding Program's Fiscal Responsibility Admonition Notice, the corrective action prescribed by the NC Funding Program may include, but is not limited to, the following:

1. Denying funding requests for payment on purchases or transactions deemed unacceptable or a misuse of public funds.
2. Limiting or suspending (freezing) all access to and the use of NC funds, including any check payment requests and the bank card.
3. Reducing funding to a NC in amounts that equal or approximate the amount necessary to compensate for, or remedy, any unacceptable purchase or financial transaction, or to redeem misused public funds; including any administrative or incidental costs associated therewith.
4. Additional corrective measures the NC Funding Program may impose on NCs include, but are not limited to, the following:
 - a. Restricting available credit on the Purchase Card
 - b. Requesting repayment from the NC Board or individual members of the Board
 - c. Require additional training of the NC Board and/or the Financial Officers
 - d. Recommend Exhaustive Efforts to Department of Neighborhood Empowerment
 - e. Remove board members from serving in the capacity of Financial Officers or remove board member's eligibility to vote on any future financial matter

ii. Remedial Measures

The NC Funding Program is authorized to impose remedial measures on any NC when the Program determines that an unacceptable purchase, financial transaction, or misuse of public funds has occurred, or may occur, in violation of accounting principles, program guidelines, or laws that pertain. Additionally, remedial measures may be imposed when Department of Neighborhood Empowerment notifies the NC Funding Program of actions taken to place the NC in "Exhaustive Efforts". Any remedial measures imposed by NC Funding Program will be identified in a Fiscal Responsibility Admonition Notice and may include any combination of corrective actions and remedial measures that the NC Funding Program deems appropriate under the circumstances.

1. In an effort to ensure that NCs operate in a fiscally responsible manner and to support the financial integrity of

the NC Funding Program, the NC Funding Program may impose the following remedial measures:

- a. Require mandatory supplemental training for any Financial Officer of a NC or, if necessary, the entire governing board of the NC.
- b. Completely or partially freeze the NC funding account when the NC Funding Program determines that the NC has been repeatedly deficient in its accounting practices, has consistently mishandled or misused its funds, or is in Exhaustive Efforts as determined by Department of Neighborhood Empowerment.
- c. Suspend and/or remove Financial Officers from their duties with the NC Funding Program.
 - i. In situations where a NC does not have a Treasurer, 2nd Signer, or NC Bank Cardholder on its Board, due to NC Funding Program action, resignation of or removal by Board action of said Financial Officers, the NC Funding Program will assist the NC in issuing custodial payments on behalf of the Board for Operations-related expenditures only. This also includes Financial Officers who are unavailable to carry out their duties due to temporary causes as determined by the NC Funding Program.
- d. Require that the NC immediately relinquish all access to, and tender all control of, its funding records and funds to the NC Funding Program. The NC Funding Program may impose this measure when it determines that the NC has not complied with the corrective or remedial measures outlined in a previous Financial Admonition Notice, the prospect of rectifying the problem is unlikely, or the circumstances require immediate action to safeguard public funds.
- e. Request that the Department of Neighborhood Empowerment to further explore other applicable measures that may be taken per Department of Neighborhood Empowerment's authority, if necessary. This may include involuntary decertification, as set forth in section 22.810.1(e) (2) of the Los Angeles Administrative Code. Department of Neighborhood Empowerment may recommend decertification when it is determined that a NC is incapable of handling its accounts, its governing board refuses to follow the advice, corrective action, or remedial measures promulgated, or the

circumstances require immediate action to safeguard public funds.

- f. Refer the matter to the appropriate City department, commission, or law enforcement agency when the NC Funding Program has reasonable cause to believe that someone has engaged in unlawful or criminal activity involving a NC's public funds

NC Funding Program Forms

- Form 101 Board Action Certification (BAC)
- Form 102 Proxy Payment Form
- Form 103 Special Fund Allocation Form
- Form 104 In-Person Training Completion Form
- Form 105 Missing Receipt Affidavit
- Form 106 Event Approval Form
- Form 107 NPG Application
- Form 108 NPG Completion Report
- T7. A Meeting and Public Event ADA Accessibility Checklist

These documents are posted on our website at clerk.lacity.org.

Glossary of Terms

Budget Line Item

A line-item in a budget indicates specific types of expenses that the Neighborhood Councils plans on making expenses in a given FY funds during the fiscal year.

Exhaustive Efforts

Actions taken by the Department of Neighborhood Empowerment, per the Plan for a Citywide System of Neighborhood Councils, Article VI, Section 4, to remedy complaints that impact the operations and functions of a Neighborhood Council.

Fiduciary Responsibility

The obligation entrusted on Neighborhood Council board members to care for the use of the Council's allocated funds for the benefit of the general public

Good Standing

For general purposes of the NC Funding Program, a Neighborhood Council is considered to be in good standing when it is in compliance with the explicit obligations of the Program, while not being subject to any corrective measures per the Policies and Guidelines.

Itemized Invoice

A document provided by a vendor serving as proof of request for payment for goods or services listing the cost of each item purchased rather than just the total cost.

Itemized Receipt

A document provided by a vendor serving as proof of payment made for goods or services listing the cost of each item purchased rather than just the total cost. The document should provide the following information:

Monthly Expenditure Report (MER)

A document generated electronically by the NC Funding System portal that provides a record of the NC's bank account monthly transactions, including expenditures made, committed and outstanding expenditures, and total net balance for the remaining fiscal year.

Non-Descriptive Payment

payment made that does not provide necessary proof of payment information, i.e. itemized receipt, necessary to account for the purpose of the expenditure.

Prepayment/Advance Payment

Payment made before good or services are provided.

Public Benefit

An activity or project that builds community, enhances the neighborhood, and is open, accessible, and free of charge to the members of the community wishing to participate in or make use of the activity or project.

Recurring Expenditures

Expenses incurred by a Neighborhood Council on a repeating, periodic basis, particularly on a month-to-month basis, such as payments for office space and equipment leases, storage space rental, P.O. box rental, telephone and Internet service, website hosting, meeting-related expenses like printing, photocopying, minute-taker, refreshments, etc.

Contact Us

If you have any questions regarding the NC Funding Policies, how to complete, required funding documentation, or any general questions regarding the NC Funding Program

Please call us at: 213-978-1058

Or

Email us at: clerk.ncfunding@lacity.org

Please submit your comments and/or questions by clicking
[HERE](#)

EXHIBIT I



Item 1. Call to Order and Roll Call

Meeting called to order at 6:39 p.m. by co-chair Mehmet Berker.

Roll call: Present: Mehmet Berker, Keith Nakata, Liza Gerberding, Steven Luftman, Emily U. Kantrim, Rosalie Wayne, Roque Wicker, and Nora Wyman; Scott Sale (arrived 6:54 p.m., left at 9:46 p.m.), Patrick Seamans (arrived 6:42 p.m.); Absent: Ravi Bhatia (excused) and Heather Fox (excused).

Item 2. Review and Approval of Minutes from April 17, 2018 and May 15, 2018 Meetings

Minutes for both meetings were tabled.

Item 3. Public Comment Period

—Steve Luftman announced that CBS has become a historic landmark as of 06/26/2018.

—Emma Howard, senior planning deputy for Councilman David Ryu, spoke about the historic landmark.

—Patrick Seamans critiqued design of Micropolitan, north of Clinton on Fairfax.

Item 4. Announcement from Co-Chairs

Keith Nakata said he received a press release about the CBS building becoming a historic landmark; noted that BlackHeart, 7315 Melrose Ave., which was heard at PLUC, was approved and many of the committee's items of concern were incorporated, specifically the sound wall; said he attended a hearing on 1017-1027 N. Croft project, where tenants were harassed by the owner.

Item 5. Presentation of Transit Oriented Communities (TOC) Incentives

Matt Glesne, from the Housing Policy Unit in the Department of City Planning, made a presentation from the Los Angeles Department of City Planning on the recently instituted Transit Oriented Communities (TOC) incentives instituted as part of Measure JJJ. Glesne spoke about the current unaffordable status of housing in Los Angeles, Los Angeles Housing Strategy, TOC guidelines and eligibility, incentives and tier structures.

Committee discussion and questions for the presenter followed. Discussion included low-income, market rate, rent stabilized units, superseding TOCs (Glesne said affordable housing supersedes the Transit Neighborhood Plan), transitional heights R1, R2 and R3 (Glesne said there would be R1 and R2, but no R3), transportation demand management, bike parking, bus lines changing, longevity of program. Glesne noted further information is available at planning.lacity.org under affordable housing development guidelines section and FAQs.

Item 6. 714-718 Sweetzer Ave -- (VTT-74129-CN, ENV-2018-2721-EAF); and 728-748 N Sweetzer Ave (VTT-74130-CN, ENV-2018-2175-EAF)

a. 714-718 Sweetzer Ave:

Project description: Demolition of 14 RSO units and development of a 5-story condominium building with 26 units (2 of which will be income restricted) and 44 parking spaces.

Requested Actions:

- a. Requesting a vesting tentative tract map pursuant to LAMC section 17.00 & 17.15 for a 26-unit condominium complex; and also requesting a waiver of dedication & improvement for the required widening & dedications for the subject site located in the Mid City West neighborhood of the city.
- b. **728-748 Sweetzer Ave:**
Project description: New 4 story, 49 condominium complex with 2 levels of subterranean parking.

Requested Actions:

1. A vesting tentative tract map for a new 4 story, 49 condominium complex with 2 levels of subterranean parking.

Carl Steinberg of ETCO Homes (310-691-5500, carls@etchomes.com) made presentation on 714-178 Sweetzer Ave. and 728-748 Sweetzer Ave.

Eric Lieberman, representing the applicant with QES, also responded to questions and comments.

Committee discussion and questions for the applicant followed.

Item 6a

Steve Luftman made a motion to oppose the tentative Tract Map for 714-718 Sweetzer due to the loss of character defining historic, Rent Stabilized Ordinance housing, abuse of the Early Start apartment program with conversion to condominiums, and inconsistencies with the Hollywood Community Plan, as this was an Ellis Act-evicted property and an apartment building would allow the tenants to return. Liza Gerberding seconded the motion.

The committee voted 9 Yeas (Nakata, Gerberding, Luftman, Sale, Seamans, Kantrim, Wayne, Wicker, and Wyman), 0 Nays, and 1 Abstention (Berker). The motion passed 9-0-1.

Item 6b

Steve Luftman made a motion to oppose the tentative Tract Map for 724-728 Sweetzer due to the loss of character defining historic, Rent SO housing, abuse of the Early Start apartment program with conversion to condominiums, and inconsistencies with the Hollywood Community Plan, as this was an Ellis Act-evicted property and an apartment building would allow the tenants to return. Rosalie Wayne seconded the motion.

The committee voted 9 Yeas (Nakata, Gerberding, Luftman, Sale, Seamans, Kantrim, Wayne, Wicker, and Wyman), 0 Nays, and 1 Abstention (Berker). The motion passed 9-0-1.

Item 7. 734 N Croft Ave -- (VTT-82019, ENV-2018-2176-EAF)

Project Description: A 28-unit four story residential condominium with one level of subterranean parking containing 62 automobile parking spaces and 32 bike spaces in the Hollywood community plan area.

Requested Actions:

1. Vesting Tentative Tract Map for a 28 unit four story residential condominium with one level of subterranean parking containing 62 automobile parking spaces and 32 bike spaces in the Hollywood community plan area.

Carl Steinberg of ETCO Homes (310-691-5500, carls@etchomes.com) made presentation on 714-178 Sweetzer Ave. and 728-748 Sweetzer Ave.

Eric Lieberman, representing the applicant with QES, also responded to questions and comments.

Public Comment

- Temi Treibatch, property owner on street, noted neighbor concerns about losing integrity of neighborhoods, longtime neighbors being evicted, tearing down of existing buildings; said the building does meet Q conditions.

Committee discussion and questions for the applicant followed.

Rosalie Wayne made a motion to oppose the tentative Tract Map for 734 N Croft Ave due to the loss of character defining historic, Rent SO housing, abuse of the Early Start apartment program with conversion to condominiums, as this was an Ellis Act-evicted property and an apartment building would allow the tenants to return. Steve Luftman seconded the motion.

The committee voted 8 Yeas (Nakata, Gerberding, Luftman, Seamans, Kantrim, Wayne, Wicker, and Wyman), 0 Nays, 1 Abstention (Berker).

Item 8. Committee Discussion on 6330 W 3rd St – Potential Town & Country Site Renovation and Redevelopment

The Committee discussed priorities for the Town & Country shopping center site and ideas on how to develop a community vision for the site.

Issues discussed were decoupling parking and three major rental corners, rent control, more open space in the project, ride share areas, smaller rental spaces, whether EIR will be done for project, timing of PLUC committee taking action, possible working group within PLUC.

Emma Howard from Councilman Ryu's office spoke. She said Ryu wants an EIR, time for community input, and that at this time the councilman was not supportive of the development.

An applicant representative said he would take suggestions to applicant.

Item 9. Standing Item on PLUC Member Updates, Concerns, or Questions

Berker and Nakata spoke about strategic budget place holding for July, funding for Bergin's historic cultural monument application, potential topics for July PLUC meeting.

Item 10. Adjournment

Berker adjourned meeting at 10:26 p.m.

EXHIBIT J

BUDGET & FINANCE

MOTION

I MOVE that the City Clerk, with assistance of the City Administrative Officer, be authorized to reappropriate \$2,500 in uncommitted prior year funds from the FY 2017-18 Mid City West Community Council, Fund No. 59B/14, Account 141248 to FY 2018-19 Mid City West Community Council, Fund No. 59B/14, Account 141248, for the purpose of community programs/improvements.

I FURTHER MOVE that the City Administrative Officer be authorized to make any technical corrections or clarifications to the above fund transfer instructions in order to effecuate the intent of this motion.

PRESENTED BY: 
DAVID RYD
Councilmember, 4th District

SECONDED BY: 

ORIGINAL

JUL 03 2018

cc



Office of the City Clerk, City of Los Angeles

This report was generated by the Council File Management System on 03/17/2019

Council File Number

18-0650

Title

Community Programs/Improvements / Council District Four / Fiscal Year 2017-18 Mid City West
Community Council Fund / Reappropriation

Last Change Date

07/03/2018

Expiration Date

07/03/2020

Council District

4

Pending in committee

Budget and Finance Committee

Mover

DAVID E. RYU

Second

MITCH O'FARRELL

Action History for Council File 18-0650

Date

Activity

07/03/2018 Motion document(s) referred to Budget and Finance Committee.

03/17/2019 10:00:00 AM

EXHIBIT K





Board of Directors Meeting
August 14, 2018
543 N. Fairfax Avenue, Los Angeles, CA 90036
Approved by the Board on September 4, 2018
Submitted by Amanda Sonnenschein

1. Call to order and roll call

Call to Order: 6:38 pm, 24 present, 2 absent, 6 excused

Present: Mehmet Berker, Ravi Bhatia, Dina Brown (left at 10:07pm), Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols (left at 9:59pm), Tony Regenstreif, Scott Sale (left 8:05pm), Patrick Seamans, Marc Sinnott (arrived 6:52pm), David Sobel (arrived 6:48pm), Nick Solish, Henry Van Moyland, Don Whitehead, Roque Wicker

Absent: Shem Bitterman, Laura Petry

Excused: Susan Belgrade, Doug Cullum, Michael Hilty, Karen Hollis, Paul Motschall, Richard Risemberg

2. General Public Comments

- a. **Mehmet Berker:** Disappointed with Councilmember Koretz's decision to call for a ban of scooters. This ban would be a blunt instrument that would not enforce riders or improve their behavior. This is not based on hard data, but rather anecdotal. This is a beginning of a relationship with transportation that can reduce and replace car trips and reduce our carbon footprint, how will we proceed?
- b. **Lucille Saunders, La Brea Willoughby Coalition:** City agencies are complicit and the department of planning grant project requests. The burden is left to citizens to fight to enforce the codes and protect our neighborhood. 836 N. Poinsettia project was unanimously opposed by MCW PLUC and the Board.
- c. **Ravi Bhatia:** A commercial development by romaine and Willoughby only has partially correct sidewalk closures. It is patently unfair that someone outside our area with no community interest can close down half a block on a major commercial street but when an organization within the community wants the same thing, they are unable to do so. How can we better address these issues?

3. Remarks and Question and Answer with Councilmember Paul Koretz. (30 minutes)

- a. Congratulations to Tony Regenstreif and Henry Van Moyland on your appointments. Let's recognize Josh Paget for all the great work he's done, a model of community service.
- b. **Bird Scooters:** I base my concerns on my own observations, and laws are being broken: no one is wearing helmets, many kids, everyone is on the sidewalks. We passed some tighter regulations like forbidding them to be on sidewalks. I have not heard of serious injuries yet, but I have heard of broken bones. But if we enforce these laws that Bird is breaking, they will have to close down.

c. Homelessness

- i. Poinsettia park has transformed from a space where people took a rest, to transients setting buildings on fire and stabbing a person. I have met with LAPD, I want a zero tolerance for criminal activity by the homeless. At the same time I want the benign people in that encampment to receive services and eventually be homed.
- ii. Looking into best programs to house people, and programs for Safe Parking for people living in their cars.
- iii. The number of homeless has gone down a tiny bit from previous years, the chronic homeless has gone down about 20%. However the overall homeless numbers are up, and offset the gains of the year. So we need to be more aggressive about inappropriate evictions. We are going to try to provide counsel for people being unjustly evicted who cannot afford a lawyer.
- iv. Carthay Circle/Square HPOZ will end up being a good thing. It will make things more streamlined and we have some really good people on the board.

d. Councilmember Koretz and his staff answer questions from the board and public.

4. Review and Approval of Outstanding Minutes

a. Motion to approve minutes from February 2018.

MOTION: Approve minutes from February 2018.

Emily Uyeda Kantrim makes the motion, Angela Guzman seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols, Patrick Seamans, Marc Sinnott, Nick Solish, Henry Van Moyland, Roque Wicker

NAYS: --

ABSTENTIONS: Tony Regenstreif, David Sobel, Don Whitehead

RECUSALS: --

Motion passes with 20 yeas, 0 nays, 3 abstentions, 0 recusals.

b. Motion to approve minutes from March 2018.

MOTION: Approve minutes from March 2018.

Emily Uyeda Kantrim makes the motion, Angela Guzman seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols, Patrick Seamans, Marc Sinnott, Nick Solish, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Tony Regenstreif, David Sobel, Henry Van Moyland
RECUSALS: --

Motion passes with 20 yeas, 0 nays, 3 abstentions, 0 recusals.

c. Motion to approve minutes from April 2018.

MOTION: Approve minutes from April 2018.

Emily Uyeda Kantrim makes the motion, Angela Guzman seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols, Patrick Seamans, Marc Sinnott, Nick Solish, Roque Wicker

NAYS: --

ABSTENTIONS: Tony Regenstreif, David Sobel, Henry Van Moyland, Don Whitehead

RECUSALS: --

Motion passes with 19 yeas, 0 nays, 4 abstentions, 0 recusals.

d. Motion to approve minutes from May 2018.

MOTION: Approve minutes from May 2018.

Emily Uyeda Kantrim makes the motion, Angela Guzman seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols, Patrick Seamans, Marc Sinnott, Nick Solish, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Tony Regenstreif, David Sobel, Henry Van Moyland

RECUSALS: --

Motion passes with 20 yeas, 0 nays, 3 abstentions, 0 recusals.

e. Motion to approve minutes from May 2018 (special meeting).

MOTION: Approve minutes from May 2018 (special meeting).

Emily Uyeda Kantrim makes the motion, Scott Epstein seconds.

YEAS: Ravi Bhatia, Dina Brown, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, David Mann, Taylor Nichols, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Mehmet Berker, Scott Epstein, Heather Fox, Steven Luftman, Andy Meselson, Tony Regenstreif, Henry Van Moyland

RECUSALS: --

Motion passes with 16 yeas, 0 nays, 7 abstentions, 0 recusals.

f. Motion to approve minutes from June 2018.

MOTION: Approve minutes from June 2018.

Emily Uyeda Kantrim makes the motion, Angela Guzman seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Heather Fox, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols, Patrick Seamans, Marc Sinnott, Nick Solish, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Liza Gerberding, Tony Regenstreif, David Sobel, Henry Van Moyland

RECUSALS: --

Motion passes with 19 yeas, 0 nays, 4 abstentions, 0 recusals.

g. Motion to approve minutes from July 2018.

MOTION: Approve minutes from July 2018.

Emily Kantrim makes the motion, Angela Guzman seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Heather Fox, Liza Gerberding, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols, Tony Regenstreif, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Henry Van Moyland, Roque Wicker

NAYS: --

ABSTENTIONS: Angela Guzman, Andrew Jhun, Don Whitehead

RECUSALS: --

Motion passes with 20 yeas, 0 nays, 3 abstentions, 0 recusals.

5. Treasurer's Report

a. **Motion to approve Monthly Expenditure Report for June and July 2018.**

MOTION: Approve MER for June and July 2018.

Patrick Seamans makes the motion, Marc Sinnott seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman,

Andrew Jhun, Emily Kantrim, Keith Kirkwood, Abraham Langer, Steve Luftman, David Mann, Andy Meselson, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Heather Fox

RECUSALS: --

INELIGIBLE: Tony Regenstreif, Henry Van Moyland

Motion passes with 19 yeas, 0 nays, 1 abstention, 0 recusals, 2 ineligible.

6. Announcements from government agencies and elected officials. Announcements may include but are not limited to the following offices: City Council District 4 (David Ryu), City Council District 5 (Paul Koretz), LAPD, LAFD, Metro LA, County Supervisorial District 3 (Sheila Kuehl), County Supervisorial District 2 (Mark Ridley-Thomas), State Assembly District 50 (Richard Bloom), State Senate District 26 (Ben Allen), 33rd Congressional District (Ted Lieu), 28th Congressional District (Adam Schiff), and the 37th Congressional District (Karen Bass).

Received updates from Rob Fisher with Council District 4, Ned Racine with LA Metro, and Mario Hernandez with DONE.

7. **Motion** to accept the resignation of Board Member and Business Representative Joshua Paget. (5 minutes)

MOTION: Accept resignation of Board Member and Business Representative Joshua Paget.

Scott Epstein makes the motion, Taylor Nichols seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols, Tony Regenstreif, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Henry Van Moyland, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: --

RECUSALS: --

Motion passes with 23 yeas, 0 nays, 0 abstentions, 0 recusals.

8. **Motion** to accept the resignation of Board Member and Business Representative Dean Howell. (5 minutes)

MOTION: Accept resignation of Board Member and Business Representative Dean Howell.

Scott Epstein makes the motion, Taylor Nichols seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols, Tony Regenstreif, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Henry Van Moyland, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: --

RECUSALS: --

Motion passes with 23 yeas, 0 nays, 0 abstentions, 0 recusals.

9. **Motion** to accept the resignation of Board Member and Business Representative Christine Johnson. (5 minutes)

MOTION: Accept resignation of Board Member and Business Representative Christine Johnson.

Scott Epstein makes the motion, Angela Guzman seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols, Tony Regenstreif, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Henry Van Moyland, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: --

RECUSALS: --

Motion passes with 23 yeas, 0 nays, 0 abstentions, 0 recusals.

10. Message from Chair. (5 minutes)
11. Discussion of the formation of the Elections Committee and appointment of board members to that committee. (15 minutes)
12. Informational updates from Standing Committees, Ad Hoc Committees, and Board Liaisons. (20 minutes)
13. Planning and Land Use Committee Motions.
- a. 7250 W. Melrose Ave -- The Parlor -- (ZA-1993-0037-CUB-PA-4). (20 minutes)

Project Description: A Plan Approval for the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in a 5,370 square foot restaurant with proposed 115 indoor seats and 36 outdoor seats (151 total) and a 500 square foot covered patio. Modifications to Condition No. 10 and 21 to allow hours of operation from 9:00 a.m. – 1:00 a.m. Sunday– Thursday and 9:00 a.m. – 2:00 a.m. Friday-Saturday for the restaurant and patio, to allow a live entertainment DJ on the premises and a modification to Condition No. 36 to allow 126 indoor seats and 25 outdoor seats (151 total) are requested.

Requested Actions: Authorizing section: 12.24 M. Section from which relief is requested (if any):

Requests:

- An Approval of Plans to continue the sale and dispensing of a full line of alcoholic beverages for on-site consumption in a 5,370 square foot restaurant with 115 indoor seats and 36 outdoor seats (151 total) and a 500 square foot covered patio.
- Modifications to Condition No. 10 and 21 to allow hours of operation from 9:00 a.m. – 1:00 a.m. Sunday–Thursday and 9:00 a.m. – 2:00 a.m. Friday-Saturday for the restaurant and patio, to allow a live entertainment DJ on the premises; and

- Modification to Condition No. 36 to allow 126 indoor seats and 25 outdoor seats (151 total) are requested.

Motion: Retain all of the existing conditions under (ZA-1993-0037-CUB-PA-3), with the addition of the modification to Condition No. 21: to allow hours of operation from 9:00 a.m. – 1:00 a.m. Sunday–Thursday and 9:00 a.m. – 2:00 a.m. Friday–Saturday for the patio consistent with the interior hours of the restaurant with suggestion to examine sound absorption mitigations.

At the July 31, 2018 Planning and Land Use committee meeting, the motion was made by Bhatia and seconded by Luftman. The committee voted 7 Yeas (Bhatia, Fox, Gerberding, Luftman, Uyeda Kantrim, Wayne, and Wyman), 0 Nays, 1 Abstention (Nakata). The motion passed.

Background: The committee struggled to find a balance between numerous neighbor concerns, both written and voiced, over noise and customer and staff behavior, with the need of the operator to remain financially viable. The operators were unaware of several of the conditions imposed on them under the Zoning Administrator’s Determination Letter, dated October 29, 2013. Previously noted violations included having a D.J. and dancing, during an unannounced inspection on July 5, 2016. The committee was not supportive of allowing a D.J. in the future. A suggestion was made by a committee member to do a walk through with LAPD Vice, Wilshire Division, prior to their Zoning Administrator Hearing. Operator/Expediter did not seem to be in agreement on the need for the seating count change requested, so the committee remained silent on that issue.

AMENDED MOTION: Retain all of the existing conditions under (ZA-1993-0037-CUB-PA-3), with the addition of the modification to Condition No. 21: to allow hours of operation from 9:00 a.m. – 1:00 a.m. Sunday–Thursday and 9:00 a.m. – 2:00 a.m. Friday–Saturday for the patio consistent with the interior hours of the restaurant with suggestion to examine sound absorption mitigations, and:

1. That trash deposit and collection in dumpsters in the rear of the building as well as deliveries to the business occur between the hours of 8:00am and 10:00pm to minimize noise impacts on the surrounding residential neighbors, with deliveries before 8:00am to occur in the front of the building,
2. That trash and recycle bins be locked,
3. That valet service be provided until closing, and that the valet company use an exclusive leased lot or organized shared parking and not in the surrounding residential neighborhoods, and that any change of operator will require a new plan approval,
4. That employees park in the on-site spaces or in other commercial spaces to minimize impacts on the surrounding residential neighborhoods.

Mehmet Berker makes the motion, David Sobel seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Scott Epstein, Heather Fox, Andy Meselson, Taylor Nichols, Marc Sinnott, David Sobel, Henry Van Moyland, Roque Wicker

NAYS: Dina Brown, Liza Gerberding, Angela Guzman, Andrew Jhun, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Tony Regenstreif, Patrick Seamans, Nick Solish, Don Whitehead

ABSTENTIONS: Emily Uyeda Kantrim

RECUSALS: --

Amended motion does not pass with 10 yeas, 12 nays, 1 abstentions, 0 recusals.

PUBLIC COMMENTS

- **Ajam Relan and Patrick Morgan, Representative and Manager of The Parlor:** Primarily a sports themed restaurant and bar. We run #lunchbag, a now global charity. We are the home to 14 colleges and alumni groups. Sports is a seasonal business so we look for alternative ways to maintain financial viability. We are trying to keep the patio opened the same time as our existing indoor hours to make sure that people know we are open. We have taken steps to communicate with the neighbors to make sure that if there is a noise complaint it is handled efficiently.
- **Lucille Saunders, La Brea Willoughby Coalition:** We oppose the Parlor's request. There have been numerous noise complaints. There is a history of requests for modifications in The Parlor history. They have not provided solutions to their problems, and their modification requests have continuously provided nuisances to the neighborhood.
- **Keith Nakata:** We have repeatedly tried to condition this business, but they are unenforceable so we need a simpler CUB for this operation. They have a history of not complying.

Ajam Relan and Patrick Morgan answer questions from the board.

BOARD DISCUSSION

- **Andy Meselson:** The Parlor has been good citizens in regards to being good to the community.
- **Ravi Bhatia:** In the past two weeks they have been addressing the issues of the community. The noise is something I have been able to get satisfaction in. I would rather approve this than have them close down and someone like the previous owners come in.
- **Taylor Nichols:** I enjoy the patio, it's one of the few places you can sit outside in that area, but I will defer to people who live closer to it.
- **Patrick Seamans:** I would suggest that the motion would be contingent on the Parlor hiring an expert.

AMENDMENT:

1. That trash deposit and collection in dumpsters in the rear of the building as well as deliveries to the business occur between the hours of 8:00am and 10:00pm to minimize noise impacts on the surrounding residential neighbors, with deliveries before 8:00am to occur in the front of the building,
2. That trash and recycle bins be locked,
3. That valet service be provided until closing, and that the valet company use an exclusive leased lot or organized shared parking and not in the surrounding residential neighborhoods, and that any change of operator will require a new plan approval,
4. That employees park in the on-site spaces or in other commercial spaces to minimize impacts on the surrounding residential neighborhoods.

Steven Luftman makes the motion to amend, Liza Gerberding seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Andrew Jhun, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Taylor Nichols, Tony Regenstreif, David Sobel, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Emily Uyeda Kantrim, Patrick Seamans, Marc Sinnott, Nick Solish, Henry Van Moyland

RECUSALS: --

Amendment passes with 18 yeas, 0 nays, 5 abstentions, 0 recusals.

b. Beverly Center Digital Sign Boards -- 8500 Beverly Blvd. (20 minutes)

Project Description: The Beverly Center has 3 Digital Sign Boards that have replaced 3 static signs as part of their renovation. MCWCC has been asked to comment by the community on the potential use of these Digital Sign Boards for off-site type advertising which is a non-allowed use.

Motion: Mid City West Community Council opposes that the three digital sign boards on the Beverly Center at 8500 Beverly Blvd be used for off-site advertising.

At the July 31, 2018 Planning and Land Use committee meeting, the motion was made by Luftman and seconded by Wyman. The committee voted 7 Yeas (Fox, Gerberding, Luftman, Nakata, Uyeda Kantrim, Wayne, and Wyman), 0 Nays, 1 Abstention (Bhatia). The motion passed.

Background: MCWCC to draft a Letter to Building and Safety, Department of City Planning, Councilmember Koretz and the City Attorney's Office to review this case and **not allow** the continued off-site advertising on these signs. The Beverly Center was cited for Off-Site Advertising on their 3 digital sign boards by a Building and Safety Inspector on May 7, 2018, case number 815719 with an "Order to Comply." The Beverly Center is currently appealing the case and continues to display these ads. Theatrically released Movie Ads, Streaming Television Shows and Universal Studio Tours amongst others, are displayed on these 3 sign boards. There is no Sign District in this area. The Beverly Center Management declined an invitation to attend the meeting to discuss.

AMENDED MOTION: Mid City West Community Council opposes the use of digital sign boards at the Beverly Center at 8500 Beverly Boulevard for off site advertising, and as such opposes the appeal to the Building and Safety Citation Case Number 815719.

Mehmet Berker makes the motion, Steven Luftman seconds.

YEAS: Mehmet Berker, Dina Brown, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Emily Uyeda Kantrim, Keith Kirkwood, Steven Luftman, David Mann, Taylor Nichols, Patrick Seamans, David Sobel, Nick Solish, Henry Van Moyland, Don Whitehead

NAYS: Abraham Langer

ABSTENTIONS: Ravi Bhatia, Andy Meselson, Marc Sinnott, Roque Wicker

RECUSALS: Andrew Jhun, Tony Regenstreif

Motion passes with 16 yeas, 1 nay, 4 abstentions, 2 recusals.

PUBLIC COMMENT

- **Keith Nakata:** They have been showing off site advertisements. The manager for the Beverly Center was told not to come to the neighborhood council.
- **Andrew Jhun:** My property faces one of the signs and it is very bright. My understanding is that the Beverly Center found a workaround for digital billboards which were voted down legally.

BOARD DISCUSSION

- **David Sobel:** I would love to get rid of the digital sign but in terms of the content of the sign, I

don't care much.

- **Emily Uyeda Kantrim:** The reason that ad space is permitted is so that people can understand how to get into the mall. These ads are not doing that. Also we are agreeing with an already in place order to comply.
- **Ravi Bhatia:** Can we ask for a time that the ads go off at night?
- **Mehmet Berker:** We are responding to the fact that they are appealing their citation.
- **Abraham Langer:** We should be addressing the digital billboards, not the offsite advertising. We should not be punitive here, it is not our place to say we don't like the advertising on this board.
- **Steven Luftman:** I don't want to be the one deciding what is and is not off site advertising. But I do want to tell them that they have to follow the law. We don't want our neighborhood to be times square.
- **Andy Meselson:** I support the sentiment of this motion, we should tell our neighbors to comply, but I can't vote for this.

AMENDMENT: Mid City West Community Council opposes the use of digital sign boards at the Beverly Center at 8500 Beverly Boulevard for off site advertising, and as such opposes the appeal to the Building and Safety Citation Case Number 815719.

Steven Luftman makes the motion to amend, Liza Gerberding seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Scott Epstein, Heather Fox, Liza Gerberding, Angela Guzman, Emily Uyeda Kantrim, Keith Kirkwood, Steven Luftman, David Mann, Taylor Nichols, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Henry Van Moyland, Don Whitehead

NAYS: --

ABSTENTIONS: Dina Brown, Abraham Langer, Andy Meselson, Roque Wicker

RECUSALS: Andrew Jhun, Tony Regenstreif

Amendment passes with 17 yeas, 0 nays, 4 abstentions, 2 recusals.

14. Committee funding motions

- a. **Motion** to approve Neighborhood Purpose Grant of \$2500 to the Los Angeles Conservancy to retain services to prepare a Historic-Cultural Monument nomination application for Tom Bergin's. This NPG is a replacement for the Community Improvement Project passed in the prior fiscal year, and if approved will utilize funds from the 2017-18 fiscal year that Councilmember Ryu's office is helping to place in a special account for this purpose. (10 minutes)

MOTION: Approve Neighborhood Purpose Grant of \$2500 to the Los Angeles Conservancy to retain services to prepare a Historic-Cultural Monument nomination application for Tom Bergin's.

Scott Epstein makes the motion, David Sobel seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Dina Brown, Scott Epstein, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, David Mann, Andy Meselson, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: --

RECUSALS: Heather Fox, Steven Luftman

INELIGIBLE: Tony Regenstreif, Henry Van Moyland

Motion passes with 18 yeas, 0 nays, 0 abstentions, 2 recusals, 2 ineligible.

b. Booth and increased sponsor placement at Tarfest. (20 minutes)

Motion: Mid City West Community Council allocates a sum not to exceed \$1,500 for a booth and increased sponsor placement at the 2018 TarFest event.

On August 1, 2018, the Communications and Outreach Committee voted 5 Yeas (Cullum, Mann, McCallum, Sinnott, and Whitehead), 0 Nays, 0 Abstentions. Motion passed.

Background: Since the board traditionally does not produce a festival-like "signature event" during election years, and since the outreach budget is significantly reduced due to the election - it was suggested to the committee that ramping up participation in this year's TarFest would be an effective way to leverage one of the largest public events in our district to engage with stakeholders in person, promote the MCW brand, and to gain exposure on festival materials. In the past, in exchange for an NPG, the festival has allowed MCW to share space at a public agencies booth. The purpose of putting increased funds towards the event would be to secure an exclusive booth for MCW, and to give MCW more prominent placement on marketing materials, cross-promotion on social media, etc. The committee would plan to present a more robust display at the MCW booth including signage, branding, giveaways, and activities for event guests.

MOTION: Mid City West Community Council allocates a sum not to exceed \$1,500 for a booth and increased sponsor placement at the 2018 TarFest event.

Marc Sinnott makes the motion, Keith Kirkwood seconds.

YEAS: Ravi Bhatia, Liza Gerberding, Angela Guzman, Emily Uyeda Kantrim, Keith Kirkwood, David Mann, Patrick Seamans, Marc Sinnott, Nick Solish, Don Whitehead, Roque Wicker

NAYS: Scott Epstein, Abraham Langer, Steven Luftman, Andy Meselson

ABSTENTIONS: Mehmet Berker, Heather Fox, Andrew Jhun, David Sobel

RECUSALS: --

INELIGIBLE: Tony Regenstreif, Henry Van Moyland

Motion passes with 11 yeas, 4 nays, 4 abstentions, 0 recusals, 2 ineligible.

c. Park(ing) Day 2018 (Tabled at July 2018 board meeting). (15 minutes)

Motion: Mid City West will allocate an amount not to exceed \$2000 to produce a Park(ing) Day event on September 21, 2018. The budget would be used for rental of fencing, furniture, flooring, and other items for the parklet locations.

At the June 22, 2018 Transportation, Parking, and Streetscape Committee meeting, the motion was made by Paget and seconded by Langer. The committee voted 9 Yeas (Bitterman, Epstein, Gabbaiian, Goldenberg, Howell, Langer, Paget, Rudoy, and Solish), 0 Nays, 0 Abstentions. Motion passed.

Background: Park(ing) Day is an international event taking place on the third Friday of September,

during which urban designers and community groups create pop-up parklets in parking spaces for one day. Since 2014, Mid City West has participated in the event each year. Previous installations took place on Melrose Avenue, West Third Street, Fairfax Avenue, La Brea Avenue, Wilshire Boulevard, and Stanley Avenue. The event has offered Mid City West the opportunity to collaborate with local businesses, and has consistently attracted local print, broadcast, and digital press.

MOTION: Mid City West will allocate an amount not to exceed \$900 to produce a Park(ing) Day event on September 21, 2018. The budget would be used for rental of fencing, furniture, flooring, and other items for the parklet locations.

Abraham Langer makes the motion, David Sobel seconds.

YEAS: Mehmet Berker, Ravi Bhatia, Scott Epstein, Liza Gerberding, Angela Guzman, Andrew Jhun, Emily Uyeda Kantrim, Keith Kirkwood, Abraham Langer, Steven Luftman, David Mann, Andy Meselson, Patrick Seamans, Marc Sinnott, David Sobel, Nick Solish, Don Whitehead, Roque Wicker

NAYS: --

ABSTENTIONS: Heather Fox

RECUSALS: --

INELIGIBLE: Tony Regenstreif, Henry Van Moyland

Motion passes with 18 yeas, 0 nays, 1 abstention, 0 recusals, 2 ineligible.

15. Motion to Adjourn at 10:38 p.m.

Neighborhood Council Funding Program
APPLICATION for Neighborhood Purposes Grant (NPG)



This form is to be completed by the applicant seeking the Neighborhood Purposes Grant and submitted to the Neighborhood Council from whom the grant is being sought. All applications for grants must be reviewed and approved in a public meeting. Upon approval of the application the Neighborhood Council (NC) shall submit the application along with all required documentation to the Office of the City Clerk, NC Funding Program.

Name of NC from which you are seeking this grant: Mid City West Community Council

SECTION I - APPLICANT INFORMATION

1a) Los Angeles Conservancy 95-3273046 California 12/29/1978
Organization Name *Federal I.D. # (EIN#)* *State of Incorporation* *Date of 501(c)(3) Status (if applicable)*

1b) 523 West 6th Street, 826 Los Angeles CA 90014
Organization Mailing Address *City* *State* *Zip Code*

1c) _____
Business Address (if different) *City* *State* *Zip Code*

1d) **PRIMARY CONTACT INFORMATION:**

Adrian Scott Fine, Director of Advocacy, 213/430-4203, afine@laconservancy.org
Name *Phone* *Email*

2) Type of Organization- Please select one:
 Public School (not to include private schools) or 501(c)(3) Non-Profit (other than religious institutions)
 Attach Signed letter on School Letterhead Attach IRS Determination Letter

3) _____
Name / Address of Affiliated Organization (if applicable) *City* *State* *Zip Code*

SECTION II - PROJECT DESCRIPTION

4) Please describe the purpose and intent of the grant.

The purpose is for the preparation of a Historic-Cultural Monument (HCM) nomination and make application for Tom Bergin's historic site. The City of Los Angeles' SurveyLA has identified Tom Bergin's as a eligible historic resource. HCM status will provide greater recognition for Tom Bergin's, build awareness, and provide a design review process should there be any proposed changes to the building in the future.

5) How will this grant be used to primarily support or serve a public purpose and benefit the public at-large. (Grants cannot be used as rewards or prizes for individuals)

Funding will be used to retain professional services of an architectural consulting consultant to research, photograph and complete the HCM nomination and submit to the City's Cultural Heritage Commission. The research required for an HCM nomination includes comprehensive documentation of Tom Bergin's history, original plans and drawings (if available), historic photos, building permits, news clippings, etc. on the original design, as well as ownership history, structural alterations, previous tenants, and historically significant persons or activities associated with the building and site.

SECTION III - PROJECT BUDGET OUTLINE

You may also provide the Budget Outline on a separate sheet if necessary or requested.

6a)	Personnel Related Expenses	Requested of NC	Total Projected Cost
		\$	\$
		\$	\$
		\$	\$
6b)	Non-Personnel Related Expenses	Requested of NC	Total Projected Cost
	Expert architectural historic consulting services	\$ 2,500	\$ 4,000
		\$	\$
		\$	\$

7) Have you (applicant) applied to any other Neighborhood Councils requesting funds for this project?

No Yes If Yes, please list names of NCs: Westwood Neighborhood Council

8) Is the implementation of this specific program or purpose described in Question 4 contingent on any other factors or sources or funding? (Including NPG applications to other NCs) No Yes If Yes, please describe:

Source of Funding	Amount	Total Projected Cost
Merrick Park Residents Association (MMPA)	\$ 1,500	\$ 4,000
	\$	\$
	\$	\$

9) What is the TOTAL amount of the grant funding requested with this application: \$ 2,500

10a) Start date: 8 / 14 / 18 10b) Date Funds Required: 9 / 1 / 18 10c) Expected Completion Date: 12 / 31 / 19
(After completion of the project, the applicant should submit a Project Completion Report to the Neighborhood Council)

SECTION IV - POTENTIAL CONFLICTS OF INTEREST

11a) Do you (applicant) have a current or former relationship with a Board Member of the NC?

No Yes If Yes, please describe below:

Name of NC Board Member	Relationship to Applicant
Heather Fox	Member of Conservancy and neighborhood advocate
Steven Luftman	Member of Conservancy and neighborhood advocate

11b) If yes, did you request that the board member consult the Office of the City Attorney before filing this application?

Yes No *(Please note that if a Board Member of the NC has a conflict of interest and completes this form, or participates in the discussion and voting of this NPG, the NC Funding Program will deny the payment of this grant in its entirety.)

SECTION V - DECLARATION AND SIGNATURE

I hereby affirm that, to the best of my knowledge, the information provided herein and communicated otherwise is truly and accurately stated. I further affirm that I have read the documents "What is a Public Benefit," and "Conflicts of Interest" of this application and affirm that the proposed project(s) and/or program(s) fall within the criteria of a public benefit project/program and that no conflict of interest exist that would prevent the awarding of the Neighborhood Purposes Grant. I affirm that I am not a current Board Member of the Neighborhood Council to whom I am submitting this application. I further affirm that if the grant received is not used in accordance with the terms of the application stated here, said funds shall be returned immediately to the Neighborhood Council.

12a) Executive Director of Non-Profit Corporation or School Principal - REQUIRED*

Linda Dishman President and CEO *Linda Dishman* 8.8.2018
PRINT Name Title Signature Date

12b) Secretary of Non-profit Corporation or Assistant School Principal - REQUIRED*

Adrian Scott Fine Director of Advocacy *Adrian Scott Fine* 8.8.2018
PRINT Name Title Signature Date

* If a current Board Member holds the position of Executive Director or Secretary, please contact the NC Funding Program at (213) 978-1058 or clerk.ncfunding@lacity.org for instructions on completing this form

EXHIBIT L

From: kenhixon@pacbell.net
Sent: Wednesday, September 26, 2018 3:52 PM
Subject: Save Tom Bergin's

Hello,

Tom Bergin's Bar and Restaurant, a long time and historic part of Los Angeles, is threatened by demolition in the near future. The Miracle Mile Residential Association and the Los Angeles Conservancy (with the financial support of Mid City West Community Council) have sponsored Tom Bergin's Bar and Restaurant for Historic-Cultural Monument status. Here's a link to a story about it from the Larchmont Buzz:

<https://www.larchmontbuzz.com/featured-stories-larchmont-village/tom-bergins-nominated-as-historic-cultural-monument/>

We've created an email generator that makes it quick and easy for folks to send a message to Los Angeles City Councilmember Ryu and the Cultural Heritage Commission in support of landmark status for Bergin's: <https://support.miraclemilela.com>

So far it's been utilized to sent over 300 emails. Could you please share this link with fellow Bergin's fans? The more the merrier — and the better our shot at saving Bergin's.

Thank you,

Ken

Ken Hixon, Vice President
Miracle Mile Residential Association
kenhixon@pacbell.net
323-935-7227

EXHIBIT M



February 27, 2019
Project No. 2339-004
Historic Preservation Services for
840 S. Fairfax Avenue, Los Angeles, CA

MEMORANDUM FOR THE RECORD

2.6 2339-004.M01

TO: Vintage Vices LLC
6151 Barrows Drive
Los Angeles, CA 90048

FROM: Sapphos Environmental, Inc.
(Ms. Carrie Chasteen)

SUBJECT: Historic Preservation Services for 840 S. Fairfax Avenue in Los Angeles, California

Dear Vintage Vices LLC:

This Memorandum for the Record (MFR) recounts the preliminary findings for peer review of the Historic-Cultural Monument (HCM) nomination under consideration by the City of Los Angeles Cultural Heritage Commission for the subject property located at 840 S. Fairfax Avenue in Los Angeles, also known as Tom Bergin's (APN 5086-008-012). Sapphos Environmental, Inc. understands that the subject property was found eligible for designation as an HCM pursuant to Criteria 1 and 3.

Sapphos Environmental, Inc. (Ms. Carrie Chasteen) was retained by the client to complete a peer review of the HCM nomination for the subject property. Methods included reviewing the HCM nomination, identifying character-defining features of the Tudor Revival style of architecture, and completing preliminary background research.

From this preliminary research, Sapphos Environmental, Inc. has determined that the subject property's eligibility as outlined in the HCM nomination does not possess sufficient integrity to merit designation as an HCM.

Corporate Office:
430 North Halstead Street
Pasadena, CA 91107
TEL 626.683.3547
FAX 626.628.1745

Billing Address:
P.O. Box 655
Sierra Madre, CA 91025
Web site:
www.sapphosenvironmental.com

PEER REVIEW: HCM NOMINATION

Integrity

The building was substantially altered in 2011, 2016, and 2017, and the majority of the features of the exterior, bars, and dining areas are less than 10 years of age and create a false sense of history. Although few permits were issued for the renovation of the subject property located at 840 S. Fairfax Avenue, the following alteration history is derived from archival materials provided by T.K. Vodrey and Mike Mandecick and the current owner of the subject property, Vintage Vices LLC who purchased the property in 2012.

Tom Bergins opened in 1936 at a property located at 6110 Wilshire Boulevard (subsequently demolished). The business relocated to the subject property in 1949. Tom Bergin sold the subject property to Vodrey and Mandecick in 1973. Vodrey and Mandecick altered the building to appear more like an Irish pub than a steak and chop house (Figure 1, *Vintage Sign* [n.d.]). Prior to 1973, the focus of the business was an eating establishment that catered to local theatre patrons. The subject property did not gain a reputation as a popular Irish bar until after 1973, which was 24 years after the restaurant was established at this location.



Figure 1, *Vintage Sign* (n.d.)

SOURCE: *Jeffer Mangels Butler & Mitchell LLP*, 2019

Following the purchase of the property in 1973, the restaurant was altered to appear more like an Irish pub. The dining room was redesigned, and more booths were added; the bar was reconfigured to incorporate a draught system and refrigerators; bathrooms were updated; a shower was installed

in the upstairs office; and the kitschy shamrock program was established.¹ In 2011, the building was completely gutted. Demolition work included removal of the walk-in coolers; employee bathrooms; two customer bathrooms; all equipment and woodwork associated with the bar; all interior millwork, booths, tables, and bar top; the south wall to accommodate new entry layout; and partial demolition of the storage facility (Figure 2, *Bar Restrooms, 2011*; Figure 3, *Kitchen Remodel, 2011*). The dining areas, hallway, and storage rooms were reconfigured (Figure 4, *Rebuilt and Reconfigured Dining Room*). The attic area was raised for storage and two dormers were installed (Figure 5, *New Exterior Walls and Raised Roofline, Installed in 2011*; Figure 6, *Dormer, Installed in 2016*). The entry doorways to the guest bathrooms were reconfigured.

The current primary entrance and associated brick work were also installed as part of this renovation which reoriented the primary entrance from the western façade to the northern façade. Additionally, the “Cocktail” neon sign was installed at this time. The bathrooms were retiled as part of this scope of work, and the copper bar top was installed (Figure 7, *Bar Renovation, 2011*). The custom shelving and cabinets behind the bar were also installed at this time, as were the associated booths (Figure 8, *Custom Bar Booths, Installed in 2011*).² Additionally, the stained-glass windows and interior roundel glass partition between the front door and dining areas, which were previously features of Bergins West, were installed as part of the 2011 renovation.³ Furthermore, the sconces were installed in 2013, the banquet in 2016 (Figure 9, *Banquets, Installed 2016*), the vestry bar and whiskey room also in 2016 (Figure 10, *Vestry Prior to Construction of the Bar*; Figure 11, *Vestry Prior to Construction of the Bar*; Figure 12, *Vestry, Prior to the Installation of the Bar*), and the small auxiliary bar in 2017 (Figure 13, *Auxiliary Bar, Installed 2017*).⁴



Figure 2. Bar Restrooms, 2011
SOURCE: *Vintage Vices LLC, 2011*

¹ Vintage Vices LLC. 25 February 2019. Personal communication.

² Super Pacific Construction, Inc. 8 August 2011. “Estimate for Scope of Work.”

³ Vintage Vices LLC. 25 February 2019. Personal communication.

⁴ Vintage Vices LLC. 25 February 2019. Personal communication.

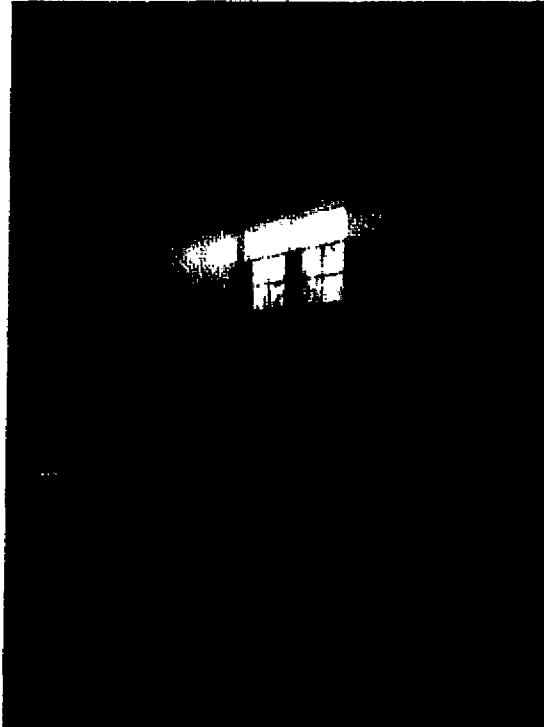


Figure 3. Kitchen Remodel, 2011
SOURCE: *Vintage Vices LLC, 2011*



Figure 4. Rebuilt and Reconfigured Dining Room
SOURCE: *Vintage Vices LLC, 2011*

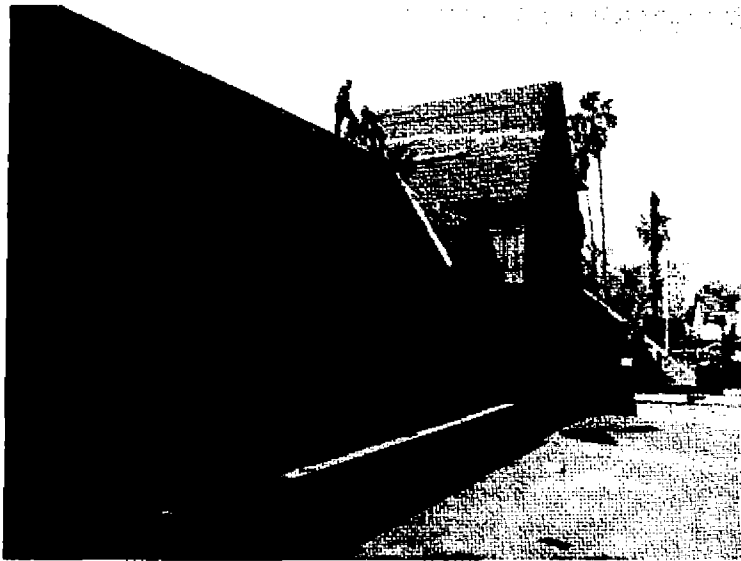


Figure 5. New Exterior Walls and Raised Roofline, Installed in 2011
SOURCE: *Vintage Vices LLC, 2011*

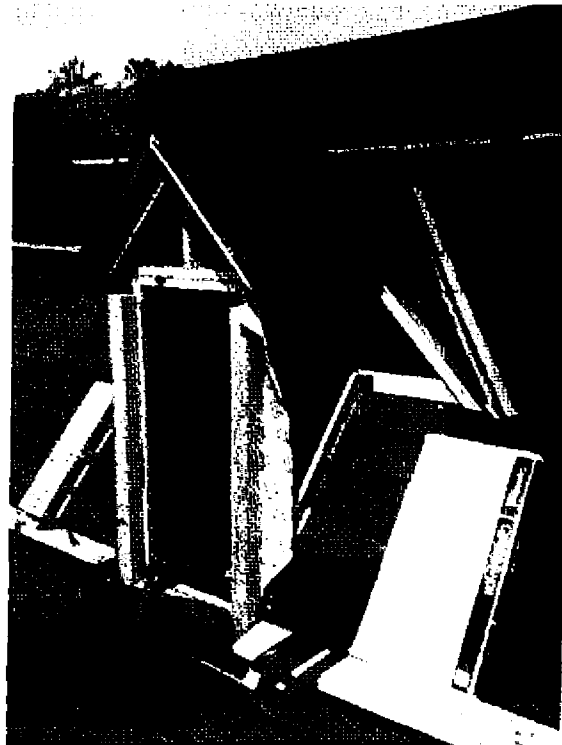


Figure 6. Dormer, Installed in 2016
SOURCE: *Vintage Vices LLC, 2016*



Figure 7. Bar Renovation, 2011
SOURCE: *Vintage Vices LLC, 2011*



Figure 8. Custom Bar Booths, Installed in 2011
SOURCE: *Vintage Vices LLC, 2011*



Figure 9. Banquets, Installed 2016
SOURCE: *Vintage Vices LLC, 2016*

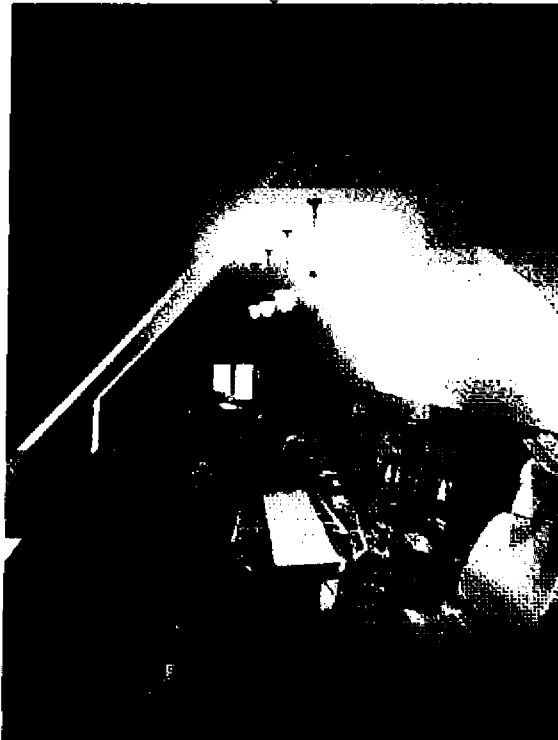


Figure 10. Vestry Prior to Construction of the Bar
SOURCE: *Vintage Vices LLC, 2016*



Figure 11. Vestry Prior to Construction of the Bar
SOURCE: *Vintage Vices LLC, 2016*

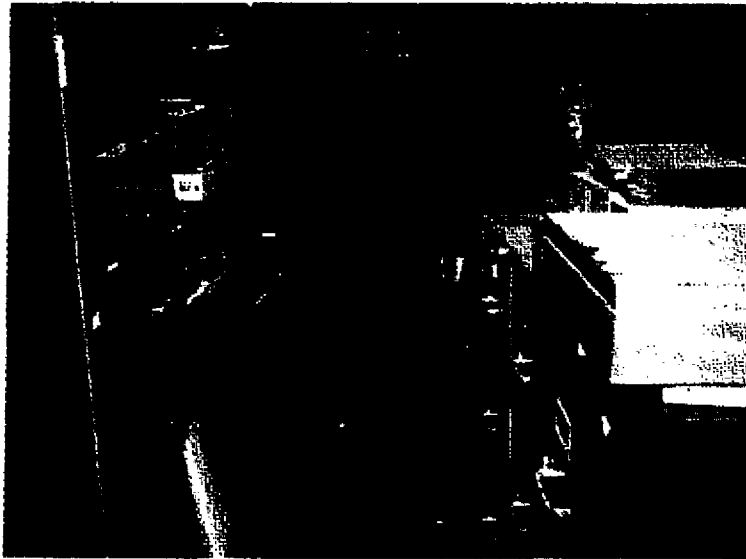


Figure 12. Vestry, Prior to the Installation of the Bar
SOURCE: *Vintage Vices LLC, 2015*



Figure 13. Auxiliary Bar, Installed 2017
SOURCE: *Vintage Vices LLC, 2017*

The building was substantially altered in 2011, 2016, and 2017, and the majority of the features of the exterior, bars, and dining areas are less than 10 years of age and create a false sense of history. Therefore, the subject property does not retain sufficient integrity to merit designation as a Historic-Cultural Monument (HCM).

The subject property was nominated for designation as an HCM pursuant to Criteria 1 and 3. Although the property does not possess sufficient integrity for designation as an HCM, the following analysis is provided to further demonstrate that the subject property is ineligible for designation as an HCM pursuant to these Criteria.

Criterion 1

The subject property was nominated as an HCM pursuant to Criterion 1:

Criterion 1: It exemplifies significant contributions to the broad cultural, economic, or social history of the nation, state, city, or community.

The HCM nomination makes the following arguments for eligibility under this criterion:

- **Commercial Identity:** One of most iconic and longest-lived bars in the City
 - opened in 1936
 - moved in 1949
 - operating until 2018
 - second-oldest liquor license

- Neighborhood Bar: Generations of Angelenos patronized the bar
- “Third Place”: Sense of continuity amid successive waves of development

Although there are perhaps other more applicable interpretations of the subject property pursuant to Criterion 1, the HCM nomination heavily focuses on the profusion of liquor and comradery established at the subject property. Of the two types of events identified by Criterion 1, the HCM identifies the subject property as associated with a pattern of events or a significant trend in the development of a community, rather than a specific event. The HCM nomination showcases the longevity of the restaurant, its extensive record of serving liquor, and numerous famous clientele that frequented the restaurant as proof of a significant trend in the development of the community. What the HCM nomination fails to achieve is a convincing argument of the importance of the location as contributing to the cultural, economic, or social history of the community.

The Eighteenth Amendment to the U.S. Constitution which prohibited the manufacture, sale, or transportation of intoxicating liquors was passed on December 18, 1917. Prior to the repeal of this amendment on December 5, 1933, the City of Los Angeles passed the Gandier Ordinance in 1918 which permitted the issuance of beer and wine permits to 175 persons or concerns in the downtown district.⁵ The ordinance was repealed on May 10, 1933 and the Police Commission began granting permits to applications in all parts of the City of Los Angeles. Four hundred fifty-six (456) applications for permits to sell 3.2 percent beer and wine were filed by April 4, 1933, including Cole’s, the Los Angeles Athletic Club, and Taix French Restaurant.⁶ On May 11, 1933, the Police Commission approved a total of 481 beer and wine licenses, which resulted in a total of 502 retail and 154 wholesale licenses issued to sell legalized beer and wine in Los Angeles.⁷ Although Cole’s closed for a period of time, it has re-opened and the Los Angeles Athletic Club and Taix French Restaurant have been in continuous operation since opening. Therefore, the subject property is not entitled with the second-oldest liquor license in the City of Los Angeles and other continuously operating restaurants dating to this time period are located throughout the city.

In fact, the HCM nomination focuses on the “third place” nature of the restaurant, applying a term defined by urban sociologist Ray Oldenburg to the building. This methodological application of a sociological term, although perhaps useful in explaining a space deemed “other” as a type, does not fit within the established considerations for Criterion 1, and instead circumnavigates an established theme of importance to claim that a long-standing restaurant is inherently significant for serving “droves of patrons who came to Bergin’s to eat, imbibe, and fraternize.” Although perhaps associated with commercial identity, the nomination does not elaborate on the implications of such a space, but instead implies that because the location is old and has served many people, it is significant. Although properties associated with liquor and comradery have been found eligible, they are typically those associated with identifiably significant events in the community, city, or country, such as the era of Prohibition or the Black Cat for its association with the LGBTQ civil rights movement. For this reason, the argument that the subject property is eligible for listing pursuant to Criterion 1 is not adequately supported in the HCM nomination.

⁵ “Beer Sale in Confusion: Police Board Issues Plan.” 28 March 1933. *Los Angeles Times*, p. A1

⁶ “Beer Permits Issued in City.” 4 April 1933. *Los Angeles Times*, p. A1.

⁷ “Beer-Permit Area Widens: Police Board Approves 481, for all Parts of the City; Lower License Fee Schedule Adopted.” 11 May 1933. *Los Angeles Times*, p. A1.

Criterion 3

The subject property was nominated as an HCM pursuant to Criterion 3:

Criterion 3: It embodies the distinctive characteristics of a style, type, period, or method of construction.

The HCM nomination found the subject property eligible for designation as an HCM because it is an exemplary Tudor Revival-style commercial building in Los Angeles. Explicit in the Criterion consideration are the words: style and type. It should be clarified that the HCM nomination identified the subject property as eligible for its Tudor Revival-style architecture, exhibiting character-defining features, and for its type as a somewhat unusual commercial interpretation of the style. The HCM nomination explicitly identifies that this building is eligible as a commercial interpretation of this style, and therefore unique from the myriad residential iterations of the style. The following are character-defining features of the Tudor Revival-style of architecture:

- Asymmetrical massing
- Steeply-pitched, usually multi-gabled roofs
- Facades that are dominated by one or more prominent gables
- Massive chimneys, typically constructed of brick
- Stucco, stone, and/or brick wall cladding
- Decorative half-timbering
- Entrance vestibules with pointed arched openings
- Tall, narrow multi-paned windows, typically arranged in groups

As stated in the staff report,⁸ the subject property is not a unique or outstanding example of the Tudor Revival style of architecture and cited other outstanding examples as justification for this recommendation. Based upon a review of Tudor Revival style architecture identified in SurveyLA and HistoricPLacesLA, this peer review validates the staff recommendation that the subject property is not eligible for designation as an HCM pursuant to Criterion 3.

⁸ Los Angeles Department of City Planning, 22 January 2019. Cultural Heritage Commission Agenda Packet for Tom Bergin's, 840 S. Fairfax Avenue, CHC-2018-5803-HCM; ENV-2018-5804-CA.

Conclusion

Sapphos Environmental, Inc. completed a peer review of the HCM nomination for the subject property. From this preliminary research and review, Sapphos Environmental, Inc. has determined that the subject property does not possess sufficient integrity or meet Criteria 1 and 3 to merit designation as an HCM. If you have any questions, please contact Ms. Carrie Chasteen at (626) 683-3547, extension 102.

Sincerely,

SAPPHOS ENVIRONMENTAL, INC.



Carrie Chasteen
Historic Resources Manager

CEC/cec

EXHIBIT N



Draft

840 SOUTH FAIRFAX AVENUE
LOS ANGELES, CALIFORNIA
Historic Resources Assessment

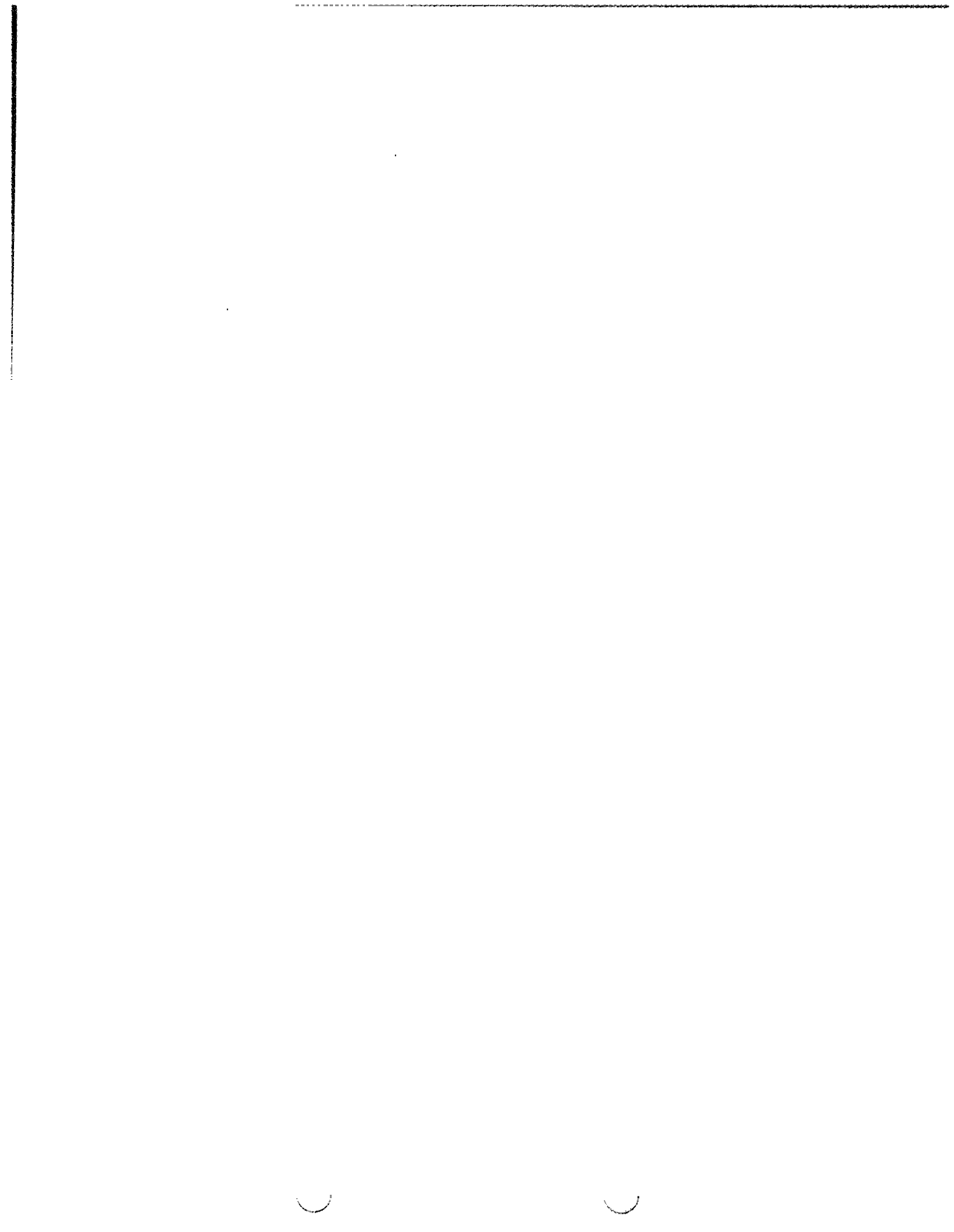
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6151 Barrows Drive
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February 2019



ES/





Draft

840 SOUTH FAIRFAX AVENUE
LOS ANGELES, CALIFORNIA
Historic Resources Assessment

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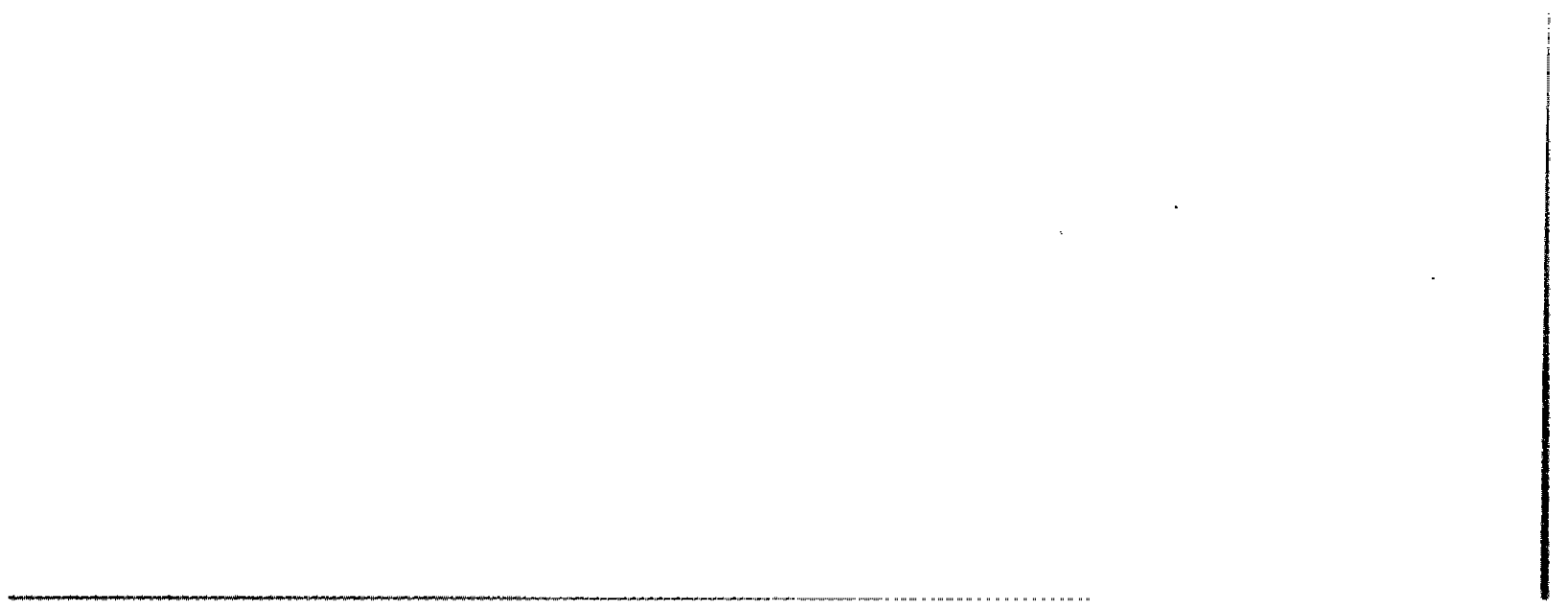
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840 SOUTH FAIRFAX AVENUE

Historic Resources Assessment

1 Introduction

Executive Summary

Environmental Science Associates (ESA) was retained by Derek Schreck of Vintage Vices LLC (Client) to prepare this Historical Resources Assessment Report (Report). The purpose of this Report is to identify and evaluate a potential historical resource located at 840 South Fairfax Avenue in the neighborhood of Wilshire, Los Angeles (City), California, on Assessor Parcel Number (APN) 5086-008-012 (subject property). This Report, completed by ESA, was prepared to comply with California Environmental Quality Act (CEQA), to assess the existing building and landscape on the subject property for eligibility as a historical resource for listing National Register of Historic Places (National Register or NR), California Register of Historical Resources (California Register or CR), as well as-for designation as a City of Los Angeles Landmark. The Report includes a discussion of the survey methods used, a brief historic context of the properties and surrounding area, and the identification and evaluation of the subject property.

Tom Bergin's namesake business originally began along Wilshire Boulevard in 1936. The subject building at 840 S. Fairfax Avenue was constructed at the current site in 1949. The property has had three subsequent owners since Bergin, and business here was in operation until 2018. The property was reviewed under the two SurveyLA sub-themes associated with the subject property: Restaurants (1880-1980); and Late Tudor Revival (1930-1950). The identified period of significance, 1949-1973, corresponds with the original owner and proprietor, Tom Bergin's period of ownership and operation. As discussed above, the building retains integrity of location, association, feeling, and setting, but does not retain strong integrity for its design or materials, two crucial aspects which would allow the property to convey its historical significance as an example of a destination restaurant of the mid-century period. As such, the property appears to be ineligible for listing as an HCM under Criterion 1 for its association as a destination restaurant associated with the ownership of Tom Bergin for whom it is named, because the subject property has been substantially altered after the period of significance by subsequent owners and no longer retains its historic appearance from its period of significance. Furthermore, the subject property is not associated with events that have made a significant contribution to the broad patterns of our nation's history or of California's history or cultural heritage. The subject property is not associated with significant events in the Civil Rights movement, or with LGBTQ history, or with Irish immigrant history, or other social or cultural history in Los Angeles. Other than annual Saint Patrick's Day parties, no notable events occurred at the subject property. Therefore, the subject property does not reflect or exemplify the broad cultural, economic or social history of the nation,

State or community under National Register of Historic Places Criterion A or the California Register of Historic Places Criterion 1, or LAHCM Criterion 1.

The original owner and operator of the subject business and building, Tom Bergin, appeared to have been a lively fixture in his namesake bar during his period of ownership. Bergin relocated his business to a custom-designed restaurant, operating it until his retirement in 1973. However, Bergin does not appear to have made significant contributions to local, State, or national history through his association with the subject property. Therefore, 840 S. Fairfax Avenue does not appear to be associated with significant personages or events as is required under LAHCM Criterion 2.

While the property has a few select character-defining features that would vaguely reference the style, it is lacking sufficient character-defining features to fully embody the Late Tudor Revival Style. The configuration of the horizontal and vertical siding, the unarticulated entryway, and curious organization of the stepped gables allow for the building to read as a vernacular property that vaguely references certain elements from a particular style. Applied here in a more simplified manner, the commercial property is not reflective of a significant example of the Late Tudor Revival style in Los Angeles. The property at 840 S. Fairfax Avenue does not meet the significance requirements under the LAHCM Criterion for its architectural design. The property does not meet the significance requirements under the National Register of Historic Places Criterion C or the California Register of Historic Places Criterion 3.

The subject property does not appear to yield significant information that would expand our current knowledge or theories of design, methods of construction, operation, or other information that is not already known about the period in which they were constructed, their method of construction, or their design. Therefore 840 S. Fairfax Avenue does not meet the significance requirements under the National Register of Historic Places Criterion D or the California Register of Historic Places Criterion 4.

Project Location

The subject property, 840 South Fairfax Avenue (APN: 5086-008-012), is situated in Wilshire in the City of Los Angeles, between 8th Street and Olympic Boulevard, shown on **Figure 1, Regional and Project Vicinity Map**. As mentioned above and shown in **Figure 2, Aerial Photograph of Project Site**, the Project Site is improved with a two-story restaurant and bar, oriented facing South Fairfax Avenue to the west. The restaurant at 840 S. Fairfax (Project Site) is directly on the parkway with some bushes and plantings along the south façade of the restaurant. The subject property is located on a developed block bounded by South Fairfax to the west, Orange Grove Avenue to the east, West 8th Street to the north, and San Vicente and Olympic Boulevards to the south. The subject property is situated near the center of the 800 block of South Fairfax. The block is developed primarily with multi-family residential buildings to the north and east of the subject property, and the Shalhevet High School campus is adjacent to the subject property on the south. The Petersen Automotive Museum is located north of the block across 8th Street. The Project setting is densely developed with period revival, single-family residences in the Carthay Circle neighborhood to the west. Residential development east of South Orange Grove Avenue is primarily period revival and mid-century modern multi-family

residences with a couple single-family residences mixed in (Figure 2). The Los Angeles County Museum of Art and the Miracle Mile are located one block to the north, along Wilshire Boulevard.

Figure 1 Regional and Project Vicinity Map

Figure 2 Aerial Photograph of Project Site

Research and Field Methodology

This Report was prepared by ESA's architectural historians, including Margarita Jerabek, Ph.D., Director of Historical Resources, Alison Garcia Kellar, M.S., Senior Architectural Historian, and Hanna Winzenried, M.S.C., Architectural Historian, all of whom meet the *Secretary of the Interior's Professional Qualification Standards* in history and architectural history. Professional qualifications are provided in **Appendix A**. The historical resources evaluation involved a review of the National Register and its annual updates, the California Register, the Statewide Historical Resources Inventory (HRI) database maintained by the State Office of Historic Preservation (OHP), SurveyLA findings, and the City of Los Angeles's inventory of historic properties to identify any previously recorded properties within or near the subject properties. An intensive pedestrian survey was also undertaken to document the existing conditions of the properties and vicinity. In addition, the following tasks were performed for the study:

- Conducted field inspections of the subject properties and utilized the survey methodology of the State OHP.
- Photographed the subject properties and associated landscape features, and examined other properties in the vicinity that exhibited potential architectural and/or historical associations.
- Conducted site-specific research for the property utilizing building permits, Sanborn Fire Insurance Maps (Sanborn Maps), City directories, historical photographs, historical *Los Angeles Times*, and other published sources.
- Conducted research at the City's Building and Safety and Community Development departments as well as the Los Angeles County Office of the Assessor (Assessor).
- Reviewed and analyzed ordinances, statutes, regulations, bulletins, and technical materials relating to federal, state, and City historic preservation, designation assessment processes, and related programs.
- Evaluated potential historical resources based upon criteria used by the National Register, California Register, and City of Los Angeles Cultural Heritage Preservation Ordinance.

2 Regulatory Framework

Historical resources fall within the jurisdiction of the federal, state, and City designation programs. Federal laws provide the framework for the identification, and in certain instances, protection of historical resources. Additionally, state and local jurisdictions play active roles in the identification, documentation, and protection of such resources within their communities. The National Historic Preservation Act (NHPA) of 1966, as amended and the California Public Resources Code (PRC), Section 5024.1, are the primary federal and state laws and regulations governing the evaluation and significance of historical resources of national, state, regional, and local importance. Descriptions of these relevant laws and regulations are presented below.

Federal Eligibility Criteria and Integrity Aspects

National Register of Historic Places

The National Register was established by the NHPA as "an authoritative guide to be used by federal, state, and local governments, private groups and citizens to identify the Nation's cultural

resources and to indicate what properties should be considered for protection from destruction or impairment.”¹ The National Register recognizes properties that are significant at the national, state, and/or local levels.

To be eligible for listing in the National Register, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Four criteria for evaluation have been established to determine the significance of a resource:

- A. Associated with events that have made a significant contribution to the broad patterns of our history;
- B. Associated with the lives of persons significant in our past;
- C. Embodies the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;
- D. Yields, or may be likely to yield, information important in prehistory or history.²

Districts, sites, buildings, structures, and objects that are 50 years in age must meet one or more of the above criteria *and* retain integrity (that is, convey their significance) to be eligible for listing.

Under the National Register, a property can be significant not only for the way it was originally constructed, but also for the way it was adapted at a later period, or for the way it illustrates changing tastes, attitudes, and uses over a period of time.³

Within the concept of integrity, the National Register recognizes seven aspects or qualities that, in various combinations, define integrity: Location, Design, Setting, Materials, Workmanship, Feeling, and Association:

Location is the place where the historic property was constructed or the place where the historic event occurred. The relationship between the property and its location is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in rare cases, the relationship between a property and its historic associations is destroyed if the property is moved.

Design is the combination of elements that create the form, plan, space, structure, and style of a property. It results from conscious decisions made during the original conception and planning of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials. A property’s design reflects historic functions and technologies as well as aesthetics. It includes such

¹ 36 CFR Section 60.2.

² “Guidelines for Completing National Register Forms,” in National Register Bulletin 16, U.S. Department of Interior, National Park Service, September 30, 1986. This bulletin contains technical information on comprehensive planning, survey of cultural resources and registration in the NRHP.

³ National Register Bulletin 15, p. 19.

considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; type, amount and style of ornamental detailing; and arrangement and type of plantings in a designed landscape.

Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the *character* of the place in which the property played its historic role. It involves *how*, not just where, the property is situated and its relationship to surrounding features and open space.

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or to its individual components.

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. A property must retain key exterior materials dating from the period of its historic significance.

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character.

Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer.⁴

To retain historic integrity, a property will always possess most of the aspects and depending upon its significance, retention of specific aspects of integrity may be paramount for a property to convey its significance.⁵ Determining which of these aspects are most important to a particular property requires knowing *why*, where and when a property is significant.⁶ For properties that are considered significant under National Register Criteria A and B, *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation (National Register Bulletin 15)* explains, "a property that is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its

⁴ National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, 44-45, <http://www.nps.gov/nr/publications/bulletins/pdfs/nrb15.pdf>, accessed July 7, 2013.

⁵ The National Register defines a property as an "area of land containing a single historic resource or a group of resources, and constituting a single entry in the National Register of Historic Places." A "Historic Property" is defined as "any prehistoric or historic district, site, building, structure, or object at the time it attained historic significance." Glossary of National Register Terms, http://www.nps.gov/nr/publications/bulletins/nrb16a/nrb16a_appendix_IV.htm, accessed June 1, 2013.

⁶ National Register Bulletin 15, p. 44.

association with the important event, historical pattern, or person(s).”⁷ In assessing the integrity of properties that are considered significant under National Register Criterion C, *National Register Bulletin 15* states, “a property important for illustrating a particular architectural style or construction technique must retain most of the physical features that constitute that style or technique.”⁸

State Register and Eligibility Criteria

California Register of Historical Resources

The OHP, as an office of the California Department of Parks and Recreation (DPR), implements the policies of the NHPA on a statewide level.

The OHP also carries out the duties as set forth in the PRC and maintains the HRI and the California Register. The State Historic Preservation Officer (SHPO) is an appointed official who implements historic preservation programs within the state’s jurisdictions.

Also implemented at the state level, CEQA requires projects to identify any substantial adverse impacts which may affect the significance of identified historical resources.

The California Register was created by Assembly Bill 2881 which was signed into law on September 27, 1992. The California Register is “an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change.”⁹ The criteria for eligibility for the California Register are based upon National Register criteria.¹⁰

The California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register and those formally Determined Eligible for the National Register;¹¹
- California Registered Historical Landmarks from No. 770 onward;

⁷ “A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property’s historic character. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for the National Register.” Ibid, p. 46.

⁸ “A property that has lost some historic materials or details can be eligible if it retains the majority of the features that illustrate its style in terms of the massing, spatial relationships, proportion, pattern of windows and doors, texture of materials, and ornamentation. The property is not eligible, however, if it retains some basic features conveying massing but has lost the majority of the features that once characterized its style.” Ibid.

⁹ PRC Section 5024.1(a).

¹⁰ PRC Section 5024.1(b).

¹¹ PRC Section 5024.1(d).

- Those California Points of Historical Interest (PHI) that have been evaluated by the OHP and have been recommended to the State Historical Commission for inclusion on the California Register.¹²

Other resources which may be nominated to the California Register include:

- Individual historical resources;
- Historical resources contributing to historic districts;
- Historical resources identified as significant in historical resources surveys with significance ratings of Category 1 through 5;
- Historical resources designated or listed as local landmarks, or designated under any local ordinance, such as an HPOZ.¹³

To be eligible for the California Register, a historical resource must be significant at the local, state, or national level, under one or more of the following four criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Additionally, a historical resource eligible for listing in the California Register must meet one or more of the criteria of significance described above and retain enough of its historic character or appearance to be recognizable as a historical resource and to convey the reasons for its significance. Historical resources that have been rehabilitated or restored may be evaluated for listing. Integrity is evaluated with regard to the retention of seven aspects of integrity similar to the National Register (location, design, setting, materials, workmanship, feeling, and association). Also like the National Register, it must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or historic changes in its use may themselves have historical, cultural, or architectural significance. It is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the National Register, but they may still be eligible for listing in the California Register. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if it maintains the potential to yield significant scientific or historical information or specific data.¹⁴

California Historical Resources Status Codes

The California State OHP developed National Register Status Codes in 1975 as a standardized system for classifying historical resources in the state's Historic Resources Inventory. In 2003

¹² PRC Section 5024.1(d).

¹³ PRC Section 5024.1(e)

¹⁴ Codified in California Code of Regulations, Title 14, Chapter 11.5, Section 4852(c) which can be accessed on the internet at <http://ohp.parks.ca.gov>

these codes were revised to reflect the application of California Register and local criteria and the name was changed to California Historical Resource (CHR) Status Codes. CHR Status codes consist of three digits and are assigned to properties or historic districts through a survey process and as a result of varying regulatory processes. The first digit ranges from 1-7. Code categories 1-5 reflect properties determined eligible for designation according to the criteria established for the National Register, California Register and local government criteria for significance. Code categories 6-7 generally identify properties that do not meet established criteria for significance, have not been evaluated, or need to be reevaluated. The code categories are as follows:

1. Properties listed in the National Register or the California Register;
2. Properties determined eligible for listing in the National Register or the California Register;
3. Appears eligible for National Register or the California Register through survey evaluation;
4. Appears eligible for the National Register or the California Register through other evaluation;
5. Properties recognized as historically significant by local government;
6. Not eligible for listing or designation as specified; and
7. Not evaluated for the National Register or California Register or needs re-evaluation.

The second digit of the CHR Status Code is a letter code indicating whether the resource is separately eligible (S), eligible as part of a district (D), or both (B). The third digit is a number that is used to further specify significance and refine the relationship of the property to the National Register and/or California Register. Under this evaluation system, categories 1 through 4 pertain to various levels of National Register and California Register eligibility. Locally eligible resources are given a rating code level 5. Properties found ineligible for listing in the National Register, California Register, or for designation under a local ordinance are given an evaluation Status Code of 6. Properties given an evaluation Status Code of 6Z are “found ineligible for the National Register, California Register, or Local designation through survey evaluation.”¹⁵

City of Los Angeles Cultural Heritage Ordinance and Eligibility Criteria

The City enacted a Cultural Heritage Ordinance in April 1962 which defines Historic-Cultural Monuments. According to the Cultural Heritage Ordinance, Historic-Cultural Monuments are sites, buildings, or structures of particular historic or cultural significance to the City in which the broad cultural, political, or social history of the nation, state, or City is reflected or exemplified, including sites and buildings associated with important personages or which embody certain distinguishing architectural characteristics and are associated with a notable architect. These Historic-Cultural Monuments are regulated by the City’s Cultural Heritage Commission and the City Council.

Los Angeles Cultural Heritage Ordinance Eligibility Criteria

The Los Angeles City Council adopted the Cultural Heritage Ordinance in 1967 and amended it in 2018 (Los Angeles Administrative Code, Chapter 9, Division 22, Article 1, Section 22.171.7).

¹⁵ California Code of Regulations, Title 14, Chapter 11.5, Section 4852(e)

The Cultural Heritage Ordinance establishes criteria for designating a local historical resource as an HCM. An HCM is any site (including significant trees or other plant life located on the site), building, or structure of particular historic or cultural significance to the City that meets at least one of the following criteria:

1. Is identified with important events of national, state, or local history, or exemplifies significant contributions to the broad cultural, economic, or social history of the nation, state, city, or community; or
2. Is associated with the lives of historic personages important to national, state, city or local history; or
3. Embodies the distinctive characteristics of a style, type, period, or method of construction; or represents a notable work of a master designer, builder, or architect whose individual genius influenced his or her age.

Los Angeles Historic Preservation Overlay Zone (HPOZ) Ordinance Eligibility Criteria

City of Los Angeles Ordinance Number 175891, found in Section 12.20.3 of the Los Angeles Municipal Code, describes the procedures for creation of new historic preservation overlay zones (HPOZ), the powers and duties of HPOZ Boards, and the review processes for Projects within HPOZs. The Ordinance was created in 1979 and most recently amended and re-adopted by the Los Angeles City Council in 2017.¹⁶ An HPOZ is an area of the City which is designated as containing structures, landscaping, natural features or sites having historic, architectural, cultural or aesthetic significance. Before an HPOZ may move into the formal adoption process, an historic resources survey of the proposed district must be completed. The survey studies the historic and architectural significance of the neighborhood and identifies structures and features as either “contributing” or “non-contributing” to the district. A contributing structure is a building that was constructed during the predominant period of development in the neighborhood and that has retained most of its historic features. A non-contributing structure is one that was either constructed after the major period of the neighborhood’s development, or has been so significantly altered that it no longer conveys its historic character.¹⁷

According to Section 12.20.3 of the City of Los Angeles Municipal Code, features designated as contributing shall meet one or more of the following criteria:

- Adds to the Historic architectural qualities or Historic associations for which a property is significant because it was present during the period of significance, and possesses Historic integrity reflecting its character at that time; or
- Owing to its unique location or singular physical characteristics, represents an established feature of the neighborhood, community or city; or

¹⁶ “Citywide HPOZ Ordinance,” City of Los Angeles Office of Historic Resources, <http://www.preservation.lacity.org/hpoz/citywide-hpoz-ordinance>, accessed July 24, 2013.

¹⁷ “How to Establish an HPOZ,” City of Los Angeles Office of Historic Resources, <http://www.preservation.lacity.org/hpoz/how-establish-hpoz>, accessed July 24, 2013.

- Retaining the building, structure, Landscaping, or Natural Feature, would contribute to the preservation and protection of the resource and its environment.¹⁸

3 Neighborhood Development

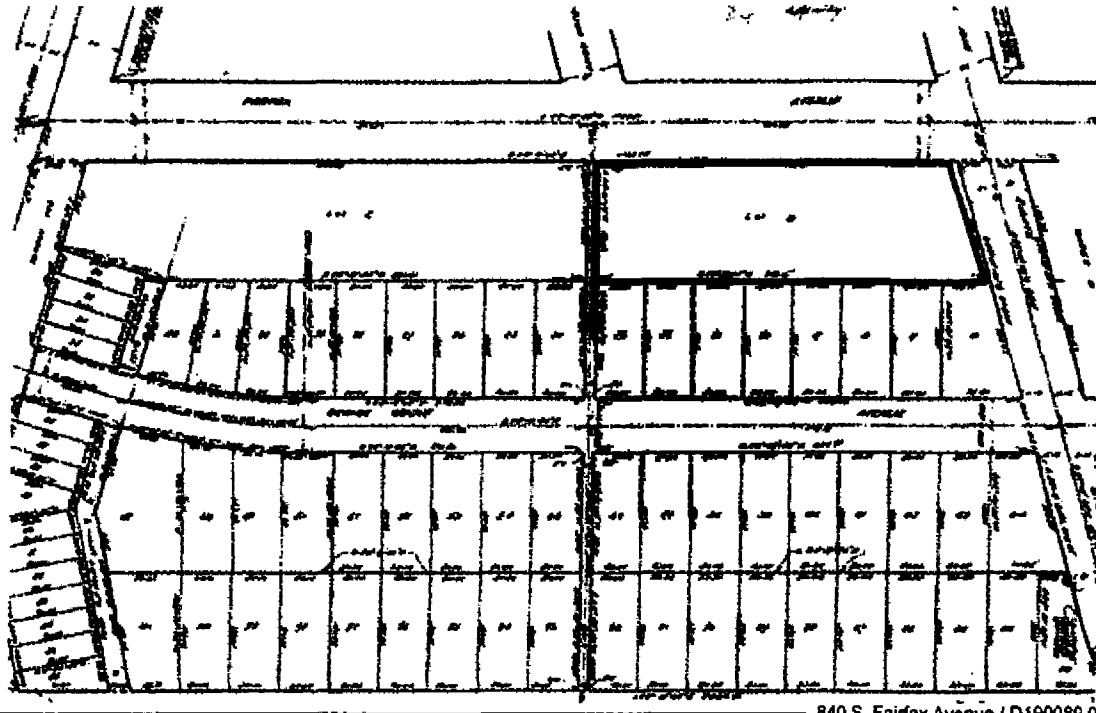
Tract No. 6826

Tract 6826 was surveyed in 1923, and was originally a subdivision of a portion of Rancho Rodeo de las Aguas. The subject parcel was part of a much larger parcel, "Lot B," which abutted Fairfax Avenue to the west and Roland Walk, an alleyway, to the south shown in **Figure 3** (full tract map shown in **Appendix B**). The large parcel to the immediate south of the early subject parcel extended the remainder of Fairfax Avenue, abutting San Vicente Boulevard. At this time, Tract 6824 had many narrow, rectangular parcels to the east of the subject property along Orange Grove Avenue and Ogden Drive.

By the 1927 Sanborn Map, the smaller narrow parcels in the tract were slowly becoming developed (**Figure 4**). At this time, several adjacent parcels along South Orange Grove Avenue had duplex buildings and single-family homes, each with an auxiliary structure toward the rear of the property. There was dense development along South Ogden Drive, where many of the parcels were developed with dwellings – some appearing to have repeating footprints. Parcels abutting San Vicente Boulevard and South Fairfax Avenue remained undeveloped, as was the subject property at this time.

The following Sanborn Map from 1951 depicts dense development in the adjacent parcels to the east of the subject tract (**Figure 5**). Each of the smaller narrow parcels to the east of 840 S. Fairfax Avenue were developed by this time which included apartment buildings, duplexes, and single-family dwellings along both South Orange Grove Avenue and South Ogden Drive. Commercial structures improved the parcels along San Vicente Boulevard, including gas stations, restaurants, and office buildings. The parcel immediately south of the subject parcel remained largely undeveloped by this time, save for a 2-story market and drugstore building at the northeastern corner of San Vicente and Fairfax Boulevard. By this time, the subject parcel had been subdivided from the formerly large 'Lot B', into a smaller narrow parcel, similar in configuration to the surrounding residential plots. From the Sanborn Map, it appears that the subject restaurant was the only one of two buildings on the subject tract that abutted Fairfax Avenue at the time. The alleyway to the south of the property remained present, bisecting the subject block leading from South Fairfax Avenue to South Orange Grove Avenue.

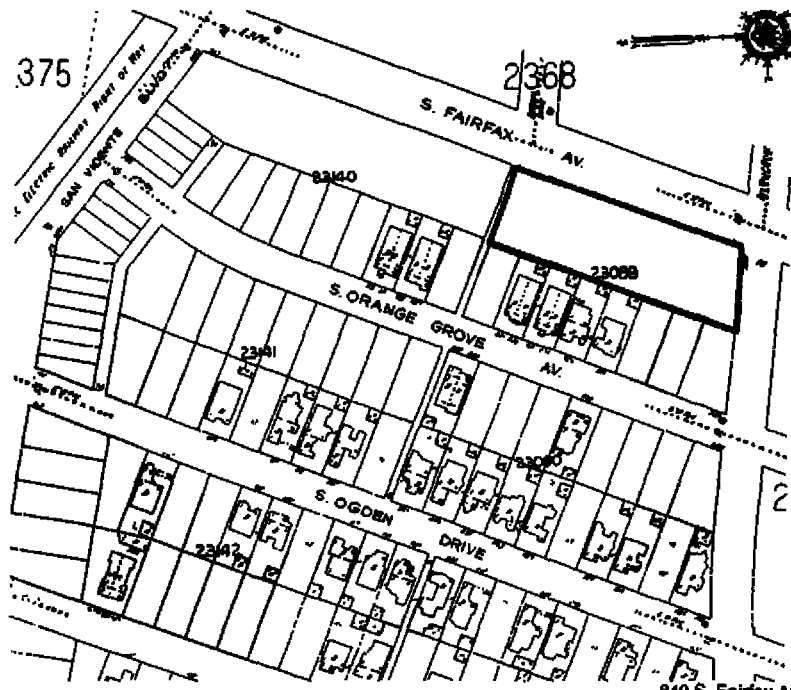
¹⁸ "Citywide HPOZ Ordinance," City of Los Angeles Historic Resources, <http://www.preservation.lacity.org/hpoz/citywide-hpoz-ordinance>, accessed July 24, 2013, pgs. 11-12.



840 S. Fairfax Avenue / D190089.00

SOURCE: Los Angeles County Assessor

Figure 3
"Tract No 6826 In the City of Los Angeles," with early subject
parcel outlined in red, 1923



SOURCE: Los Angeles County Public Library

840 S. Fairfax Avenue / D190089.00

Figure 4
Sanborn map with subject parcel identified in red, 1927

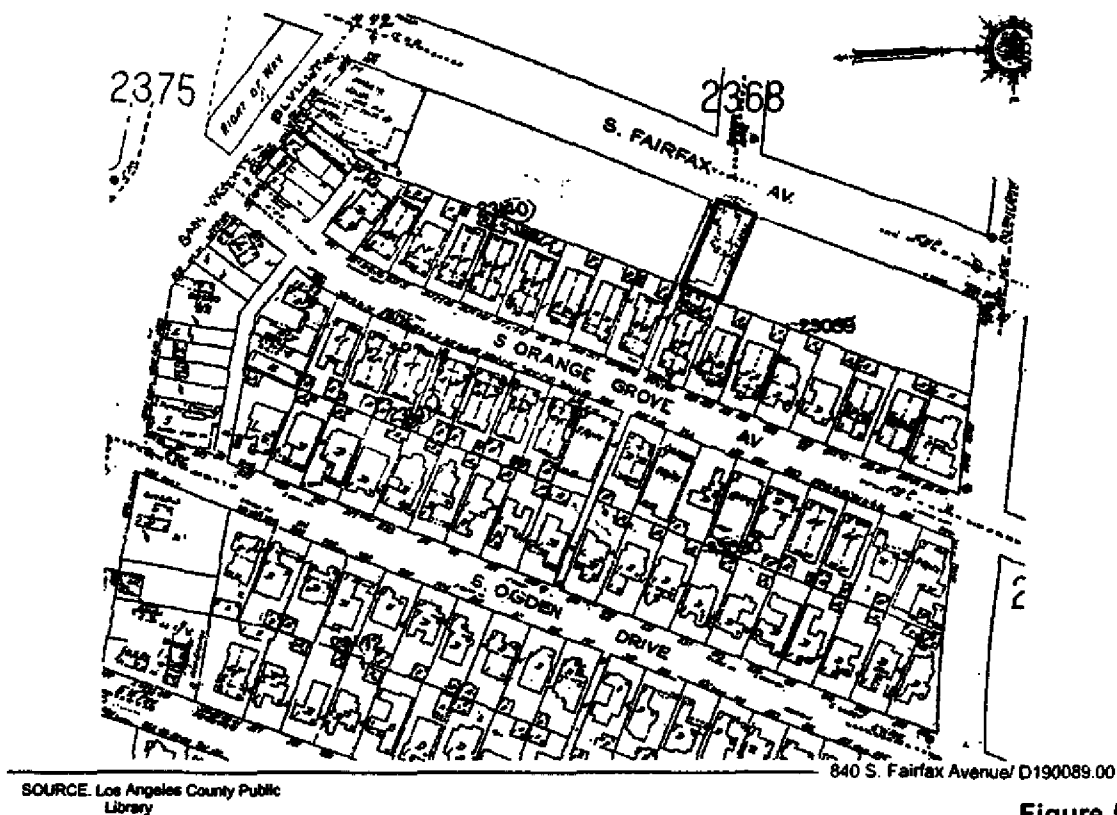
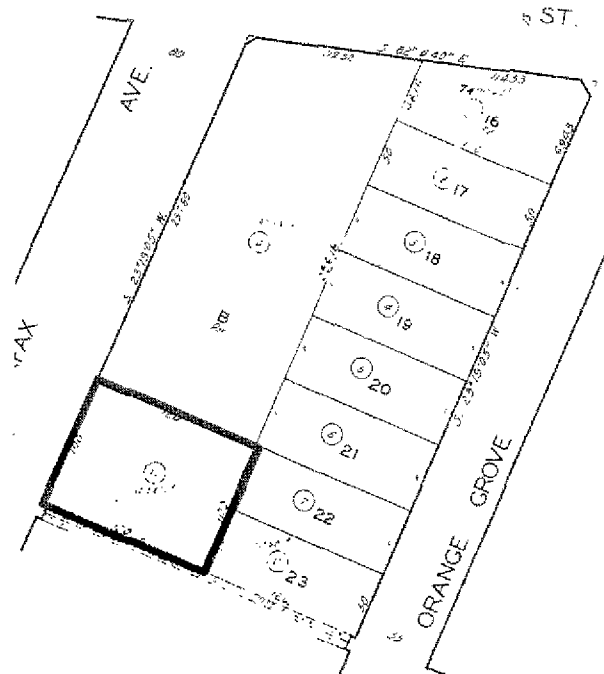


Figure 5
Sanborn map with subject parcel identified in red, 1951

Aerial photographs from 1952 and 1964 depict the infill development of the immediate neighboring parcels to the north and south of 840 S. Fairfax Avenue. By 1952, two extant two-story apartment complexes were constructed north of the subject parcel along Fairfax Avenue. A roughly E-shaped Westside Hospital was erected at the parcel immediately south of the subject property by 1964.

Development continued at the subject tract up through recent years. Presently, the properties to the south of 840 S. Fairfax Avenue are part of a larger development complex that includes a private high school, multi-family housing, and multi-use commercial buildings which extends the remainder of the block along Fairfax Avenue, and a portion of both San Vicente Boulevard and South Orange Grove Avenue (Figure 2).



840 S. Fairfax Avenue / D190089.00

SOURCE: Los Angeles County Assessor

Figure 6

Parcel map with present day configuration of subject parcel,
1985

4 Property History

Construction and Occupancy History of 840 South Fairfax Avenue

Construction History

The first permit on file with the Los Angeles Department of Building and Safety was for a new construction permit issued on December 23, 1947 to Tom Bergin, who was listed as both the owner and contractor. Valued at \$35,000, the building was to be two stories tall, 33 feet by 103 feet, and with plaster, brick, and wood at the exterior. Originally constructed as a bar and restaurant, the Certificate of Occupancy was issued on March 24, 1949.¹⁹ Interior photos taken shortly after construction completion convey the tavern area and the rear dining room in their early original configuration. The dining room featured vaulted ceilings, exposed wood beams, and wood paneling, with a brick fireplace at the rear of the space (**Figures 7 and 8**). In the tavern area, the U-shaped bar with cabinetry comprised the bulk of the space (**Figure 9**). The 1951 Sanborn map depicts the building as having one restroom in the southwest corner of the tavern area (**Figure 10**).

¹⁹ The discrepancy about the building being moved from Wilshire Boulevard and Fairfax Avenue will be discussed in the Ownership and Occupancy History section of this report.

The plot plan associated with the original construction permit indicated that the curb was cut to make the driveway leading to the new parking lot which was to be enclosed by a fence at the north and a wall at the east enclosed.



840 S. Fairfax Avenue / D190089.00

SOURCE: Larchmont Buzz

Figure 7

Tom Bergin's dining room on opening night, 1949



840 S. Fairfax Avenue / D190089.00

SOURCE: Larchmont Buzz

Figure 8

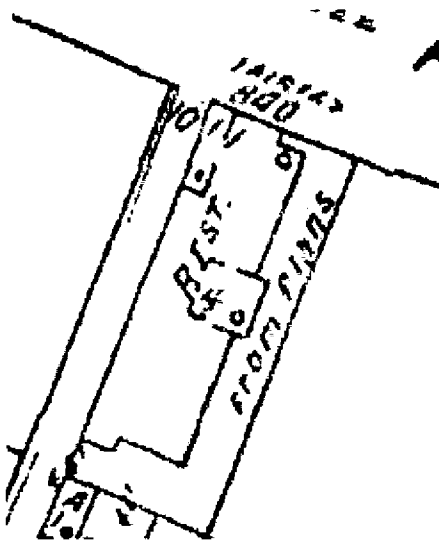
Tom Bergin's dining room on opening night, detail with fireplace at rear, 1949



SOURCE: Larchmont Buzz

840 S. Fairfax Avenue / D190089.001

Figure 9
Bar area, soon after construction, c. 1950s



SOURCE: Los Angeles County Assessor

840 S. Fairfax Avenue / D190089.001

Figure 10
Detail of Sanborn Map with subject property soon after construction, 1951



840 S. Fairfax Avenue / D190089 00

SOURCE: Bison Archives via LA Magazine

Figure 11
Postcard of Tom Bergin's Tavern, c. 1957

A postcard from around 1957 depicts the subject property with two neon pole signs, a parking area, and a free-standing brick wall which ran along sidewalk adjacent to Fairfax Avenue (Figure 11). The original location of the primary entrance on Fairfax Avenue had double doors and an awning indicating the name of the establishment. The north side elevation (left) featured a continuous band of windows underneath the stepped gable. A steeply pitched roof had two gabled dormers on the north side. The cladding materials on the gable ends were horizontal wood clapboard with vertical tongue-and-groove below and decorative wood brackets. Contrasting brick was used on the ground floor level. A phone booth sat just outside of the front entrance at this time.

With Tom Bergin's sale of his namesake restaurant in 1973, several modifications took place over the course of the different ownership. Interior modifications here included the addition of booths, different lighting fixtures, and updates to the bar area to include a draught system and refrigerators. The phone booth was removed, bathrooms updated, and a shower was installed at the upstairs area, then used as an office.²⁰

On November 7, 1983, a permit was issued to repair fire damage valued at \$2,000, the location and extent of which is unknown.

A series of modifications followed a subsequent change in ownership in 2011, generally addressing deferred maintenance from the previous 38-year ownership period. Interior modifications from 2011 involved upgrades to existing spaces with changes performed largely in keeping with the existing interior. The central portion of the bar was disassembled, reconfigured, with the outer ring bar top custom fitted with a copper top. The men's and women's restrooms in

²⁰ "Chronology of Bergin's: Alterations, Configurations, & Locations," 2019.

the bar/tavern area were newly constructed as part of this work. According to then-property owner Warner Ebbink, the work performed at this time was, "...more restoration than renovation, keeping with what was true of Bergin's."²¹ He went on to say, "We just replaced and repaired what needed to be replaced and repaired, then distressed them so people won't even know."²²

Two permits were issued in 2012, the first on February 22nd for a reroof, and then on March 8th for a 335-square foot addition to the rear of the building in order to comply with the health department to enclose a walk-in cooler and storage. Changes at the kitchen area included an expansion of this space to accommodate a larger kitchen space (Figure 12). A Certificate of Occupancy for this work was issued on June 16th. Other work undertaken during this time period included a new access path of travel from the public right-of-way to the subject building, and a new entry door to be installed at the north elevation under the gable. This became the current main entrance to the building (Figure 13). The parking lot was also repaved and a low brick wall between the parking lot and the north elevation was constructed.



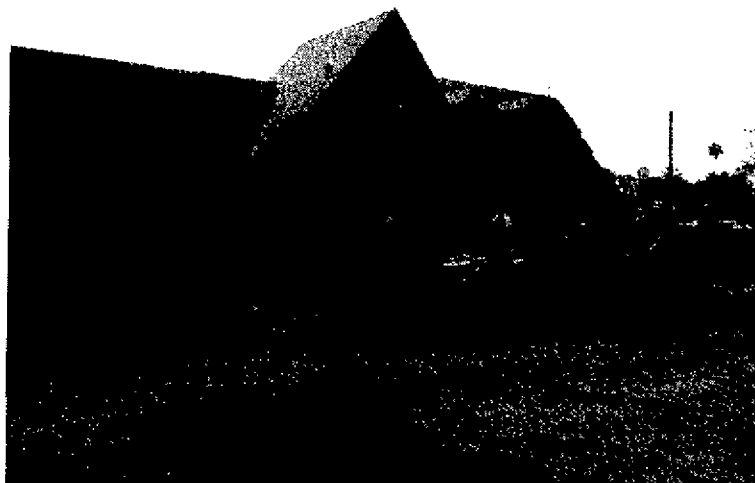
SOURCE: Derek Sharock

840 S. Fairfax Avenue / D190089.00

Figure 12
Kitchen expansion during construction, c. 2011

²¹ Gary Baum, "Legendary Hollywood Pub Where Kiefer Sutherland Once Romanced Julia Roberts Gets a Rebirth," *Hollywood Reporter*, May 23, 2012, <https://www.hollywoodreporter.com/news/tom-bergins-fairfax-328666>.

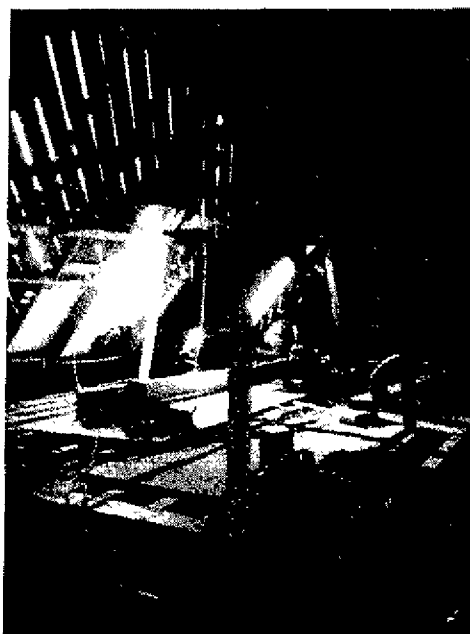
²² *Ibid.*



840 S. Fairfax Avenue / D190089.00

SOURCE: Derek Shreck

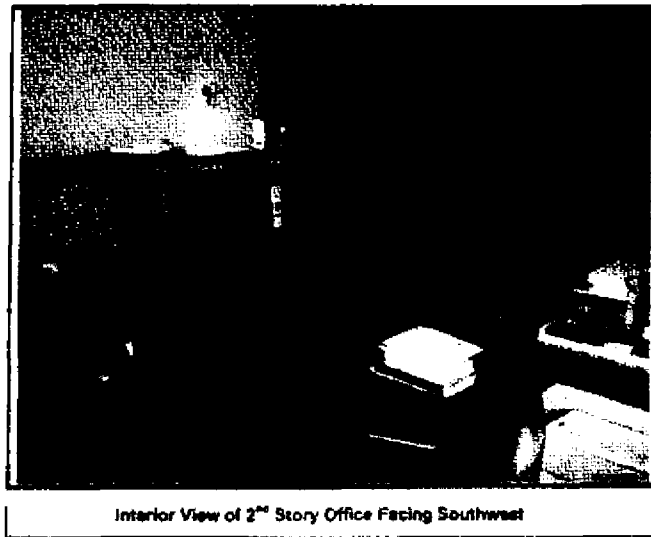
Figure 13
North elevation prior to entrance modification, c. 2011



840 S. Fairfax Avenue / D190089.00

SOURCE: Derek Shreck

Figure 14
Upstairs mezzanine area under construction, 2011

Interior View of 2nd Story Office Facing Southwest

840 S. Fairfax Avenue / D190089.00

SOURCE: Derek Schreck

Figure 15

Early office area at upper color prior to modifications, 2011

This approach to modifying the building was also employed when the subsequent, and current property owner purchased the property in 2013. Current owner, Derek Schreck restored the existing decor, noting that the bar would remain as it always had.²³ At this time, the current owner reconfigured and fully finished the upper floor to create a private lounge/whiskey club called Vestry (Figures 14 and 15). Upper floor work also included the construction of a mezzanine level, and new two dormers at the south elevation that mirror those at the north elevation. Construction at this portion of the building spanned from 2011 to 2017. Site work modification included minor changes to the neon signs, a new dumpster enclosure and planters along the east elevation and leading to the newly reconfigured north entrance. An auxiliary wood bar was added into the dining room in 2017.

The permit history for 840 S. Fairfax Avenue is summarized below in Table 1 and copies of the Building Permits are included in Appendix D.

²³ Julie Grist, "The New Faces Behind Tom Bergin's on Fairfax," Larchmont Buzz, November 2013. <https://www.larchmontbuzz.com/larchmont-village-people/the-new-faces-behind-tom-bergins-on-fairfax/>

TABLE 1
840 S. FAIRFAX AVENUE
LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY BUILDING PERMITS²⁴

Issued	Permit/ Assessor Record	Owner	Contractor (C), Architect (A), or Engineer (E)	Valuation (\$)	
12/23/1947	29354	Tom Bergin	Owner	34,000	Construction of a new building to be 33'x103', two stories tall. The exterior walls are plaster, brick, and wood. I
3/24/1949	Certificate of Occupancy	Tom Bergin	-	-	Two story type V, 33'x104' restaurant, B-2 occupancy, 125 occupants. Bar and grill: 75 persons. Dining room: 49 persons
11/7/1983	-	T. K. Vodery and Mike Mandekic	Mackintosh & Mackintosh (E)	2,000	Fire damage repair
2/22/2012	12016- 30000- 03488	Tk and Mk Llc.	Shaddick Construction (C)	30,000	Re-roof #45 squares with class 'A' or 'B' materials weighing less than 6 pounds per square foot. Tear off existing roofing fiberglass or asphalt shingles (max. 2 overlays).
3/8/2012	11016- 10000- 20201	Tk and Mk Llc.	Shaddick Construction (C), Amir Pirbadian (E)	52,079	335 square foot addition to existing two story restaurant, per order to comply, from health department to enclose walk in cooler and storage.
6/16/2012	Certificate of Occupancy for 11016- 10000- 20201	Tk and Mk Llc.	Shaddick Construction (C), Amir Pirbadian (E)	-	335 square foot addition to an existing two story restaurant to enclose walk in cooler and storage. S-2 occupancy

Occupancy and Ownership History

City directories and building permits on file with the City's Building Division, as well as Assessor, U. S. Census, and other records, were reviewed to determine if the subject property has any significant associations with the productive lives of historic personages or businesses. Table 2 below summarizes the occupancy and ownership history of 840 S. Fairfax Avenue.

TABLE 2
OCCUPANCY AND OWNERSHIP HISTORY OF 840 S. FAIRFAX AVE.

Year	Source	Owner/Occupant
1949-1968	Los Angeles Street Address Directory	Tom Bergin, owner; Tom Bergin's Horseshoe Tavern
1967	Quad-City Times (Davenport, Iowa)	Tom Bergin, owner; Tom Bergin's Old Horseshoe and Thoroughbred Club
1972	Larchmont Chronicle	Mike Mandekic (retired in late 1990s) and T.K. Vodrey (until 2011), owners; Tom Bergin's Tavern
1998-2015	The Desert Sun	Tom Bergin's Tavern
2012	LA Magazine	Brandon Boudet, and Warner Ebbink, owners; Tom Bergin's
2013-2018	Los Angeles Times	Derek Schreck, owner; Tom Bergin's and Vestry

²⁴ Documentation for all permits and certificates of occupancy listed in this table is included in **Appendix D**.

Old Horseshoe Tavern and Thoroughbred Club, 6110 Wilshire Boulevard (1936-1948)

Tom Bergin was born in 1895 to Irish immigrant parents. As an Irish-American, Bergin was “among the country’s first naval aviators during World War I.”²⁵ Bergin was an avid horse racing fan, and locally practicing attorney.²⁶ He opened the business he would operate until his retirement in 1936. Located first at 6100 Wilshire Boulevard, the business was named the Old Horseshoe Tavern and Thoroughbred Club, named after his Boston-area bar (**Figure 16**).²⁷ Photographs from the Los Angeles Public Library taken in 1978 suggest that Tom Bergin’s bar at the early Wilshire Boulevard location was housed in a Tudor-style building, featuring turrets, brick work, half-timbering, and decorative brackets (**Figures 17 and 18**).²⁸ At this location, the business consisted of a small, horseshoe shaped bar, 5 booths, and a small kitchen. The tavern then catered largely to theater goers, as the Circle Theatre was nearby.²⁹ A matchbook with the former Wilshire Boulevard address reflects that the early iteration of Tom Bergin’s business served steaks and chops and served “after theatre specials” (**Figure 16**). The Old Horseshoe Tavern and Kennel Club operated at this early location for roughly 12 years, until Bergin purchased a parcel of land several blocks south and developed the subject property in order to add a restaurant space to his business. As the business had expanded to the point of requiring additional space and facilities to prepare food and serve more patrons, the purchase of land and the erection of a brand new building for expansion was reflective of the success and popularity of Tom Bergin’s business at this time. The surrounding portions of the subject block along Fairfax Avenue were undeveloped, and this parcel was one of the first to be sold along this portion of the block.³⁰

Tom Bergin’s, 840 South Fairfax Avenue (1948-present)

Tom Bergin, owner, 1948-1973

The subject building was constructed at 840 South Fairfax Avenue by original owner Tom Bergin between 1948 and 1949. According to the current property owner, “Legend has it they moved the fixtures from the old bar down Fairfax piece by piece.”³¹ An LAist article suggests that, “Bergin designed the new location so that nearly every single fixture, each booth and even the weather vane from the original bar could be relocated.”³² While the extent of what was relocated is

²⁵ Jenn Harris, “Tom Bergin’s Irish Pub is not closing. It’s just reducing its hours and closing the kitchen,” *The Los Angeles Times* (Los Angeles, CA), January 16, 2018.

²⁶ Elizabeth Fuller, “Tom Bergin’s Nomination as Historic Cultural Monument,” *Larchmont Buzz*, accessed February 19, 2019, <https://www.larchmontbuzz.com/featured-stories-larchmont-village/tom-bergins-nominated-as-historic-cultural-monument/>.

²⁷ Miracle Mile Residential Association, “Tom Bergin’s Taven [sic], circa 1955,” <https://miraclemilela.com/the-miracle-mile/historical-photos/picture-1-6/>.

²⁸ Some articles indicate that the Tudor-style building at 6110 Wilshire Boulevard was existing when Tom Bergin’s established his business here. See the early photos on Los Angeles Public Library’s Digital collection here: <https://tessa.lapl.org/cdm/search/collection/photos/searchterm/tom%20bergin's/order/nosort>. It is unclear when the previous building was demolished.

²⁹ “Chronology of Bergin’s,” 2019.

³⁰ Danny Jensen, “Photos: The Legends Behind Tom Bergin’s Public House, Celebrating 80 Years,” *LAist*. February 10, 2016.

³¹ Grist, “New Faces Behind Tom Bergin’s,” 2013.

³² Jensen, “Legends Behind Tom Bergin’s,” 2016.

unclear, it does seem that there was an intention to relocate and incorporate several features and items from the Wilshire location into the new restaurant building at Fairfax Avenue. Bergin operated his tavern and restaurant at this location for roughly 24 years before selling the business.

T. K. Vodrey and Mike Mandekic, owners, 1973-2011

In 1973, bar regulars T. K. Vodrey and Mike Mandekic purchased Tom Bergin's Old Horseshoe Tavern. Thompson Kelly "T. K." Vodrey born in Ohio in 1933, was listed as a Junior Grade Lieutenant in the Navy Register of 1961.³³ Michael "Mike" Mandekic was born in Los Angeles in 1938, and played football for the University of Southern California.³⁴ Mandekic worked in real estate for the majority of his career. Limited additional information was found for either Vodrey or Mandekic.

Owners Vodrey and Mandekic did not intend to change much about the bar, in that "their attitude is reverent and they intend no changes in the hallowed haunt of the Irish."³⁵ They announced that they would be serving Irish tradition's including pot roast and corned beef, which appeared to have been changes to the menu at this time.³⁶ An interview with a long-time staff member in 2013 suggested that during this period, the business was "more loosely run," as "...more of a mom-and-pop shop."³⁷ According to the current owner, the building was essentially left to deteriorate this 1973 sale and onward.³⁸

A 1978 *LA Times* article suggested that by the late 1970s, hundreds of thousands of drinks had been served at the Fairfax location, then referred to as Tom Bergin's House of Irish Coffee. Most notably served here were the Irish coffees, particularly during St. Patrick's Day annual celebrations at the bar, where roughly 5,000 Irish coffees were anticipated to be served in 1987.³⁹ The holiday would be considered Tom Bergin's busiest day of the year.⁴⁰

In 1998, half-owner and business manager Mandekic left the business partnership prompting the remaining owner to find a replacement manager to operate Tom Bergin's. As a result, the business began to lose money, and deferred maintenance continued which allowed for the building systems to gradually fail.⁴¹ The business underwent a few changes as a result of this ownership and management shift, which included modifications to the non-existent restroom, and lunch service including a new seasonal menu in addition to the existing pub fare.⁴² After roughly

³³ United States Federal Census, 1940; United States Navy and Marine Corps Registry, 1961.

³⁴ California Birth Index, 1938; Aaron Blevins, "Tom Bergin's closed on Sunday," *Park Labrea News, Beverly Press*, July 5, 2013.

³⁵ Lois Dwan, "Roundabout," *Los Angeles Times*, July 22, 1973.

³⁶ *Ibid.*

³⁷ Matthew Kang, "Christopher Doyle and Michael O'Dwyer of Tom Bergin's," *EaterLA*, February 15, 2013, <https://la.eater.com/2013/2/15/6480947/christopher-doyle-and-michael-odwyer-of-tom-bergin-s>.

³⁸ "Chronology of Bergin's," 2019.

³⁹ Patrick Mott, "A Great Day for the Irish at Tom Bergin's," *Los Angeles Times*, March 14, 1987.

⁴⁰ George Ramos, "When Crowds Exceed L.A.'s Posted Limits, Party's Over," *Los Angeles Times*, April 10, 1988.

⁴¹ "Chronology of Bergin's," 2019.

⁴² Charles Perry, "Bergin's Endures," *Los Angeles Times*, August 26, 1999.

38 years of ownership, remaining-owner Vodrey offered the business to his family who declined to purchase it.⁴³

Warner Ebbink and Brandon Boudet, owners, 2011-2013

In 2011, restaurateurs Warner Ebbink and executive chef Brandon Boudet purchased the business from Vodrey. Both Boudet and Ebbink are the restaurateurs associated with Dominick's restaurant in West Hollywood, and Little Dom's in Los Feliz.⁴⁴

Business partners Ebbink and Boudet closed the restaurant and bar for 11-months to renovate and reconfigure the building.⁴⁵ Upon reopening, the menu was remade by chef Boudet. As a result of this menu update, sales slowed at Tom Bergin's resulting in the business's closure just 11 months later after failing to attract enough customers.⁴⁶ Longtime staff interviewed during this period noted, as a result of the recent change in management, the restaurant was "a little more organized and almost corporate."⁴⁷ In a summer of 2013, just prior to closing down, a Los Angeles Times article profiled the bar's regular patrons on a Sunday afternoon as "white-haired guys, wearing sweaters and ties even when it was a bit warm, having lunch with their families..."⁴⁸ The article also noted the lament of former patrons who were saddened over the closing of Tom Bergin's.

Derek and Frank Schreck, owners, 2013-present

In 2013, the building was purchased by son and father, Derek and Frank Schreck. Frank is a gaming attorney and political activist. Current owner/proprietor Derek is an actor who has appeared in the movies *The Mechanic*, and *Stolen*.⁴⁹

The new ownership exhibited a reverence for the bar's associated history.⁵⁰ With a fondness for the bar, the decor was restored, and the tavern was to remain as it always was – with Schreck noting that the bar itself was the original bar.⁵¹ Further updates under Schreck's ownership included an upstairs speakeasy lounge with a private bar and whiskey room, modifications which continued through 2017.⁵² Despite building upgrades, a kitchen expansion, and the redesign of the menu with local chefs, the business was never profitable and closed in March of 2018. Furthermore, Schreck notes that the frequent closing of Fairfax Avenue during Metro construction cut into revenue, as access to the bar was challenging during closure over the course

⁴³ "Chronology of Bergin's," 2019.

⁴⁴ Arty Nelson, "Warner Ebbink and Brandon Boudet: Guys and Doms," *LA Weekly*, September 24, 2008.

⁴⁵ "Chronology of Bergin's," 2019.

⁴⁶ Matthew Kang, "Tom Bergins Has New Ownership, Plans to Reopen Dec 1," *LA Eater*, October 4, 2013, <https://la.eater.com/2013/10/4/6358483/tom-bergins-has-new-ownership-plans-to-reopen-dec-1>, and Los Angeles Conservancy, "Tom Bergin's," <https://www.laconservancy.org/issues/tom-bergin%E2%80%99s>.

⁴⁷ Kang, "Tom Bergin's," 2013.

⁴⁸ Johnathan Gold, "Goodbye to Tom Bergin's and the best colcannon in L.A.," *Los Angeles Times*, July 5, 2013, <https://www.latimes.com/food/dailydish/la-dd-jonathan-gold-tom-bergins-20130705-story.html>.

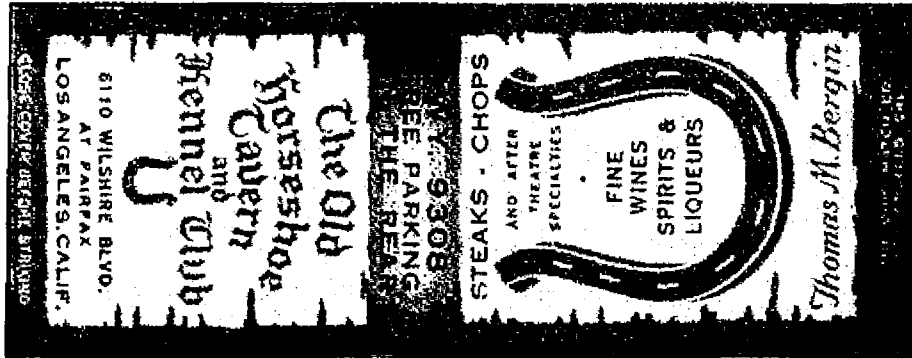
⁴⁹ Guy Incognito, "Derek Schreck: Biography," IMDb, https://www.imdb.com/name/nm3943489/bio?ref_=nm_ov_bio_sm.

⁵⁰ Grist, "New Faces Behind Tom Bergin's," 2013.

⁵¹ Ibid.

⁵² Ibid.

of many weekends in a row. During this time, patrons and regulars found other places to frequent.⁵³



840 S. Fairfax Avenue / D190089.00

SOURCE: Marlene & Anne Laskey
Wilshire Boulevard
Collection, Los Angeles
Public Library

Figure 16
Early matchbook for subject business "The Old Horseshoe Tavern and Kennel Club," when located at 6110 Wilshire Boulevard, c. 1940s

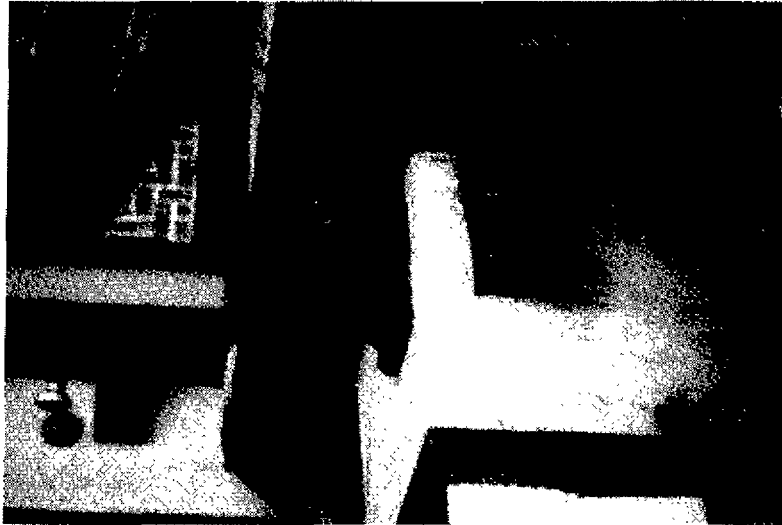


840 S. Fairfax Avenue / D190089.00

SOURCE: Marlene & Anne Laskey
Wilshire Boulevard
Collection, Los Angeles
Public Library

Figure 17
Exterior of the former home of the Old Horseshoe Tavern and Thoroughbred Club located at 6110 Wilshire Boulevard, 1978

⁵³ Rachel Olivier, "Irish eyes crying with closing of historic pub, Tom Bergin's," Larchmont Chronicle, January 25, 2018, <http://larchmontchronicle.com/irish-eyes-crying-with-closing-of-historic-pub-tom-bergin/s/>.



840 S. Fairfax Avenue / D190089.00

SOURCE: Marlene & Anne Laskey
 Wilshire Boulevard
 Collection, Los Angeles
 Public Library

Figure 18

Exterior of the former home of the Old Horseshoe Tavern and Thoroughbred Club located at 6110 Wilshire Boulevard, 1978

5 Architectural Descriptions

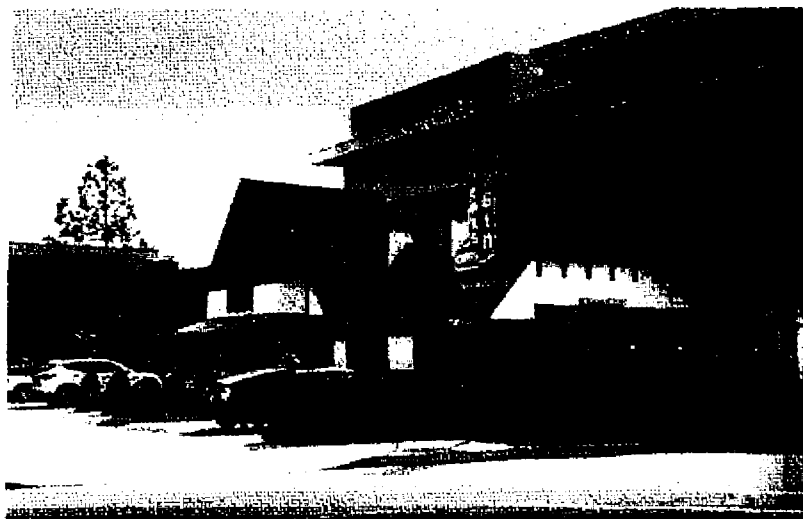
ESA's architectural historians, Alison Garcia Kellar, M.S., and Hanna Winzenried, M.S.C., conducted a site survey of the subject properties on February 12, 2019. The commercial building at 840 S. Fairfax Avenue was surveyed and documented through digital photography and field notes and recorded on DPR523 forms (**Appendix E**).

840 S. Fairfax Avenue

The subject property, addressed as 840 S. Fairfax Avenue, occupies a single roughly 12,000-square foot parcel along Fairfax Avenue, which sits between San Vicente Boulevard and West 8th Street. Oriented east-west, the subject commercial building occupies roughly one-third of the lot extending from Fairfax Avenue to the eastern extent of the property line. A surface-level parking lot spans the remainder of the parcel. A pedestrian alleyway sits to the southern limit of the parcel, accessible through a metal gate along the sidewalk. Two free-standing pole signs sit toward the western extent of the property line, each with neon signage. The vertical sign reads "Tom Bergin Steaks Chops," while the other is in the shape of a shamrock, and reads 'House of Irish Coffee.' Landscaping at the property includes hedges along the sidewalk, and brick planters with shrubbery located both along the sidewalk and on either side of the north main entrance. Hedges and trees in brick planters also line the extent of the eastern property limit, interspersed by a garbage receptacle shed.

The two-story commercial building is overall rectangular in plan, with shallow gabled projections to the north and west (**Figures 19 and 20**). The building features a steeply pitched cross gable roof. The lower portion of the roofline over the one-story southwest corner has a shed roof, while

the southern portion of the roof over the kitchen is flat. The north façade and west elevation are both asymmetrical in configuration and display Tudor Revival-style detailing and materials, including washed stucco, vertical and horizontal wood siding, multi-lite windows with small dimensioned lites, and brickwork. Wood decorative detailing also includes trim at the windows and brackets at the gable ends.



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 19

View of north façade and west elevation, looking southeast



840 S. Fairfax Avenue / D190085.00

SOURCE: ESA, 2019

Figure 20

View of west elevation, looking northeast

Exterior

North Elevation (front façade)

The north elevation of the building is asymmetrical in configuration with a roughly centered two-story overhanging end gable (Figure 21). The end gable features wood siding oriented vertically and horizontally, and an oriel window assembly featuring three multi-lite wood hopper windows. Decorative wood trim and small decorative brackets adorn the assembly (Figure 22). Decorative wood brackets, a more recently constructed single entrance door, and two multi-lite windows with metal security grilles sit below the pronounced gable where a contemporary fabric canopy with metal supports is affixed. The remainder of the second story extends to the right (west) from the northern gable toward Fairfax Avenue. This portion of the roofline features two dormers each with a 3/8-lite casement window. The first floor dining room area extends to the left (east) of the northern gable, featuring six multi-lite windows, with replacement multi-colored glass and metal security grilles (Figure 23). All of the windows were replaced during the most recent remodel. Comparison of the historic appearance shown in Figure 11 with the current appearance shown below shows that the fenestration on the ground floor of the north elevation was entirely remodeled and a new front entrance added. The cladding materials on the north elevation were also altered (stuccoed)..



840 S. Fairfax Avenue / D190089.00

SOURCE ESA, 2019

Figure 21

View of the central portion of the north façade looking south



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 22
View of the North (front) façade, looking south



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 23
View of the North (front) façade, looking south

West Elevation

The west elevation (formerly the building's primary façade) abuts Fairfax Avenue and is asymmetrical in configuration (Figure 24). A one-story shed roof surmounts ground floor brickwork, punctuated by three casement windows with rondel glass, wood trim, and metal security grilles. The original full brick wall terminates at the left of this elevation. A non-original

brick pony wall continues here, enclosing a single stepped back wood door, where the former original entrance once was. Decorative woodwork here includes brackets and dentils adorning the door surround and hood (Figure 25). A steeply pitched gable which comprises the second floor rises from the shed roofline at the first floor. This gable features decorative brackets below two shallow stepped overhangs (Figure 26). A casement window with contemporary rondel glass sits centered in the gable, with a metal weathervane sits the ridge.



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

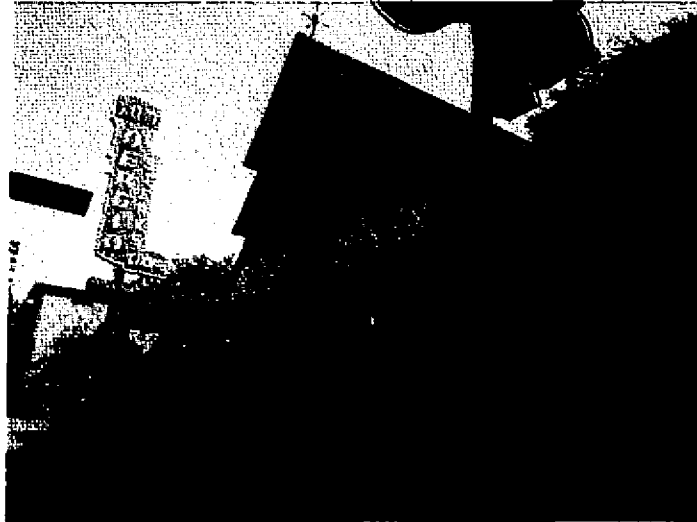
Figure 24
View of west elevation, looking southeast



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 25
View of west elevation, looking south



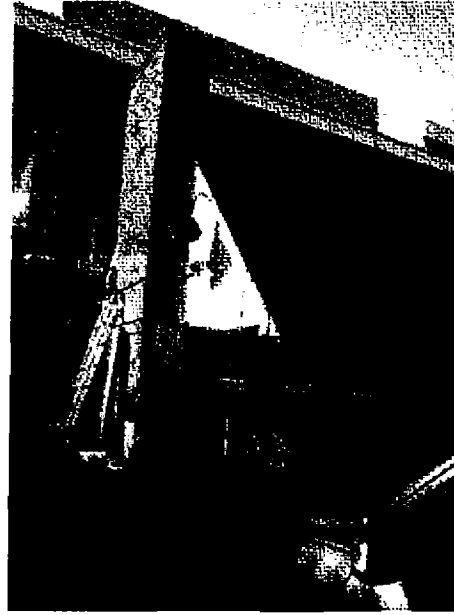
840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 26
Detail view of west elevation, looking north

East Elevation

The gabled portion of the east elevation terminates with a centered brick exterior end chimney (Figure 27). Here, a break in the roofline gives way to a flat roof which extends the length of the building along the entirety of the south elevation. This flat roofed extends toward the eastern property line, comprising a more recently modified enclosed service/storage area below, which is accessible through a wood gate.



SOURCE ESA, 2019

840 S. Fairfax Avenue / D190089.00

Figure 27
View of the east elevation with chimney, looking south

South Elevation

The south elevation's second floor reciprocally features multi-lite dormer windows and a cross gable as present at the north elevation. The majority of the south elevation abuts a pedestrian alleyway which runs along the extent of the southern property line and is not visible from the street (Figure 28). The unarticulated wall is utilitarian in character and void of the mixed materials present at the dominant north facade and west elevation. The roof along the southernmost portion of the building is flat and houses mechanical systems atop.



SOURCE ESA, 2019

840 S. Fairfax Avenue / D190089.00

Figure 28

View of the southern elevation and access gate, looking west

Interior

The building's interior spaces alternate between decorative, richly ornamented public areas, and more industrial service-oriented areas. The variation in the level of decorative finishes largely corresponds with the building's roofline, whereas steeply pitched cross gables match up with more intimately crafted spaces below, while the flat, unarticulated roofline surmounts a service kitchen, restrooms, office, and employee and storage areas.

First Floor

The tavern's bar space with seating and restrooms is located at the west, a non-original central entry vestibule toward the north, with reconstructed booth seating and a dining room to the east. The contemporary business office and employee areas are toward the center, and a commercial kitchen with back of house and storage areas is oriented in the southeast portion of the building.

The building's main entrance (constructed in 2012) sits in below the overhanging gable at the north elevation. Here, a small contemporary entryway vestibule leads to the dining room at the left, and the main bar area to the right. The tavern/bar area features a large modified U-shaped wood bar (reconfigured/reconstructed), with open shelving and cabinetry toward the center (**Figures 29 and 30**). Built-in booth seating (replaced) with tables line the eastern wall, with a single exit door at the northeast corner, in the location of the building's original entrance (**Figure 31**). Contemporary men's and women's restrooms line the bar area's southern wall, which leads to a behind-the-house, employee-only hallway accessed by an unarticulated door to the southeast of the bar area (**Figure 32**). Decorative elements in this space include wood paneling along the walls, exposed bracing with individual cardboard shamrocks painted with the names of former patrons, and shamrock motif stained glass chandeliers wall sconces, dating from around the

1980s. The flooring in this area is comprised of red brick, which continues into the adjacent booth seating area.



SOURCE: ESA, 2019

840 S. Fairfax Avenue / D190089.00

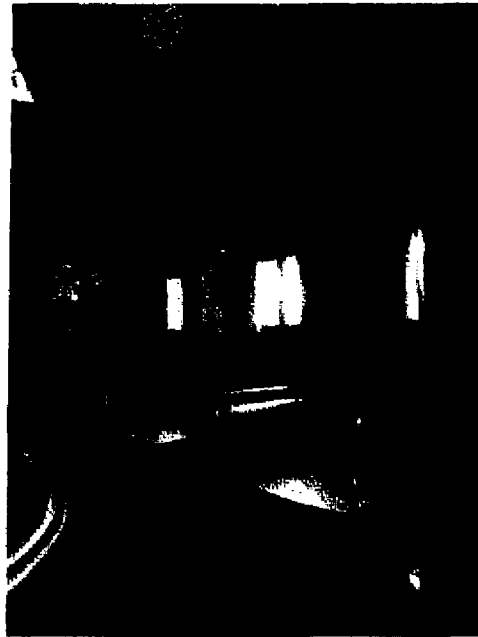
Figure 29
View of U-shaped bar in the tavern area, looking south



SOURCE: ESA, 2019

840 S. Fairfax Avenue / D190089 00

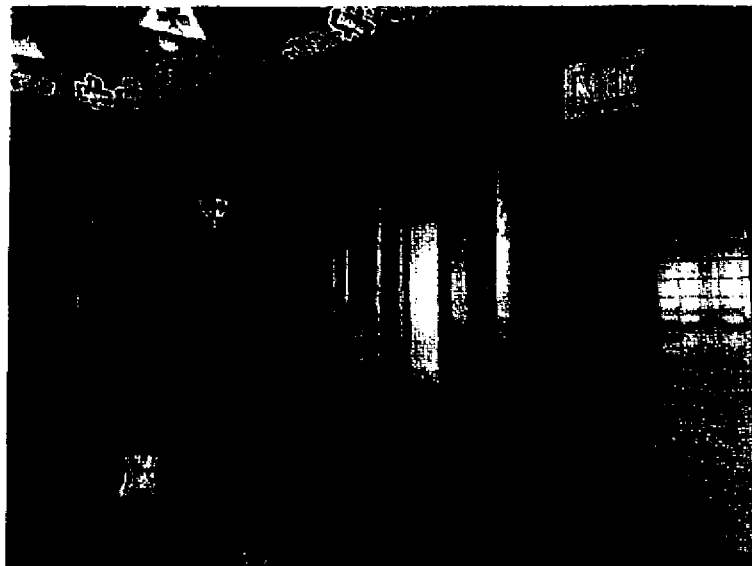
Figure 30
Rear view of the U-shaped bar in the tavern area, looking west



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 31
View of built-in booth seating with tables along the eastern wall in tavern area



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 32
Men's and women's restrooms along the western wall in tavern area



SOURCE: LSA, 2019

840 S. Fairfax Avenue / D190089.00

Figure 33

View of employee-only hallway looking east toward kitchen (left)
View of business office looking west (right)



SOURCE: ESA, 2019

840 S. Fairfax Avenue / D190089.00

Figure 34

View of industrial kitchen looking east

A business office, and male and female employee storage areas and restrooms extend off of this rear hallway (Figure 33). These spaces have tile flooring, with plaster and metal paneling at the walls. Further east sits the recently modified industrial kitchen with industrial equipment including stoves, sinks, storage areas, and extant refrigerator connections. (Figure 34).

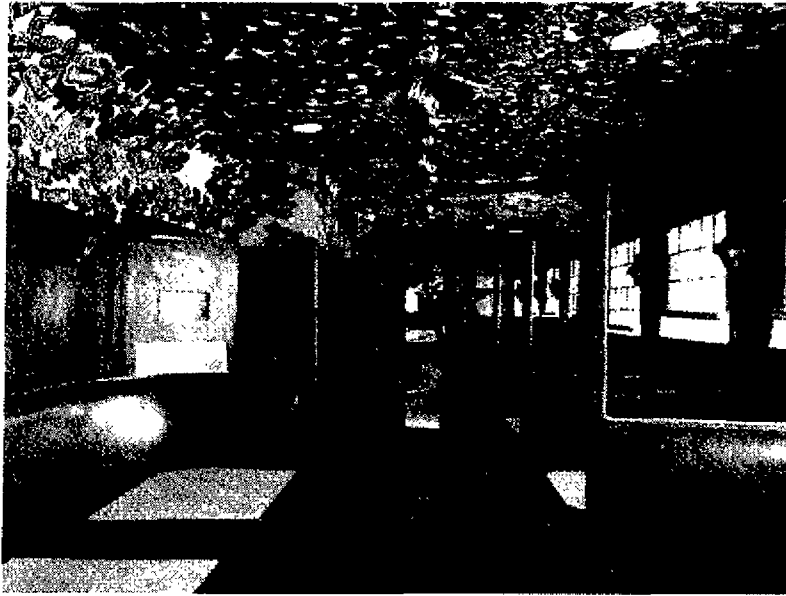
Recently reconstructed additional booth seating stretches to the east of the entryway area in a narrow space that leads to the dining room. Features along either side of the hallway include recently added posts with coat hangers, and small stained glass lanterns with a shamrock motif at the walls which were added around the 1980s (Figures 35 and 36). Wood wall paneling, a coved ceiling with a plaster finish, and red bricks at the floor comprise the original materials in this narrow space. Built-in cabinetry sits adjacent to a single wood door that leads to the building's stairwell. Beyond the stairwell, access to the kitchen is gained through a pair of double doors with single lites.



840 S. Fairfax Avenue / D190088.00

SOURCE: LSA 2019

Figure 35
View of additional booth seating walkway looking east toward the dining room (left)
View of built-in cabinetry adjacent to the staircase (right)

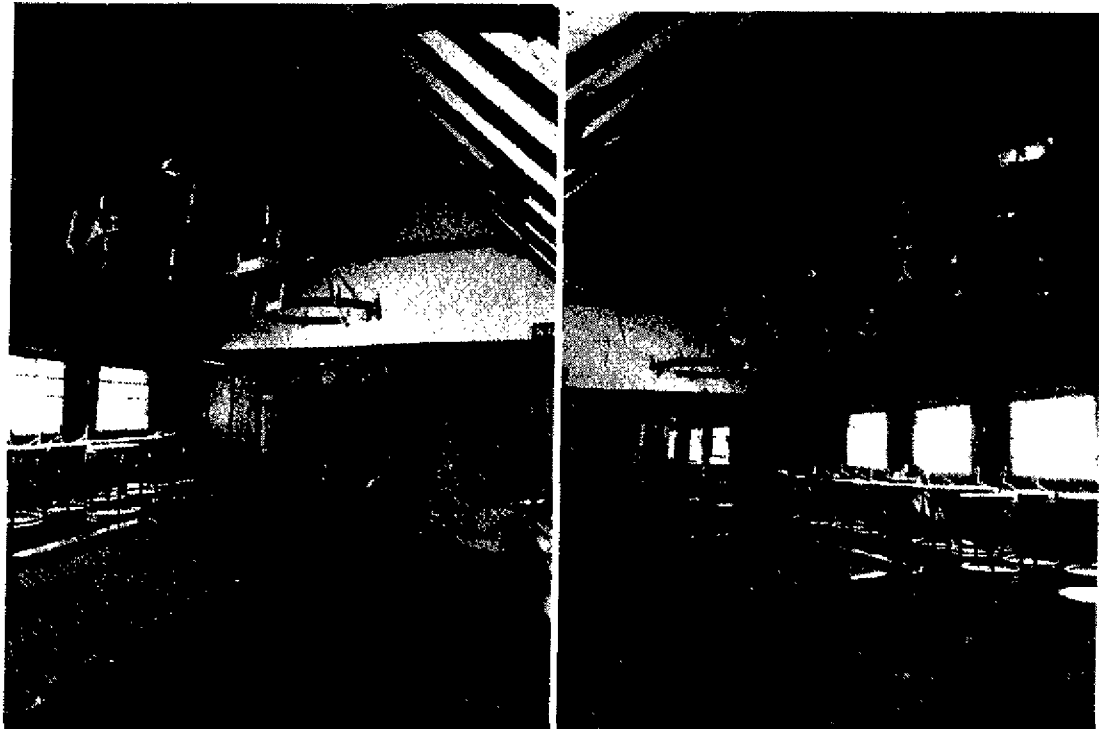


840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 36
View of additional booth seating walkway looking west toward
tavern area/tavern*

Two multi-lite paneled doors sit at the eastern end of the seating area, which lead to the dining room space complete with a red brick fireplace surround and wood mantle at the back wall (Figures 37). Here, the vaulted ceiling is exposed with wood rafters, tie beams, and paneling. Wood paneling surrounds the fireplace and lines the perimeter lower portion of the walls, which appears to have been furred out. Textured stucco with false timbering lines the walls above the wood paneling. Diagonal wood boards at the ceiling appear to have been a recent modification. Plaid checkered rolled carpet is present in this room. An additional wood open-cabinetry/bar unit sits in the northwest corner of the dining room area, which was constructed within the recent years.



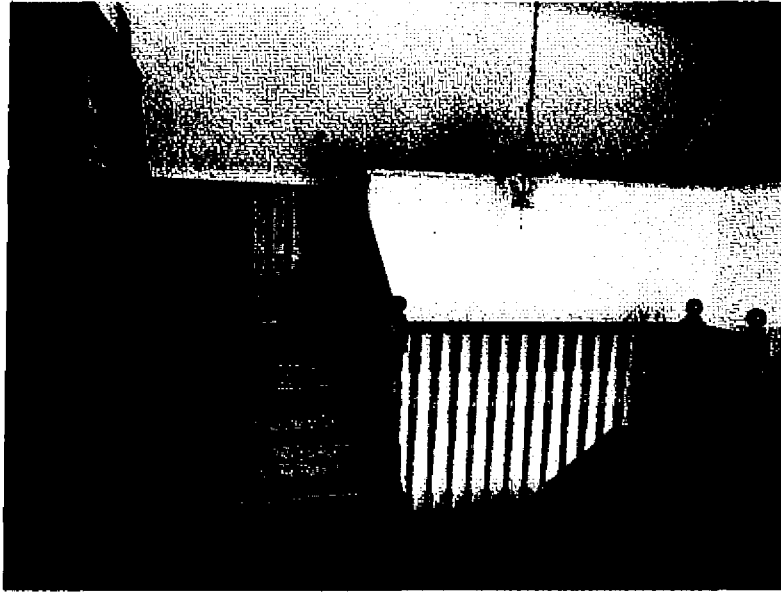
SOURCE: ESA, 2019

840 S. Fairfax Avenue / D190089.00

Figure 37
View of dining room looking east toward fireplace (left)
View of dining room looking west toward additional booth seating
walkway (right)

Partial Second Floor

The enclosed stairwell located in the seating area leads to the partial second floor, which spans the northwestern portion of the building including the north and west gables (**Figure 38**). The stairs lead to a newly constructed open area with a new wood bar similar to the bar downstairs with storage above, positioned adjacent to the original oriel window assembly (**Figures 39 and 10**). A newly constructed restroom and lounge room with built-in cabinetry sit beside one another toward the east of the space, each accessible by a single door (**Figure 41**). The restroom has tile flooring, and the remainder of this area has plaid checkered rolled carpet.



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

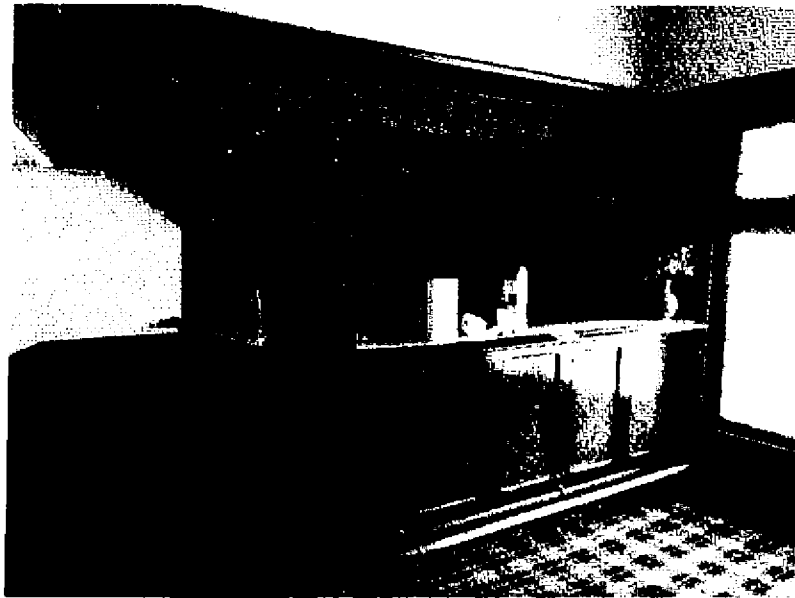
Figure 38
View of additional stairs leading toward mezzanine level at upper floor



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 39
Overall view of bar area at upper floor



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 40
Detail of bar area at upper floor



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 41
View of restroom and lounge area at upper floor



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 42
Detail of lounge area at upper floor

An additional smaller set of stairs leads up to a recently constructed platform/mezzanine space that surmounts a portion of the downstairs bar area below (**Figure 43**). Here, the vaulted ceiling corresponds with the steeply gabled roof above. Dormer windows with marble sills punctuate the ceiling on either side of this elongated space (**Figure 44**), with the northern dormer windows original to the building, while the southern windows were recently constructed. A pair of casement windows, recently replaced with rondel glass, sit within the western gable facing Fairfax Avenue.



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 43

Overall view of bar area at upper floor and mezzanine



840 S. Fairfax Avenue / D190089.00

SOURCE: ESA, 2019

Figure 44

View of mezzanine, looking west

6 Historic Context

The historic contexts below present the themes necessary to evaluate the historical and architectural significance of the subject property. ESA evaluated the subject properties under the following historical and architectural themes from SurveyLA: Wilshire Early Development, Late Tudor Revival (1930-1950), and Restaurants (1880-1980).

Wilshire⁵⁴

Early Development

Like much of Los Angeles, the Wilshire CPA was originally inhabited by members of the Tongva tribe, who resided in villages connected by foot trails. The trails also led to known sources of food and materials, which within the Survey Area included the La Brea tar pits, a much-used site providing tar for waterproofing everything from canoes to water carriers. The early Spanish settlers in El Pueblo de Los Angeles used the trails as well, and referred to a major trail leading west from the village known as Yang-Na (where the Los Angeles Civic Center is now) to the tar pits as El Camino Viejo, or “old road.” It was also commonly known as the La Brea Road. During the Spanish period, this old road served as the dividing line between Rancho La Brea on the north and Rancho Las Cienegas on the south. It later became Wilshire Boulevard, the backbone of the Survey Area and one of the most iconic and influential commercial corridors in the nation.

For most of the 19th century, the Wilshire CPA was sparsely populated. Ranchers grazed cattle and sheep in open pastures, and farmers grew crops like barley and wheat. While the city of Los Angeles expanded rapidly from the east and beachfront communities like Santa Monica grew in the west, the space in between remained rural. It was not until the land speculation boom of the 1880s that the first seeds of Wilshire development were planted. The first visionary was Henry Gaylord Wilshire, a charismatic entrepreneur from Ohio who with his brother William purchased 35 acres west of Westlake Park in 1887.⁵⁵ Westlake Park, a landscaped resort spot with a glistening lake, was one of the burgeoning city’s most ambitious civic projects. Located very near Los Angeles’ western boundary at Hoover Street, the creation of the park declared Los Angeles’ intent to keep expanding toward the ocean. Inspired by the popularity of the park (which became MacArthur Park in 1942), Wilshire subdivided his land in 1895. To the west of the Wilshire brothers’ land lay Sunset Park (which became Lafayette Park in 1920); much less developed than Westlake Park, this park nonetheless held promise.

The Wilshire brothers envisioned a luxurious subdivision anchored by a wide, graveled boulevard that would connect the two parks, and arranged a deal to build an intersecting boulevard if the City would donate the land for it. These streets became Wilshire Boulevard and Benton Way (now Lafayette Park Place). The intersection became the heart of a subdivision designed for Los Angeles’ wealthy, with concrete curbs and sidewalks, generous lots, palm trees, and views of

⁵⁴ SurveyLA, “Wilshire Community Plan Area, *Historic Resources Survey Report*, prepared for the City of Los Angeles, Department of City Planning, January 23, 2015, 10-20.

⁵⁵ Kevin Roderick and J. Eric Lynxwiler, *Wilshire Boulevard: Grand Concourse of Los Angeles* (Santa Monica: Angel City Press, 2005), 17.

Westlake Park and downtown. The Wilshire brothers convinced the City Council to pass an ordinance banning heavy hauling, railroads, or streetcars from Wilshire Boulevard, ensuring the development would be free of noise and offensive smells. In 1897, the western boundary of Los Angeles moved west from Hoover Street to Vermont Avenue, and Wilshire Boulevard was extended to meet it; the road angled away from its original direction in line with the downtown street grid to instead orient toward the cardinal directions.⁵⁶ Between the wide streets, wealthy inhabitants, and streetcar restrictions, the stage was set for Wilshire Boulevard to become what historian Kevin Roderick calls “the showcase drive of the Automobile Age.”⁵⁷ The subsequent growth of the larger Wilshire CPA extended far beyond the great boulevard, but its beginnings were all rooted in the same place.

Beckoned by open space and the grand new boulevard, wealthy Angelenos flocked to the prestigious new district starting at the turn of the century. They were led by irascible Los Angeles Times publisher Harrison Gray Otis, who moved into his new mansion at the western edge of Westlake Park in 1898. Residential and commercial development continued moving west through what is now the Wilshire CPA at a rapid pace for the next 30 years, both along and well beyond Wilshire Boulevard itself.

Wilshire Boulevard in the 20th Century

Wilshire’s development was steady through the 1910s and 1920s, with large apartment buildings, resort hotels like the Ambassador Hotel (no longer extant), and commercial structures rising through the district. The Ambassador’s 1921 establishment pre-dated anything else around it, with the large property announcing that Wilshire Boulevard was a place to watch.

The late 1920s commercial rezoning of 25 blocks of Wilshire, from Westlake Park to Western Avenue, spurred a new era of rapid development in the eastern part of the Wilshire district through the 1920s and 1930s.⁵⁸ Farther west on Wilshire, a developer had foreseen a grand commercial destiny for the district earlier than anyone else. In the early 1920s, A.W. Ross began buying up land along Wilshire Boulevard in an area most thought of as laughably distant from Los Angeles, between La Brea Avenue and Fairfax Avenue. He envisioned a destination shopping district that would lure customers from Beverly Hills as well as Hollywood and downtown Los Angeles, and encouraged the construction of architecturally distinctive commercial buildings. Ross’s development would become known as Miracle Mile.

As the eastern commercial district moved west to connect with Miracle Mile, the Survey Area’s commercial identity became one of affluence, newness, and convenience, in contrast to the older and more established downtown. The most potent symbol of the Wilshire district’s new glamour was the 1929 Bullock’s Wilshire department store, one of the first businesses in Los Angeles designed to cater to customers arriving by car. Notable local architects John and Donald Parkinson designed the iconic Art Deco building to advertise its presence with a massive copper-

⁵⁶ Roderick and Lynxwiler, *Wilshire Boulevard*, 38-39.

⁵⁷ *Ibid.*, 21

⁵⁸ *Ibid.*, 85.

topped tower visible for miles around. For the first time, Angelenos had an alternative to shopping downtown, where automobile and streetcar traffic clogged the narrow old streets.

Large parking lots appeared for use by local residents and visitors alike, and service stations, billboards, drive-up markets, and drive-up coffee shops popped up on nearly every major intersection. Recreational facilities were very common, ranging from the Bimini Baths resort (in what is now Wilshire Center) to golf driving ranges; these reflected Wilshire's reputation as Los Angeles' playground. Appropriately for a car-centric boulevard, Wilshire housed a number of extravagant automobile dealerships with eye-catching signs. Neon spread quickly across the Survey Area, as evidenced by large apartment buildings declaring their names on roof-mounted signs in bright green or red. Local dining and dancing institutions like the Brown Derby and the Coconut Grove at the Ambassador Hotel lured people from across the city to the west side of town.

By the mid-1920s, Wilshire Boulevard was one of the most heavily-traveled streets in Los Angeles, serving as the most direct east-west route through the city. Traffic was bad and only got worse as the city came to depend more and more on the automobile over the streetcar. City officials were well aware of the problems facing an increasingly car-dependent public, and it was partly thanks to the Wilshire traffic situation that Los Angeles adopted traffic control measures still in use today, like crosswalks, lane lines, and timed lights. A commission also hired a board led by landscape architect Frederick Law Olmsted Jr. and urban planner Harland Bartholomew to investigate options for future road expansion. Completed in 1924, the Major Traffic Street Plan for Los Angeles advised that selected streets be widened to accommodate more traffic, including Wilshire and 10th Street (now Olympic) within the Survey Area.⁵⁹ Not all of Olmsted and Bartholomew's recommendations were followed, but voters did approve the widening and paving of Wilshire for a length of five miles, from Westlake Park to Fairfax Avenue.⁶⁰ The final gap in the thoroughfare was eliminated in 1934, when Wilshire was pushed through Westlake Park.⁶¹

The success of Wilshire as the Survey Area's largest commercial corridor depended largely on the automobile, and its architecture reflected this new emphasis. Some buildings, like Bullock's Wilshire, advertised their presence with tall vertical elements. Others relied on long, horizontal volumes, sometimes occupying a full block, with projecting signs, large display windows, and other attention-getting elements easily visible from the windshield of an automobile. The new architecture employed cutting-edge styles like Art Deco, Zigzag Moderne, and Streamline Moderne, as well as popular Period Revival styles. Drive-in restaurants and cafés also catered to the automobile owner, and many of the boulevard's new buildings featured rear or side parking lots.

Beyond Wilshire itself, other major east-west streets in the Survey Area like Pico Boulevard, 10th Street (now Olympic), and West Third Street were traversed by streetcar lines and enabled rapid

⁵⁹ Frederick Law Olmsted, Harland Bartholomew, and Charles Henry Cheney, A Major Traffic Street Plan for Los Angeles (Los Angeles: the Committee on Los Angeles Plan of Major Highways of the Traffic Commission of the City and County of Los Angeles, May 1924).

⁶⁰ Roderick and Lynxwiler, Wilshire Boulevard, 85.

⁶¹ *Ibid.*, 87.

residential and commercial development in the first few decades of the twentieth century. Development along these medium-sized commercial corridors was smaller and more pedestrian-oriented in scale, comprising small retailers, restaurants, and offices rather than the massive department stores and hotels of Wilshire Boulevard. The area's commercial strips had sidewalks, low-scale streetlights, and projecting signage to attract passersby, with many of their corners marked by prominent two-story, mixed-use buildings. Even smaller commercial corridors like the one along Larchmont Boulevard thrived, becoming crucial anchors for the surrounding residential areas.

Institutional development occurred early on along Wilshire Boulevard. High-profile institutional buildings like the 1927 Ebell of Los Angeles women's club, at the corner of Wilshire and South Lucerne Boulevard, developed alongside commercial buildings on the boulevard in the 1920s and 1930s. Religious organizations built new, massive houses of congregation and worship like the Wilshire Boulevard Temple, Immanuel Presbyterian, and St. James' Episcopal to serve their local congregations. Smaller community organizations, financial institutions and congregations established themselves along other commercial corridors.

A.W. Ross's development gamble along the western part of Wilshire Boulevard paid off in spades from the late 1920s and through the 1930s, as "Ross's Folly" soon became known as Miracle Mile. The area housed large retailers like Desmond's, Silverwoods, and the May Company, and even supermarkets like Ralph's boasted flashy architecture on a grand scale. Ross remained a major force in the development of Wilshire Boulevard until the 1960s, seeing the boulevard lure the city's population ever westward.

After steady growth through the 1930s on Miracle Mile and beyond, the Survey Area saw little commercial development during World War II. In the postwar years, however, Wilshire Boulevard's luxurious department stores, clubs and restaurants were joined by large office buildings housing high-profile corporations. New York developer Norman Tishman was the first to erect large office buildings along Wilshire, and many others followed. Wilshire Boulevard quickly gained a new reputation as a business center. The 1957 lifting of the city's 150-foot height limit restriction led to towering skyscrapers, bringing a fundamental change to the Survey Area's landscape. The postwar period saw a shift in the area's architectural identity, with many commercial and institutional buildings exhibiting sleek Modern styles rather than the more extravagant styles of previous decades. Prudential Tower (now Museum Square), designed by Welton Becket's firm in 1948 for Prudential Insurance, was the first Wilshire example of the International Style.

Wilshire Boulevard also witnessed a major influx of new institutional buildings during the postwar period, most visibly in a new museum district in Miracle Mile. The La Brea Tar Pits had been open to the public there since the 1920s, but it was not until the 1965 completion of William L. Pereira's Los Angeles County Museum of Art complex that Miracle Mile gained its second identity as an institutional center.

Wilshire's reputation as a world-class business center continued through the 1970s, with the area seeing dozens of new high-rise corporate buildings. It began to wane in the 1980s, as corporations

departed the area for the cheaper and less congested San Fernando Valley and Westside of Los Angeles. The district's prospects looked bleak until an infusion of capital from Korean investors arrived, resulting in a revival. Although parts of the Survey Area experienced periods of economic downturn in the 1980s and 1990s, the Wilshire CPA as a whole remains a strong and diverse commercial center in Los Angeles.

Mid-Wilshire

While Koreatown, Hancock Park, and Windsor Square witnessed most of their residential development in the 1910s and early 1920s, residential development further west did not really take off until the mid-1920s and 1930s. The construction boom was a response to the massive population influx Los Angeles experienced at that time, with the resultant spread of the city in all directions. This boom was facilitated by the rising prominence of the automobile, which opened up farther-flung areas to suburban development and expanded perceptions of just how large a city could be. The Mid-Wilshire neighborhood, stretching west to Fairfax between Wilshire and Pico, had its share of earlier subdivisions like Oxford Square (1907) and Fremont Place (1911), but the bulk of its residential construction happened in the 1920s. Likewise, the Mid-City neighborhood south of Pico was largely developed during the 1920s-1930s construction boom and saw rapid growth as the population moved west. In terms of its residential development history, the northern part of the Mid-City neighborhood is closely linked to Mid-Wilshire.

Unlike the exclusively wealthy neighborhoods of Windsor Square and Hancock Park, Mid-Wilshire and Mid-City neighborhoods developed in the 1920s to contain a mix of housing types. Subdivisions like Mid-Wilshire's Wilshire Crest (a part of which is now known as Brookside) boasted two-story, single family houses on large view lots adjacent to wealthy neighborhoods like Fremont Place, but also included some multi-family housing and smaller, more modest lots. A 1920 Los Angeles Times advertisement for Wilshire Crest noted "While mostly for fine two story residences, three blocks are provided for high grade bungalows."⁶² The upscale subdivisions were also developed in tandem with more affordable tracts; Wilshire Crest was accompanied by the more modest Rimpau Hill, Mansfield Knoll, and Wilshire Highlands. West of Rimpau Boulevard, the streets south of Wilshire Boulevard quickly filled with street after street of one-story houses and two-story apartment buildings in fashionable Period Revival styles.

Multi-family and single-family neighborhoods alike were heavily advertised by local developers in the Los Angeles Times. Street trees, street lights, sidewalks, paved roads and other amenities were marketed throughout the area. Although often built in proximity to streetcar lines, these neighborhoods largely catered to the automobile; detached rear garages and driveways with curb cuts were characteristic of these automobile suburbs. Multi-family residential neighborhoods (often including Moderne and Minimal Traditional styles along with the dominant Period Revival) boasted an array of duplexes, triplexes, fourplexes, apartment houses and courtyard apartments.

⁶² Los Angeles Times, Wilshire Crest Display Ad, 10 October 1920.

Today, much of the Mid-Wilshire neighborhood's residential area is informally referred to as Miracle Mile, in tandem with Wilshire Boulevard's Miracle Mile commercial and institutional corridor on its northern edge.

Carthay

The Carthay neighborhoods represent a distinctive pattern of development that differed somewhat from that of the surrounding areas of Pico-Robertson, Mid-Wilshire, and BeverlyFairfax. As most of the Carthay area lies within two HPOZs, Carthay Circle and South Carthay, and one proposed HPOZ, Carthay Square, it was largely not surveyed as part of SurveyLA. Developer J. Harvey McCarthy planned Carthay Center (later Carthay Circle) as a desirable subdivision of one-story, Period Revival, single-family residences and smaller amounts of multifamily housing starting in 1922. McCarthy envisioned the development as a complete community with commercial and institutional elements, which came to include the famous Carthay Circle Theater. Although that plan was not fully carried out, the subdivision's layout did create a distinctive sense of place: it broke with the surrounding street grid to feature an irregular street pattern around San Vicente Boulevard, and had an emphasis on pedestrian access. Carthay Circle's deed restrictions excluded non-whites, forbade flat roofs, and required design review of all new construction by a homeowners association.⁶³

The South Carthay and Carthay Square (originally called Fairfax Park) subdivisions followed Carthay Circle, and lacked many of the first development's distinctive planning features. Carthay Square developed like many other Wilshire neighborhoods did in the 1920s and 1930s, with single-family and multi-family residences in a variety of Period Revival styles within the regular, rectilinear street grid. It featured more multi-family residences than did the other Carthays, with a notable number of duplexes and triplexes lining its streets. South Carthay was the last to develop; while parts of it were developed starting in 1922-1923, much of its land was owned by Ralph's Markets and used to grow vegetables.⁶⁴ The agricultural land was finally developed starting in 1933, with developer Spyros George Ponty constructing many of the subdivision's single-family houses in distinctive Spanish Colonial Revival styles. The South Carthay infill completed the development of this part of the Wilshire CPA, and included a number of multi-family residences (mostly duplexes) as well as single-family houses.

Restaurants, 1880-1980⁶⁵

The restaurant sub-theme consists of neighborhood resources purpose built to house food service establishments. The neighborhood restaurant catered to locals, and was not dependent upon a patronage drawn from other neighborhoods. As such, it reflected the economic level and, oftentimes the ethnically-based tastes, of the neighborhood. Many of Los Angeles neighborhood restaurants are also evaluated under the Commercial Identify theme as the founding or long-term location of well-known, and often iconic, establishments. Restaurants are also important property

⁶³ City of Los Angeles, Carthay Circle HPOZ Preservation Plan (adopted December 9, 2010), 17-18.

⁶⁴ Ibid., 17.

⁶⁵ SurveyLA, "Neighborhood Commercial Development," *Los Angeles Citywide Historic Context Statement*, prepared for the City of Los Angeles, Department of City Planning, August 2017, 100-112.

types discussed in each of the ethnic-cultural themes separately developed as part of the citywide historic context statement.



SOURCE: Los Angeles Public Library

840 S. Fairfax Avenue HRA / D190089 00

Figure 45
Little Joe's Restaurant and Grocery, circa 1939, 900 North Broadway

The neighborhood restaurant as a distinct business emerged in the decades after the Civil War. It began as an offshoot of a tavern, hotel, or grocery store. An example of this was the well-known Little Joe's Restaurant, which once stood at 900 North Broadway. The building housing Little Joe's was originally the Grand View Hotel. It contained two storefronts on its ground floor in the early 1900s. On the right was a retail space while on the left was a dining room and kitchen, most likely for hotel guests.⁶⁶

The Grand View Hotel was located on the northeast corner of Broadway (then Buena Vista) and College. This was the border between a residential district, to the south and west, and an industrial district to the northeast. The Los Angeles Railway Line that served Highland Park ran along Broadway. (The neighborhood eventually became New Chinatown with the relocation of the Chinese community as part of the construction of Union Station in the 1930s.)⁶⁷

In the late 1920s the retail space on the right was taken over by John Gadeschi and Joe Vivalda for their Italian-American Grocery Company. The two acquired the restaurant space to the left in

⁶⁶ John A Jakle and Keith A. Sculle, *Fast Food: Roadside Restaurants in the Automobile Age* (Baltimore: Johns Hopkins University Press, 1999), 21; 1906 Sanborn Map.

⁶⁷ Young's Los Angeles City Railway Directory, 1904, www.erba.org/youngs; 1906 Sanborn Map.

the early 1930s, supposedly because construction workers building New Chinatown stopped at the store for a quick meal and disrupted the grocery business. The name Little Joe's is said to have been given to both the store and the restaurant in the late 1930s. (Little Joes evolved into a large destination restaurant before it closed in 1998. The structure no longer stands.)⁶⁸

A more direct predecessor of the neighborhood restaurant was the luncheonette. It evolved from the soda fountains of the late 1800s. The luncheonette provided counter service, with perhaps a small kitchen in the rear, and served light meals. Some were parts of drugstores or variety stores, while others were independent businesses.⁶⁹

By the early 1900s the luncheonette had developed into the neighborhood café. The café was a form that could be found both on the main streets of small towns and in neighborhood business districts which functioned very much like small towns. Between 1910 and 1940 the local café served as a social gathering place for the neighborhood. It fit into the standard storefront found in the streetcar-based neighborhood commercial district. It consisted of a long, narrow space, with a counter along one side, tables or booths along the other, and the kitchen in the rear.⁷⁰

Typical of the inter-war period were the cafés to be found in the Fish Harbor district of San Pedro. This was a section of the port community, officially known as East San Pedro, which occupied the western tip of Terminal Island across the bay from San Pedro proper. The area around Fish Harbor was the site of a historically significant Japanese-American community, whose members were involved in the fishing industry. In February of 1942 all civilians were required to evacuate Terminal Island and members of the Japanese community were sent to internment camps.⁷¹

⁶⁸ Commentaries on photographs "Italian American Grocery Co" (Order Number 00005130) and "Little Joe's Restaurant, exterior view" (Order Number 00005129), Photo Collection, Los Angeles Public Library.

⁶⁹ John A. Jakle and Keith A. Sculle, *Fast Food: Roadside Restaurants in the Automobile Age* (Baltimore: Johns Hopkins University Press, 1999), 25-29.

⁷⁰ *Ibid.*, 31-32.

⁷¹ "Terminal Island Japanese Memorial," www.sanpedro.com.



SOURCE Los Angeles Public Library

840 S. Fairfax Avenue HRA / D190089 00

Figure 46
Cafés, circa 1935, Fish Harbor Business District, San Pedro

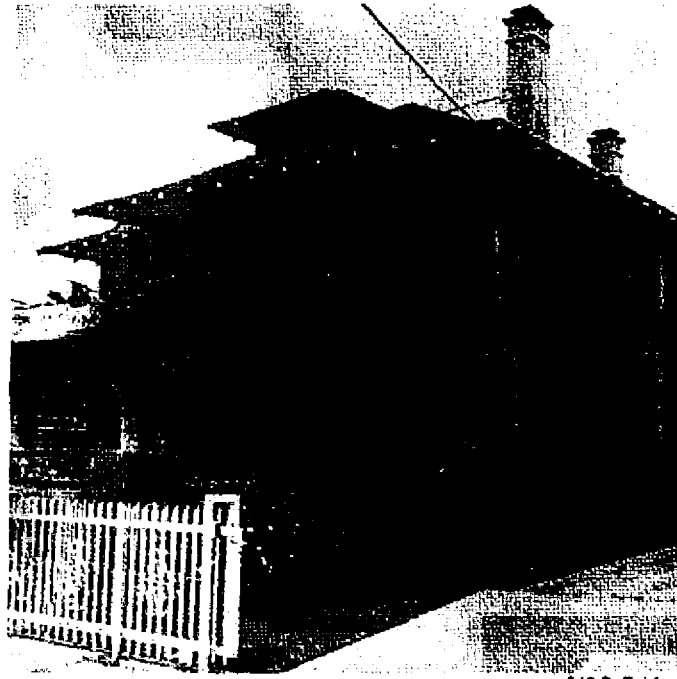
The term café was extremely flexible and applied to restaurants that have achieved historic significance for specialized reasons. One of these is the Idle Hour Café in North Hollywood (L.A. Historic-Cultural Monument No. 977). It was originally a tavern and is significant as an example of Programmatic Architecture, discussed in the theme of Commercial Development and the Automobile. Another is the Venice West Café (L.A. Historic-Cultural Monument No. 979). Its significance relates to its role as a performing arts venue and center of social life for the Beat Generation.

Besides the café, by the 1920s there were two other neighborhood restaurant types. One was the tea room. It was an upscale, more respectable version of the café. The café was often seen as a primarily masculine environment, while the tea room catered to women. The menu consisted of lighter items, the prices were higher, and the surroundings more sedate. Tea room owners were often women, and the setting was typically domestic, with converted dwellings instead of storefronts providing quarters.⁷²

An example of a neighborhood tea room is Lady Effie's Tea Parlor (L.A. Historic-Cultural Monument No. 764). It is located at 453 East Adams Boulevard in Southeast Los Angeles. It occupied a dwelling built in 1901 and remodeled in 1907. Adams was an upper-middle class neighborhood in the early 1900s and the Boulevard was lined with single-family homes of a scale similar to that which later housed the Tea Parlor, although this dwelling seems to have been the largest along the block. A streetcar line ran on Maple Avenue one-half block to the east. There were by the 1950s several bungalow courts and apartment buildings, and a corner drug store

⁷² Jakle and Sculle, *Fast Food*, 41-42.

stood at the intersection of Adams and Maple, one-half block to the east. This resource is significant for African American social history.⁷³



SOURCE: L.A. Office of Historic Resources

840 S. Fairfax Avenue HRA / D190089.00

Figure 47
Lady Effie's Tea Parlor, 1901/1907, LA HCM #764

The second alternative to the café was what historians have called the destination restaurant. This was a facility that provided a special experience as well as food. Atmosphere and design were stressed. Menus were more elaborate and prices higher. Unlike the café and tearoom, alcohol was typically available, surreptitiously during Prohibition and openly afterward.⁷⁴

The destination restaurant was rare in a neighborhood setting. It was typically found Downtown, particularly as parts of hotels, along specialized business strips, such as Hollywood Boulevard and the Miracle Mile, or in resorts such as Venice. But certain residential neighborhoods could support one. An example from the 1920s is the La Fonda Restaurant (L.A. Historic-Cultural Monument No. 268). It is located at 2501-2511 Wilshire Boulevard in the Westlake district, and was designed by the architectural firm of Morgan, Walls and Clements.⁷⁵

⁷³ Construction and remodeling dates from Los Angeles County Assessor; Young's Los Angeles City Railway Directory, 1904; 1923 and 1950 Sanborn Maps; 1937 Route Map of the Los Angeles Railway, in the Map Collection of the Los Angeles Public Library.

⁷⁴ Jakle and Sculle, *Fast Food*, 49.

⁷⁵ Jeffrey Herr, editor, *Landmark L.A.: Historic-Cultural Monuments of Los Angeles* (Los Angeles: City of Los Angeles Cultural Affairs Department, 2002), 443.



840 S. Fairfax Avenue HRA / D190089.00

SOURCE: L.A. Office of Historic Resources

Figure 48**Los Feliz Brown Derby Restaurant, 1942, LA HCM # 843**

After the Second World War, the storefront-based neighborhood café was replaced by the autooriented coffee shop. These were free-standing structures, with their own parking lots, which reflected the shift toward neighborhood commerce based on widespread ownership of the automobile. Like the café, the coffee shop combined counter service with table and booth service, and like the café, generally did not serve alcohol. Some identified themselves as family restaurants, with less space for the counter and with the table and booth service in a separate space.⁷⁶

The post-war coffee shop in Los Angeles was often in Googie style. The name of the style stems from its first use in a coffee shop of that name designed in the late 1940s. (This relationship is explored fully in the Googie sub-theme under the theme of Postwar Modernism.) Many of the coffee shops were parts of chains. As such, certain features, in particular the signs, were standardized Googie forms.⁷⁷

Examples include Johnnie's Coffee Shop (L.A. Historic-Cultural Monument No. 1045) and Norm's Coffee Shop (L.A. Historic-Cultural Monument No. 1090), both in the Wilshire District. Norm's, located at 470 North La Cienega Boulevard, dates from 1956.⁷⁸ La Cienega in the decade after the Second World War was an auto-oriented neighborhood strip that served the then single-family home neighborhoods in the surrounding blocks, including what was still unincorporated West Hollywood. Norm's is typical in both its use of Googie architecture and in its provision for parking. Its sign was a standard design feature found at other Norm's branches.⁷⁹

⁷⁶ Jakle and Sculle, *Fast Food*, 50-51.

⁷⁷ *Ibid.*, 51-52.

⁷⁸ Construction date from Los Angeles County Assessor.

⁷⁹ *Ibid.*; 1912/1950 Sanborn Map.



840 S. Fairfax Avenue HRA / D190089.00

SOURCE L.A. Office of Historic Resources

Figure 49

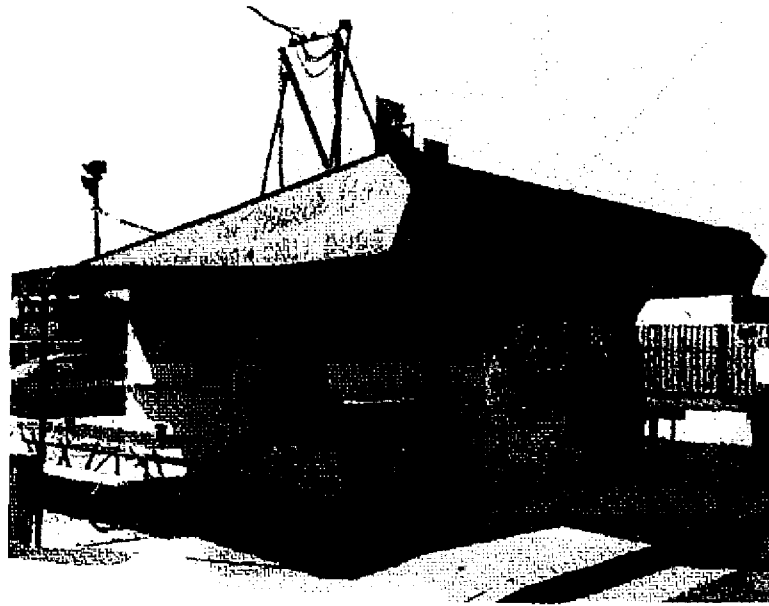
Norm's Coffee Shop, 1956, LA HCM # 1090

Many of the Norm's outlets were designed by the architectural firm of Louis Armét and Eldon Davis. Armét and Davis opened their office in 1947 and soon became a premier source of Google commercial architecture. Their work included many of the Bob's Big Boy restaurants, as well as numerous supermarkets, bowling alleys, and other commercial forms. Perhaps their best-known creation after Norm's was their work for Denney's. This chain used Google as a means of giving identity to their family restaurants, particularly through the use of a dominant and dramatic roof form.⁸⁰

A final type of neighborhood restaurant is the food stand. These are small structures based on walk-up window service. Some provide outdoor seating, while others include a drive-up window.⁸¹ A few were individually owned. Surviving examples are rare and include the Munch Box (L.A. Historic-Cultural Monument No. 750) at 21532 Devonshire Street in Chatsworth. It dates from 1958, when this part of the San Fernando Valley was still generally undeveloped. Other examples include the early 1946 Marty's (originally Red's) Hamburger Stand at 10558 W. Pico Blvd., and the 1965 Tip Top Hamburgers at 8634 N. Woodman Ave.

⁸⁰ Allen Hess, *Google: Fifties Coffee Shop Architecture* (San Francisco: Chronicle Books, 1985), 71-72.

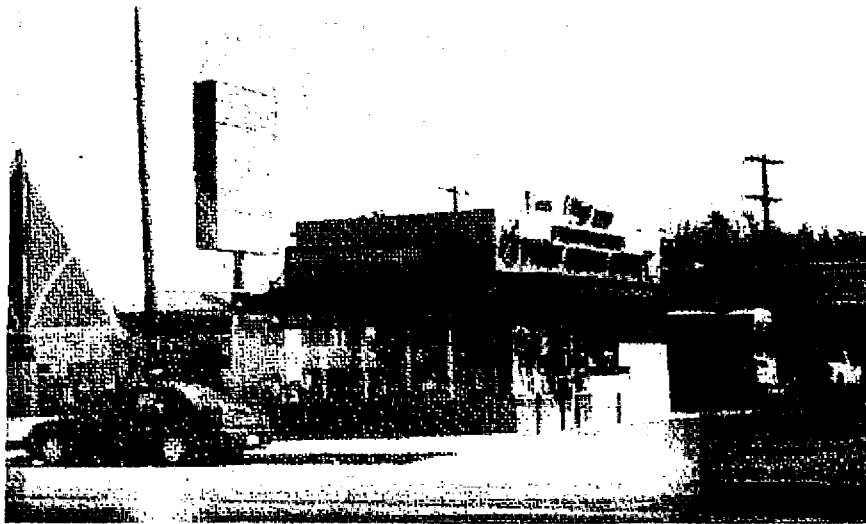
⁸¹ Jakle and Sculle, *Fast Food*, 42-45.



840 S. Fairfax Avenue HRA / D190089.00

SOURCE: L.A.

Figure 50
The Munch Box, 1958, LA HCM # 750



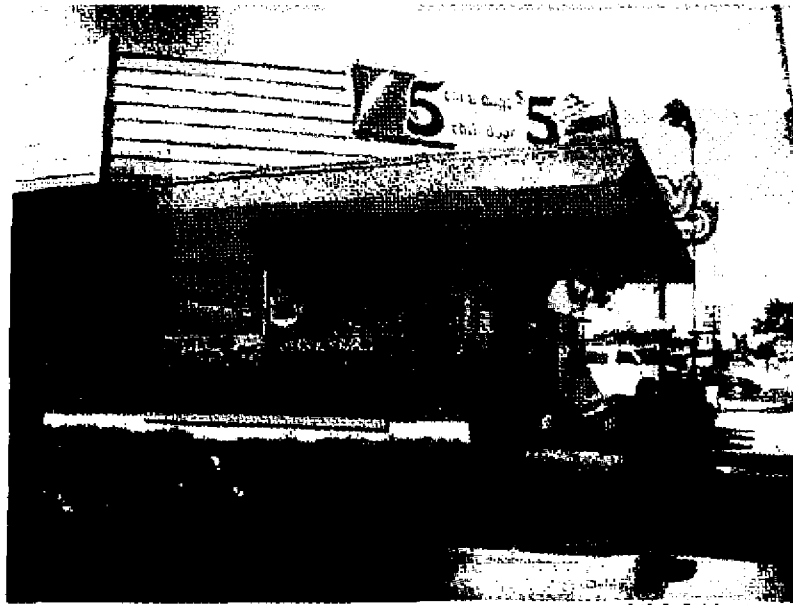
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SOURCE: SurveyLA

Figure 51
Tip Top Hamburgers, 1965, 8634 N. Woodman Ave

Others were parts of chains. An example is the original walk up/drive-thru Der Wienerschnitzel in Wilmington (L.A. Historic-Cultural Monument No. 1046). Fast food pioneer John Galardi opened this first Der Wienerschnitzel restaurant in 1961 at 1362 Gulf Avenue. The restaurant has been in continuous operation since it opened and is substantially intact. Since 1961, the Wienerschnitzel chain has grown to include 351 locations nationwide. This company went on to

evolve from a walk-up into a drive-thru chain with a distinct A-frame design (starting in 1962) for its branches.⁸²



SOURCE: L.A. Office of Historic Resources

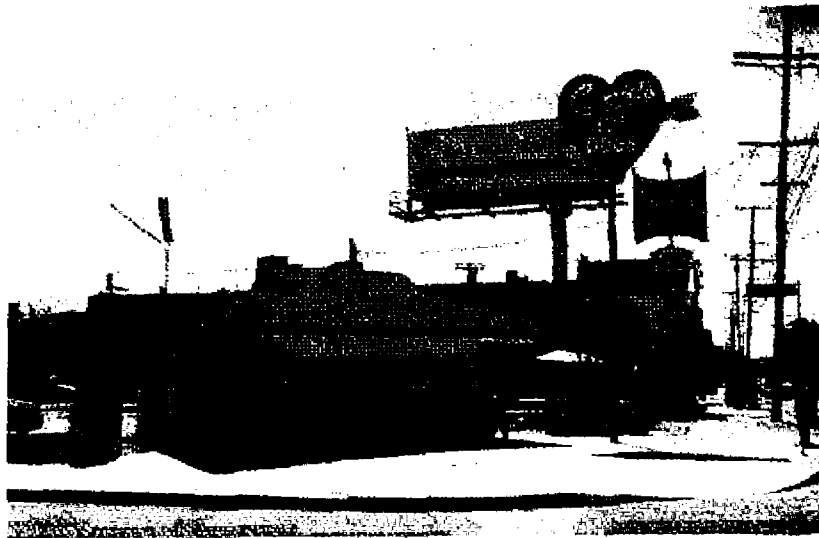
640 S. Fairfax Avenue HRA / D190089.00

Figure 52
The original Der Wienerschnitzel, 1961, LA HCM # 1045

A smaller local chain that maintained its walk-character is Cupid's Hot Dogs. Established in the San Fernando Valley in 1946 by Richard and Bernice Walsh, it historically had three branches – in North Hollywood, Van Nuys, and Canoga Park. Cupid's Hot Dogs is still owned by the same family that created it, now in its third generation. One of the original outlets, from 1961, it is located at 20030 Van Owen Street in Canoga Park. Its modest architecture resembles a hip-roofed stucco ranch bungalow. But its diagonal placement on the corner site is significant, as is its free-standing heart-shaped sign.⁸³

⁸² The origins and forms of the drive-thru are considered under the theme of “Commercial Development and the Automobile.”

⁸³ Cupid's was originally called Walsh's Hot Dogs, Cupid's Hot Dogs Website, www.cupidshotdogs.net; Individual Resources Survey Report, Canoga Park-Winnetka-Woodland Hills Community Plan Area for SurveyLA.



840 S. Fairfax Avenue HRA / D190089.00

SOURCE: SurveyLA

Figure 53

Cupids Hot Dogs, 1961, 20030 W. Vanowen Street

The Foster's Freeze chain was founded in 1946 in Inglewood, California by George Foster. The chain was originally known for its soft serve ice cream, but expanded to include hamburgers and other fast food items. Only three examples have been identified in Los Angeles. The two most intact identified for SurveyLA include the 1949 stand at 2870 N. Fletcher Drive, and the 1962 stand at 4967 N. Eagle Rock Blvd., both in northeast Los Angeles.

The Orange Julius chain was established by Julius Freed and Bill Hamlin in 1926. Known more recently for their shopping mall locations, the first Orange Julius was a walk-up stand on South Broadway in Downtown Los Angeles. By 1929, there were over 100 Orange Julius locations and, by 1967, over 700 locations existed in outdoor stands and shopping malls in the United States and internationally. An extant example of a walk-up stand dates to 1964 and is located at 6001 W. Pico Blvd. It was designed in a simplified Googie style by the architecture firm Armét and Davis. Although simple in design, its most prominent Googie feature is the folded plate roof. Today there are no Orange Julius locations operating in the city of Los Angeles. This example is a rare remaining example of the company's walk up stands.⁸⁴

⁸⁴ There appear to be only two extant examples in Los Angeles and this is the most intact of the two.



840 S. Fairfax Avenue HRA / D190089.00

SOURCE: Google Maps Street View

Figure 54
Orange Julius Walk-up Stand, 1965 (now vacant), 6001 W. Pico Blvd.

Late Tudor Revival, 1930-1950⁸⁵

In Los Angeles, the Late Tudor Revival style comprises buildings that form a bridge between the Arts and Crafts movement, rooted in authenticity, and Period Revival styles, rooted in evocative fantasy. The Late Tudor Revival style was usually chosen for demonstrating tasteful restraint and traditionalism with decorative elements. Its popularity continued through the Great Depression as a style that was neither extravagant nor austere. Its association with traditional domestic English architecture led to its popularity as a style of nostalgia, harkening back to simpler times. As a Period Revival style, the popularity of Late Tudor Revival corresponded to what historian Leland Roth describes as an "...era in which technological and financial changes...were reshaping the whole of American culture. Such houses were a defense against what is now sometimes called future shock; they were safe and secure refuges in a culture in rapid flux."⁸⁶

Styles associated with the Period Revival and Arts and Crafts movements were based on medieval and pre-industrial building types of northern Europe.⁸⁷ Their popularity arose from a dissatisfaction brought about by the Industrial Revolution and a desire to return to a romanticized medieval past and handcrafted goods. Tudor Revival styles took their name and design elements

⁸⁵ SurveyLA, "Period Revival, 1919-1950," *Los Angeles Citywide Historic Context Statement*, prepared for the City of Los Angeles, Department of City Planning, January 2016, 20-23.

⁸⁶ Leland Roth, *American Architecture: A History* (Cambridge, MA: Perseus Books Group, 2001), 354.

⁸⁷ For more information on the earlier period of Tudor Revival style see the context statement for the Arts and Crafts movement.

from English architecture of the Tudor sixteenth and Jacobean seventeenth centuries. English origins of the style were associated with early American settlement. The 1876 Centennial Exhibition in Philadelphia revived interest in the early building types of the colonial past, leading to the development of many revival styles inspired by the vernacular buildings of colonists' homelands and pre-industrial ways of life. Authentic Tudor architecture from thatch-roofed folk cottages to grand manor houses initially inspired the Arts and Crafts movement of the United Kingdom in the nineteenth century. Horizontality, exposed rafters, king posts referencing half-timbering and interior features such as low ceilings were all hallmarks of the Arts and Crafts movement.⁸⁸ Handcrafted half-timbering appeared to the Arts and Crafts movement as an anti-industrial ideal.⁸⁹ By the early twentieth century, rustic imagery and complex carpentry strongly associated with the Craftsman style was abandoned in favor of more explicit reference to the architecture of the English country house and the Tudor Revival became a popular style of domestic architecture, particularly for large single-family residences in the 1920s.⁹⁰



840 S. Fairfax Avenue HRA / D190089.00

SOURCE: SurveyLA

Figure 55
Oliver Flats Duplex

In the late 1920s and 1930s, the Late Tudor style emerged as a popular style for middle class homes, coinciding with a period of extensive development in Los Angeles. The most distinguishing feature of the style was ornamental false half-timbering and an emphasis on steeply pitched, front-facing gables. The style was initially associated with wealth because of its use of intricate masonry patterning, called "quilting," and expensive materials, such as copper, slate, and stone for roofs and decorative features.⁹¹ By the end of the 1920s, masonry veneering techniques allowed even modest examples of the style to mimic closely the brick and stone exteriors on some English prototypes from the Tudor and Jacobean periods and elevations were clad in contrasting shades of brick.⁹²

⁸⁸ Virginia and Lee McAlester, *A Field Guide to American Houses* (New York: Alfred A. Knopf, 2006), 358.

⁸⁹ Lee Goff, *Tudor Style* (New York: Universe Publishing, 2002), 10.

⁹⁰ Goff, 10.

⁹¹ Goff, 10.

⁹² McAlester, 358.



840 S. Fairfax Avenue HRA / D190089.00

SOURCE: SurveyLA

Figure 56
Glenbarr Avenue house, constructed in 1932

Late Tudor Revival style architecture in Los Angeles was usually characterized by brick or stucco buildings featuring a façade dominated by one or more prominent cross gables, usually steeply pitched. While half-timbering was present on many examples of the style, siding could also be constructed on stucco, wood, or brick. Fenestration often included canted bays with diamond pane casement windows. Most examples had massive chimneys, commonly crowned by decorative chimney pots.⁹³ The building style was flexible and easily adaptable to additions.⁹⁴

The flexibility of plans, easily applied to compact or sprawling sites, led to the popularity of Late Tudor Revival style citywide from the smaller, urban lots of Period Revival neighborhoods to estate-size lots of Bel Air and Brentwood. Practically every major architect of the period designed a Late Tudor Revival style residence in Los Angeles, with notable examples designed by Paul R. Williams, Gerard Colcord, and Wallace Neff.⁹⁵ Large single-family houses in the Hancock Park area were often designed in the Late Tudor Revival to convey an appearance of tradition and taste.

The connection to tradition and restraint sustained the popularity of the Late Tudor Revival style through World War II. Many design elements of this style, including diamond pane windows, horizontal lapped siding in gable ends, dovecotes, cross gabled wood shingle roofs, were incorporated into Ranch style homes for the middle class following the war.

⁹³ Ibid., 354.

⁹⁴ Goff, 10.

⁹⁵ Douglas Woods, *Classic Homes of Los Angeles* (New York: Rizzoli, 2010), 166.

7 Historic Resources Evaluations

SurveyLA Registration Requirements and Eligibility Standards

Los Angeles' citywide Historic Context Statement (HCS) was designed for use by SurveyLA field surveyors and by all agencies, organizations, and professionals completing historic resources surveys in the city of Los Angeles. The context statement was organized using the Multiple Property Documentation (MPD) format developed by the National Park Service (NPS) for use in nominating properties related by theme to the National Register. This format provided a consistent framework for evaluating historic resources. It was adapted for City use to evaluate the eligibility of properties for city, state, and federal designation programs and to facilitate environmental review processes.⁹⁶ The HCS used Eligibility Standards to identify the character defining, associative features, and integrity aspects a property should retain to be a significant example of a type within a defined theme. Eligibility Standards also indicated the general geographic location, area of significance, applicable criteria, and period of significance associated with that type. These Eligibility Standards are guidelines based on knowledge of known significant examples of property types; properties do not need to meet all of them in order to be eligible. Moreover, there are many variables to consider in assessing integrity depending on why a resource is significant. While the Wilshire Early Development context is presented in this report, the subject property does not appear to be a representative example of the early surrounding development, and will therefore not be referenced for the purposes of this evaluation. Based upon the historical and architectural themes presented in the previous section and in the Los Angeles Historic Context Statement, there are two significant SurveyLA sub-theme associated with the subject property: Restaurants (1880-1980); and Late Tudor Revival (1930-1950).

The following Context Summary Tables were developed by the OHR to define the eligibility standards, character-defining features, and integrity aspects a historical resource needs to have in order to be considered eligible in association with the aforementioned sub-themes (Tables 4 and 5).

SurveyLA Eligibility Criteria

TABLE 4
CONTEXT SUMMARY TABLE RESTAURANTS, 1880-1980

Context	Commercial Development/Neighborhood Commercial Development
Sub Context	No sub-context
Theme	Neighborhood Commercial Development, 1880-1980
Sub Theme	Restaurants, 1880-1980
Property Type	Commercial-Food – Restaurant
Property Sub Type	No Property Sub Type
Geographic Location	Citywide

⁹⁶ Guide for Professionals Using the Historic Context Statement for Property Evaluations, http://preservation.lacity.org/sites/default/files/Guide%20for%20Professionals%20Using%20the%20Historic%20Context%20Statement_Jan%202016_0.pdf, accessed January 5, 2017.

Area of Significance	Commerce, Social History, Architecture
Criteria	A/C, 1/3, 1/3
Period of Significance	1880-1980
Eligibility Standards	<ul style="list-style-type: none"> • Was constructed during the period of significance • Was historically designed and used as a restaurant • Of a scale and architectural character typical of neighborhood eating establishments • Contains architectural features that reflect trends in neighborhood commercial design
Character Defining/ Associative Features	<ul style="list-style-type: none"> • Retains most of the essential character defining features from the period of significance • May also be significant under themes within the Architecture and Engineering context • Features architectural and site-planning elements typical of neighborhood restaurants in both a pedestrian-oriented storefront form and an auto-oriented freestanding form • May reflect prototype/corporate designs associated with particular restaurant chains • May be associated with noted architect/designers • May have prominent signage • Associated with activities typical of neighborhood economic and social life
Integrity Considerations	<ul style="list-style-type: none"> • Should retain integrity of Design, Materials, Location, Association, and Feeling • Should maintain if possible original relationship to the street and to neighboring structures • Architectural integrity should be intact, retaining original massing, significant features, and identifying details (Some original materials may have been altered, removed, or replaced, particularly in earlier examples) • Use may have changed • Setting may have changed (surrounding buildings and land uses)

**TABLE 5
CONTEXT SUMMARY TABLE LATE TUDOR REVIVAL, 1930-1950**

Context	Architecture and Engineering
Sub Context	No sub-context
Theme	Period Revival, 1919-1950
Sub Theme	Late Tudor Revival, 1930-1950
Property Type	Commercial – Retail Building
Property Sub Type	No Property Sub Type
Geographic Location	Citywide
Area of Significance	Architecture
Criteria	C,3,3
Period of Significance	1930-1950
Eligibility Standards	<ul style="list-style-type: none"> • Exhibits quality of design through distinctive features • Is an excellent example of Late Tudor Revival architecture • Was constructed during the period of significance

Character Defining/ Associative Features	<ul style="list-style-type: none"> • Retains most of the essential character defining features from the period of significance • Decorative half-timbering • Entrance vestibules with arched openings • Massive chimneys that are a prominent visual element • Predominately brick or stucco exteriors, or a combination • Resource does not retain sufficient CDFs/Associative Features • Steeply pitched, usually multi-gabled roofs • Tall, narrow, multi-paned casement windows arranged in groups • Usually two stories in height
Integrity Considerations	<ul style="list-style-type: none"> • Should retain integrity of Location, Design, Materials, Workmanship, and Feeling from the period of significance • Some windows and doors may have been replaced, as long as openings have not been altered and original fenestration patterns have not been disrupted

Previous Evaluations

Archival research included a review of the National Register and its annual updates, the California Register, the Statewide Historical Resources Inventory (HRI) database maintained by the State Office of Historic Preservation (OHP), SurveyLA findings, and the City of Los Angeles's inventory of historic properties to identify any previously recorded properties within or near the subject property.

SurveyLA⁹⁷

The property is located in the area covered by the Wilshire Community Plan prepared by Architectural Resources Group, Inc. (ARG) for SurveyLA in 2015. For this report, the subject property was identified under the "Commercial Development, 1850-1980" context and the "Commercial Identity 1850-1980" theme. Survey LA identified the subject property as a potential historic resource eligible for listing as a local Historic-Cultural Monument (HCM):

Significant as the long-term location of Tom Bergin's restaurant, founded at the corner of La Brea and Wilshire in 1936. The building was moved here in 1947 and reopened in 1949; with the exception of a brief closure during an ownership change in 2013, it has been in operation here ever since. The property appears to meet local criteria only and may not meet significance thresholds for National Register or California Register eligibility.

The individual property was identified as being potentially eligible for listing on the National Register of Historic Places under Criterion A; on the California Register of Historic Resources under Criterion 1; and as an HCM under Criterion 1 for the property's association with important events of national, state, or local history, or exemplifying significant contributions to the broad cultural, economic or social history of the nation, state, city, or community.

⁹⁷ Architectural Resources Group, "SurveyLA Historic Resources Survey Report: Wilshire Community Plan Area," City of Los Angeles Department of City Planning, 2015, 75.

Historic-Cultural Monument Nomination Form⁹⁸

In 2018, the property was nominated for listing as an HCM by applicants the Los Angeles Conservancy and the Miracle Mile Residential Association (MMRA), prepared by Architectural Resources Group. The HCM Nomination Form further investigated SurveyLA's initial findings. The nomination is currently under consideration.

The 2018 HCM nomination identified that the subject property meets the following criteria for designation as a Los Angeles Historic-Cultural Monument:

It exemplifies significant contributions to the broad cultural, economic or social history of the nation, state, city, or community (Criterion 1).

It embodies the distinctive characteristics of a style, type, period, or method of construction (Criterion 3).

The Nomination Form provided the following statement of significance summary:

The property meets Criterion 1 because it reflects broad patterns of history relating to the cultural and social history of Los Angeles. One of the most iconic and longest-lived bars in the City, Tom Bergin's opened its doors in 1936 and moved to its present-day location on South Fairfax Avenue in 1949. The business remained in continuous operation here until 2018, save for a few instances in which it was briefly (and temporarily) closed for repairs and remodels. The business's longevity is underscored by the fact that it is entitled with the second-oldest liquor license in Los Angeles. Over the course of its eight decades in business, Tom Bergin's served its signature Irish coffee and myriad other libations to scores of patrons, satiating their thirst, fostering community and camaraderie, and earning a reputation as one of the most iconic and beloved places to imbibe in the city. It became – and continues to be – an invaluable cultural asset and an integral part of Angelenos' sense of cultural and commercial identity.

The property meets Criterion 3 because it embodies the distinguishing characteristics of the Tudor Revival style, particularly as applied to a commercial building. While many of Los Angeles's legacy businesses are housed within vernacular or nondescript edifices, Tom Bergin's occupied a building that bears distinguishing architectural characteristics. The building's Tudor Revival style aesthetic corresponds with its prevailing Irish theme evincing a sense of the Irish countryside. It is significant as a rare and deftly articulate example of how the Tudor Revival style was adapted to the vernacular commercial landscape, and thus is inherently valuable to a study of Period Revival.

⁹⁸ Katie Horak and Andrew Goodrich, "Historic-Cultural Monument Nomination Form: Tom Bergin's, Continuation Sheet," Architectural Resources Group, 2018, 7.

Los Angeles Department of City Planning Final Determination Recommendation Report⁹⁹

The Los Angeles Department of City Planning prepared a final determination recommendation report upon review of the HCM Nomination Form for the Tom Bergin's property in early 2019. The recommendation report includes a summary of the business history, building description, and construction chronology, along with images from a recent site visit to the property. A portion of the discussion section of the report is presented here:

Tom Bergin's meets one of the Historic-Cultural Monument criteria: it "exemplifies significant contributions to the broad cultural, economic or social history of the nation, state, city, or community" as the long-time location of Tom Bergin's, a business that bears a significant association with the commercial identity of Los Angeles.

While the applicant argues that the subject property also "embodies the distinctive characteristics of a style, type, period, or method of construction" as an excellent example of a commercial building designed in the Tudor Revival architectural style, staff finds that the property does not meet this criterion. Although the building retains original elements such as the steeply-pitched, cross-gabled roof, stucco and brick cladding, and multi-lite casement windows typical of the style, the subject property is not a unique or outstanding example of the Tudor Revival style. The Tudor Revival style is applied to the subject property in a simplified manner.

Significance Evaluation

The subject property was previously evaluated in the HCM nomination under the following historical and architectural contexts, themes, and sub-themes as identified in SurveyLA: Commercial Development (1850-1980), subtheme Commercial Identity (1850-1980) and Tudor Revival architecture. There are several reasons why ESA believes these themes are not applicable to the subject property, as discussed below. Furthermore, the City found the subject property ineligible under these themes in their staff report.

ESA reviewed the SurveyLA contexts and believes the appropriate themes to use in this significance evaluation are Restaurants (1880-1980), and Late Tudor Revival (1930-1950). The Commercial Development, Restaurants sub-theme was selected as the building was constructed explicitly to serve as a restaurant, and identifies closely as a destination restaurant. The Late Tudor Revival sub-theme was selected as the property loosely resembles this style, and was constructed in 1949. The period of significance established for this property is 1948-1973, when Tom Bergin, original business owner and manager, constructed and operated the original business at the extant 840 S. Fairfax Avenue location.

The Commercial Development (1850-1980), Commercial Identity (1850-1980) context and sub-theme utilized in the HCM nomination by ARG were reviewed but were not utilized for this evaluation as the subject property does not appear to have influenced larger trends or patterns of

⁹⁹ Cultural Heritage Commission, "Recommendation Report: Historic-Cultural Monument Application for TOM BERGIN'S," Los Angeles Department of City Planning, 2019, 3.

cultural development in Los Angeles. Nor did the subject restaurant business make important contributions to the commercial growth of the area or its neighborhood over the course of its existence. Furthermore, the HCM nomination does not identify a specific theme from those set forth by SurveyLA through which to evaluate the property. The nomination mentions the Tudor Revival architectural style, but does not distinguish between the following themes and sub-themes: Arts and Crafts Movement: Tudor Revival (1895-1929), or Period Revival: Late Tudor Revival (1930-1950). Further, the Planning Department's Final Determination Recommendation Report references Tudor Revival buildings that fall into the earlier theme and subtheme as 'more exemplary properties' of a particular style, while not acknowledging buildings of the Late Tudor Revival style- which the subject building more closely aligns with due to its construction date.

ESA also completed field surveys, prepared architectural descriptions, and conducted research on the subject property's construction and occupancy history, provided above. ESA evaluated the subject properties against the National Register, California Register, and City of Los Angeles criteria for listing as a Los Angeles Historic Cultural Monument (LAHCM).

840 S. Fairfax Avenue

With regard to broad patterns of history, the following are the relevant criteria:

- **National Register Criterion A:** Is associated with events that have made a significant contribution to the broad patterns of our history.
- **California Register Criterion 1:** Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- **Los Angeles Historic Cultural Monument Criterion 1:** In which the broad cultural, economic or social history of the nation, State or community is reflected or exemplified.

ESA did not assess the property against SurveyLA's Commercial Development's (1850-1980) Commercial Identity (1850-1980) sub-theme as discussed above, because the property does not appear to meet the threshold of significance under this theme. The property more closely aligns with the Commercial Development's Restaurants (1880-1950) subtheme, for its clear association as a location of commerce as a destination restaurant in the Wilshire and Carthay neighborhoods.

The HCM nomination states that the subject property is the property holds "the second-oldest liquor license in Los Angeles."¹⁰⁰ This statement is unfounded and may be an error. Prohibition ended three years prior to the opening of Tom Bergin's original establishment in 1936, it is likely other restaurants and bars obtained liquor licenses soon after prohibition ended, and there were many other properties that had attained much older liquor licenses before prohibition.

However, the subject property appears to be an example of a destination restaurant, as defined by SurveyLA, and discussed above. The subject property was not designed by an architect and is not a representative example of any architectural style or building type. It was constructed by owner/builder Tom Bergin for a specific use as an Irish pub or tavern and its appearance and design provided a special atmosphere for the bar and restaurant use. The early success of the

¹⁰⁰ Horak and Goodrich, "Historic-Cultural Monument Nomination Form: Tom Bergin's, Continuation Sheet," 7.

restaurant is identified with the personality of bar owner/restaurantier Tom Bergin, with whom the subject property is strongly identified and still carries his name. After his death, subsequent owners continued the run the business as an Irish-themed tavern with varied success.

While not representative of an architectural style or building type, the subject property was created specifically for a particular use – that of a bar and eatery. The subject property was constructed as a commercial building on the outskirts of the Carthay-neighborhood, and is situated along Fairfax Avenue two blocks south of Wilshire Boulevard and the Miracle Mile with mid-century apartment buildings to its immediate north, and a more contemporary private high school to its immediate south. At the time of its construction, it was one of the first buildings along this stretch of Fairfax Avenue, south of Wilshire. The restaurant was custom-designed by the owner, Tom Bergin, who wanted to expand his bar and restaurant business. Bergin relocated to the subject property from its earlier location two blocks north on Wilshire Boulevard. As a destination restaurant, Bergin's new Irish pub was constructed here during a period of post-war development, and utilized thematic Tudor design motifs at both the exterior and interior that provided a unique atmosphere at this location. Aspects of the property's site including two prominent pole signs, adjacency to the sidewalk, and inclusion of a parking lot for automobiles with easy access off Fairfax Avenue, contribute to the character-defining and associative features of this property type. Tom Bergin's operated a bar and restaurant here from 1949 until his death in 1973, serving many patrons during his period of ownership and operation, allowing for the subject building to serve Los Angeles as distinctive commercial restaurant. The period of significance identified for the subject property is 1949-1973, which represents its peak of use and popularity as a destination restaurant. However, the appearance of the property has changed over the years and it does not retain its integrity from its period of significance.

The 1973 sale of the business by Tom Bergin to two former patrons began the decline of the business. As a result, building maintenance was neglected and the business began to lose money. By 2011, new ownership attempted to revive the business by rehabilitating the building and updating its menu, this time bringing in a renowned chef. Tom Bergin's went out of business after just 11 months of operation, which directly correlates with a lack of patronage during the later period of operation. Following another well-intentioned purchase in which the building received additional modifications and a menu overhaul, the business failed again to be profitable at this location. To say that this business has continuously been a local fixture, and that continues to be an "integral part of the Angelenos' sense of cultural and commercial identity," as stated in the HCM nomination, neglects the fact that the business has lacked a strong customer base and diligent patronage over the last decade during which the business has been in a serious decline.

Over time, the building has undergone modifications to accommodate changes in ownership and/or management. More recent modifications to the building between 2011 and 2012 have included large scopes of work, involving changes to the interior to replace deteriorated materials, a new upstairs lounge and bar, and an expansion of the kitchen area. Recent interior changes compared with limited available original photos show that much of the building's early associated feeling and atmosphere remains. Modifications to the building overtime have been undertaken with sensitivity and care to the existing building so as not to effect the existing character of the property, a sentiment expressed by both of the more recent owners. Defining features at the

exterior of property, including building form and massing have not been modified or destroyed over time. However, the original double doors along Fairfax Avenue were removed and replaced with a single door, modifying the original street-facing access, which would have been integral feature for the property to render as a destination restaurant under the identified context. An opening in the northern elevation has been inserted and now serves as the main point of access to the building. This modification has altered the original circulation and pedestrian access. In addition, comparison of the historic appearance in Figure 11 with the current appearance shows that the fenestration on the ground floor of the north elevation was entirely replaced, and the exterior finishes entirely altered (stuccoed). With the relocation of the main entrance, rear expansion, and upstairs interior construction, building's integrity of design has been compromised. Further, the building's materials and workmanship have been compromised, as much of the original glass at the windows has been replaced, in addition to the reconfiguration of the iconic horseshoe bar, and the replacement of the ceiling in the dining room. Two new restrooms in the southern wing were installed within recent years, replacing the original restroom and adjacent storage area. The feeling aspect of integrity remains similar to as it was shortly after construction with the aged bar and tavern area, dining room with fireplace, and exposed interior bracing. At the site, the intact surface parking-lot site and pole signs, despite the minimal modifications to the exterior of the property including brick planters and a garbage vestibule, still allow the original sense of setting to be conveyed throughout the property. Recent development to the south of the subject property is similar in scale to the early hospital building that was constructed in its place during the subject property's period of significance. While the property retains its historic integrity for its location, association, feeling and setting, it is lacking in the design and workmanship aspects of integrity, which are considered important for the building to convey its association as a destination restaurant of the mid-century period.

As a result, 840 S. Fairfax does not appear to meet the significance requirement as individual resource under the LAHCM Criterion for its association as a Destination Restaurant due to lack of integrity from the period of significance. Furthermore, the subject property is not associated with events that have made a significant contribution to the broad patterns of our nation's history or of California's history or cultural heritage. The subject property is not associated with significant events in the Civil Rights movement, or with LGBTQ history, or with Irish immigrant history, or other social or cultural history in Los Angeles. Other than annual Saint Patrick's Day parties, no notable events occurred at the subject property. Therefore, **the subject property does not reflect or exemplify the broad cultural, economic or social history of the nation, State or community under National Register of Historic Places Criterion A or the California Register of Historic Places Criterion 1, or LAHCM Criterion 1.**

Significant Persons

With regard to associations with important persons, the following are the relevant criteria:

- **National Register Criterion B:** Is associated with the lives of persons significant in our past.
- **California Register Criterion 2:** Is associated with the lives of persons important in our past.

- **Los Angeles Historic Cultural Monument Criterion 2:** Which is identified with historic personages or with important events in the main currents of national, State or City history.

The original owner and operator of the subject business and building, Tom Bergin, appeared to have been a lively fixture in his namesake bar during his period of ownership. Bergin relocated his business to a custom-designed restaurant, operating it until his retirement in 1973. However, Bergin does not appear to have made significant contributions to local, State, or national history through his association with the subject property.

Research conducted on the subsequent owners of the property did not suggest that they rose to a level of significance necessary to warrant the property eligible for historic status based on their association with the property during their time of ownership.

Therefore, 840 S. Fairfax Avenue does not appear to be associated with significant personages or events as is required under LAHCM Criterion 2. There were no identified individuals associated with this property who contributed to important events either at the State or national level and therefore, the property does not meet the significance requirements under National Register of Historic Places Criterion B or the California Register of Historic Places Criterion 2.

Architecture

With regard to architecture, design, or construction, the following are the relevant criteria:

- **National Register Criterion C:** Embodies the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.
- **California Register Criterion 3:** Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- **Los Angeles Historic Cultural Monument Criterion 3:** Which embodies the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style or method of construction; or Which is a notable work of a master builder, designer, or architect whose individual genius influenced his or her age.

As discussed above, ESA did not evaluate the subject property under the Arts and Crafts Movement: Tudor Revival (1895-1929) sub-theme as it was not relevant for the discussion of this building due to the building's construction in the late 1940s. ESA believes the appropriate context for evaluation of the subject property is Period Revival: Late Tudor Revival (1930-1950).

As identified in SurveyLA, the Late Tudor Revival style

In Los Angeles, the Late Tudor Revival style comprises buildings that form a bridge between the Arts and Crafts movement, rooted in authenticity, and Period Revival styles, rooted in evocative fantasy. The Late Tudor Revival style was usually chosen for demonstrating tasteful restraint and traditionalism with decorative elements. Its popularity continued through the Great Depression as a style that was neither extravagant nor austere. Its association with traditional

domestic English architecture led to its popularity as a style of nostalgia, harkening back to simpler times.

[...]

In the late 1920s and 1930s, the Late Tudor style emerged as a popular style for middle class homes, coinciding with a period of extensive development in Los Angeles. The most distinguishing feature of the style was ornamental false half-timbering and an emphasis on steeply pitched, front-facing gables.

While there were periods when the business operated with more of an Irish-flavored approach to beverage and dining offerings, the Tudor Revival style is identified as reflective of English traditional architecture, and is not evocative of architectural themes related to a traditional Ireland. The correlation as suggested in the HCM nomination for significance as it relates to thematic business operations is therefore tenuous.

The associated character defining features exhibited by properties of the Late Tudor Revival style include:

- Decorative half-timbering
- Entrance vestibules with arched openings
- Massive chimneys that are a prominent visual element
- Predominantly brick or stucco exteriors, or a combination
- Steeply pitched, usually multi-gabled roofs
- Tall, narrow, multi-paned casement windows arranged in groups
- Usually two stories in height

Of these character-defining features, the subject property at 640 S. Fairfax Avenue exhibits the following:

- Asymmetrical massing
- Steeply pitched, usually multi-gabled roof
- Tall, narrow, multi-paned casement windows arranged in groups
- Usually two stories in height, although the second story was not fully completed until very recently

The property does not feature decorative half-timbering at the exterior, entrance vestibules with arched openings, a prominently visual massive chimney, nor does it have predominately brick or stucco at the exterior. While the property has a few select character-defining features that would vaguely reference the style, it is lacking sufficient character-defining features to fully embody the Late Tudor Revival Style. The configuration of the horizontal and vertical siding, the unarticulated entryway, and curious organization of the stepped gables allow for the building to read as a vernacular property that vaguely references certain elements from a particular style. Applied here in a more simplified manner, the commercial property is not reflective of a significant example of the Late Tudor Revival style in Los Angeles.

The property at 840 S. Fairfax Avenue does not meet the significance requirements under the LAHCM Criterion for its architectural design. The property does not meet the significance requirements under the National Register of Historic Places Criterion C or the California Register of Historic Places Criterion 3.

Data

- **National Register Criterion D:** It yields, or may be likely to yield, information important in prehistory or history.
- **California Register Criterion 4:** Has yielded, or may be likely to yield, information important in prehistory or history.

While most often applied to archaeological districts and sites, Criterion D/4 can also apply to buildings, structures, and objects that contain important information. In order for these types of properties to be eligible under Criterion D/4, they themselves must be, or must have been, the principal source of the important information. The subject property does not appear to yield significant information that would expand our current knowledge or theories of design, methods of construction, operation, or other information that is not already known about the period in which they were constructed, their method of construction, or their design. **Therefore 840 S. Fairfax Avenue does not meet the significance requirements under the National Register of Historic Places Criterion D or the California Register of Historic Places Criterion 4.**

Conclusion

Tom Bergin's namesake business originally began along Wilshire Boulevard in 1936. The subject building at 840 S. Fairfax Avenue was constructed at the current site in 1949. The property has had three subsequent owners since Bergin, and business here was in operation until 2018. The property was reviewed under the two SurveyLA sub-themes associated with the subject property: Restaurants (1880-1980); and Late Tudor Revival (1930-1950). The identified period of significance, 1949-1973, corresponds with the original owner and proprietor, Tom Bergin's period of ownership and operation. As discussed above, the building retains integrity of location, association, feeling, and setting, but does not retain strong integrity for its design or materials, two crucial aspects which would allow the property to convey its historical significance as an example of a destination restaurant of the mid-century period. As such, the property appears to be ineligible for listing as an HCM under Criterion 1 for its association as a destination restaurant associated with the ownership of Tom Bergin for whom it is named, because the subject property has been substantially altered after the period of significance by subsequent owners and no longer retains its historic appearance from its period of significance.

Furthermore, the subject property is not associated with events that have made a significant contribution to the broad patterns of our nation's history or of California's history or cultural heritage. The subject property is not associated with significant events in the Civil Rights movement, or with LGTBQ history, or with Irish immigrant history, or other social or cultural history in Los Angeles. Other than annual Saint Patrick's Day parties, no notable events occurred at the subject property. Therefore, **the subject property does not reflect or exemplify the broad cultural, economic or social history of the nation, State or community under National Register of Historic Places Criterion A or the California Register of Historic Places Criterion 1, or LAHCM Criterion 1.**

The original owner and operator of the subject business and building, Tom Bergin, appeared to have been a lively fixture in his namesake bar during his period of ownership. Bergin relocated his business to a custom-designed restaurant, operating it until his retirement in 1973. However, Bergin does not appear to have made significant contributions to local, State, or national history through his association with the subject property. **Therefore, 840 S. Fairfax Avenue does not appear to be associated with significant personages or events as is required under LAHCM Criterion 2.**

While the property has a few select character-defining features that would vaguely reference the style, it is lacking sufficient character-defining features to fully embody the Late Tudor Revival Style. The configuration of the horizontal and vertical siding, the unarticulated entryway, and curious organization of the stepped gables allow for the building to read as a vernacular property that vaguely references certain elements from a particular style. Applied here in a more simplified manner, the commercial property is not reflective of a significant example of the Late Tudor Revival style in Los Angeles. **The property at 840 S. Fairfax Avenue does not meet the significance requirements under the LAHCM Criterion for its architectural design.** The property does not meet the significance requirements under the National Register of Historic Places Criterion C or the California Register of Historic Places Criterion 3.

The subject property does not appear to yield significant information that would expand our current knowledge or theories of design, methods of construction, operation, or other information that is not already known about the period in which they were constructed, their method of construction, or their design. **Therefore 840 S. Fairfax Avenue does not meet the significance requirements under the National Register of Historic Places Criterion D or the California Register of Historic Places Criterion 4.**

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Sanborn Map and Publishing Company, Insurance Maps of Los Angeles County.

Appendix A

Professional Qualifications





Margarita Jerabek, PhD

Historic Resources Director

EDUCATION

Ph.D., Art History,
University of California,
Los Angeles

M.A., Architectural
History, School of
Architecture, University
of Virginia

Certificate of Historic
Preservation, School of
Architecture, University
of Virginia

B.A., Art History,
Oberlin College

30 YEARS EXPERIENCE

AWARDS

2014 Preservation
Award, The Dunbar
Hotel, L.A. Conservancy

2014 Westside Prize,
The Dunbar Hotel,
Westside Urban Forum

2014 Design Award:
Tongva Park & Ken
Genser Square,
Westside Urban Forum

Preservation Design
Awards, RMS Queen
Mary Conservation Plan
2012; and Restoration
and Exhibit Design for
Home Savings,
Montebello, 2016,
California Preservation
Foundation

PROFESSIONAL AFFILIATIONS

California Preservation
Foundation

Santa Monica
Conservancy

Society of Architectural
Historians, Life Member

American Institute of
Architects (AIA),
National Allied Member

Margarita Jerabek has 30 years of professional practice in the United States with an extensive background in historic preservation, architectural history, art history and decorative arts, and historical archaeology. She specializes in Visual Art and Culture, 19th-20th Century American Architecture, Modern and Contemporary Architecture, Architectural Theory and Criticism, Urbanism, and Cultural Landscape, and is a regional expert on Southern California architecture. Her qualifications and experience meet and exceed the Secretary of the Interior's Professional Qualification Standards in History, Archaeology, and Architectural History. Margarita has managed and conducted a wide range of technical studies in support of environmental compliance projects, developed preservation and conservation plans, and implemented preservation treatment projects for public and private clients in California and throughout the United States.

Relevant Experience

Margarita has prepared a broad range of environmental documentation and conducted preservation projects throughout the Los Angeles metropolitan area and Southern California. She provides expert assistance to public agencies and private clients in environmental review, from due diligence through planning/design review and permitting and when necessary, implements mitigation and preservation treatment measures on behalf of her clients. As primary investigator and author of hundreds of technical reports, plan review documents, preservation and conservation plans, HABS/HAER/HALS reports, construction monitoring reports, salvage reports and relocation plans, she is a highly experienced practitioner and expert in addressing historical resources issues while supporting and balancing project goals.

She is an expert in the evaluation, management and treatment of historic properties for compliance with Sections 106 and 110 of the NHPA, NEPA, Section 4(f) of the Department of Transportation Act, CEQA, and local ordinances and planning requirements. Margarita regularly performs assessments to ensure conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and assists clients with adaptive reuse/rehabilitation projects by providing preservation design and treatment consultation, agency coordination, legally defensible documentation, construction monitoring and conservation treatment.

Margarita is a regional expert on Southern California architecture. She has prepared a broad range of environmental documentation and conducted preservation projects throughout the Los Angeles metropolitan area as well as in Ventura, Orange, Riverside, San Bernardino and San Diego counties. Beyond her technical skill, she is a highly experienced project manager with broad national experience throughout the United States. She currently manages ESA's on-call historic preservation services with the City of Santa Monica, and Los Angeles Unified School District.



Hanna Winzenried

Architectural Historian

Hanna is an architectural historian with 3 years of academic and professional experience performing building conservation, historic research, and field surveys and conducting plan reviews for conformance with local regulations and ordinances. Prior to joining ESA, she has 1.5 years of experience with the City of Los Angeles, Department of Planning, in the Office of Historic Resources Historic Preservation Overlay Zones (HPOZ) Unit. Her experience and education both in California and abroad have given her a wide set of interdisciplinary skills, including strong technical and research skills.

EDUCATION

MSc Historic Conservation, Oxford Brookes University

B.A. European Studies, Bingham Young University

3 YEARS OF EXPERIENCE

PROFESSIONAL AFFILIATIONS

The Society for the Protection of Ancient Buildings

Historic England

National Trust for Places of Historic Interest or Natural Beauty

Relevant Experience

9120 W. Olympic Boulevard Preliminary Assessment and Character Defining Features Analysis for the Harkham Hillel Hebrew Academy, Beverly Hills, CA.

Contributor. ESA prepared a Phase I Historic Resources Assessment for the modernist educational building at 9120 W. Olympic Boulevard. The purpose of the report is to identify and evaluate potential historic resources. The subject property was built in 1963 as the largest Jewish day school. It was built in the Modernist architectural style by the renowned architect Sydney Eisenshtate. The Academy enrollment has outgrown the existing space, and the school is looking for a way to expand its square footage. Hanna performed research and prepared the reports.

Universal Hilton Environmental Impacts Report and Historic Resources Technical Report for 555 W Universal Terrace Parkway, Los Angeles, CA.

Contributor. ESA prepared an Environmental Impacts Report including a Historic Resources Technical Report. The Universal Hilton Hotel was designed by master architect, William L. Pereira in 1983 in the postmodern style. The hotel was designed to accommodate visitors to the Universal Theme Parks. The hotel management wants to expand the number of rooms by building a large addition. Hanna performed research and assisted in the preparation of the report.

361 Myrtle Street Peer Review Letter for the residence at 361 Myrtle Street, Glendale, CA.

Contributor. ESA prepared a peer review letter to conduct a peer review of previous historic resource evaluations and analyze potential cumulative impacts of the demolition for the property at 361 Myrtle Street. Previous evaluations and the impact of demolishing the residence were reviewed and analyzed. Hanna performed research and assisted with the preparation of the report.

Nestor Way Affordable Housing Project Historical Resources Technical Report, San Diego, CA.

Contributor. ESA prepared a Historical Resources Technical Report for 1120 and 1130 Nestor Way on behalf of the Federal Housing Administration. The site is improved with a Methodist church built in 1896 in the Gothic Revival architectural style and multiple ancillary buildings. The City of San

Diego is planning on constructing permanent supportive housing containing 100 units, consisting of multi-family affordable housing for formerly homeless seniors 55 years of age and older. Hanna performed research and assisted with the preparation of the reports.

Nelles School Site Redevelopment, Whittier, CA. *Contributor.* ESA oversaw the documentation and architectural salvage of the Fred C. Nelles School. Brookfield Residential plans on redeveloping the whole site into a residential neighborhood while maintaining four historically significant structures. Hanna helped draft a documentation and architectural features salvage plan according to the character defining features list and oversaw the deconstruction of the other school buildings to ensure the architectural features were salvaged correctly.

Riverside Cement Company, Crestmore Plant HAER, Jurupa Valley, CA.

Contributor. ESA prepared two Historic American Engineering Records for the Crestmore Plant for the White Cement Mill and for the Stock House. The Riverside Cement Company, Crestmore Plant was a former cement plant that was initially constructed in 1909, although went through multiple periods of alteration. Developers proposed an industrial and open space development at the facility. Hanna helped drafts HAERs which had to be made as a mitigating measure for deconstruction of the historically eligible buildings, the White Cement Mill and the Stock House.

Previous Work Experience

Department of City Planning, City of Los Angeles. *Student, Professional Worker.*

Hanna assisted HPOZ staff with client walk-ins, which included conducting design review, drafting casework letters/certificates, and performing public outreach/presentations regarding adoption of HPOZs. She conducted field surveys of several HPOZs, using photography and making note of historical elements. She corrected technical elements on databases of HPOZ properties and research historical patterns of neighborhood growth. Hanna also communicated with project applicants to improve their projects' conformance with preservation guidelines.

Museum of Peoples and Cultures, Brigham Young University. *Collections*

Manager. Hanna made an itinerary of the entire Brigham Young University (BYU) ethnographic collection. Hanna designed and implemented a social media marketing campaign. She took pictures of 400 objects for the digital collection. She helped develop a new way to house kachina dolls and Polynesian necklaces. She cataloged 25 objects in a collection and housed them for storage.

History Department, Brigham Young University. *Intern.*

As part of her duties as an intern, Hanna cataloged and transcribed historic letters to and from Senator Bancroft found in the BYU digital collections. Hanna also created a marketing plan to raise campus awareness for "Europe in a Nutshell" and helped to inaugurate the international event with prominent world leaders.

Publications and Presentations

"Knobs and Knockers: The Conservation of Arts and Crafts Metal Fixtures and Fittings," Oxford Brookes University (2015).

Appendix B
Tract No. 6826



TRACT No 6826 IN THE CITY OF LOS ANGELES

BASIS OF BEARINGS FROM COUNTY SURVEYOR'S MAP No. 7251,
BEING A SUBDIVISION OF A PORTION OF RANCHO ROBERTO DE LAS AGUAS AS PER MAP
RECORDED IN BOOK 32, PAGE 25, OF MISCELLANEOUS RECORDS OF LOS ANGELES
COUNTY, CALIFORNIA, AND A PORTION OF LOT 7 OF ROBERTO AS PER MAP RECORDED
IN MAP BOOK 5, PAGES 127 AND 128, RECORDS OF SAID COUNTY.

FEB 20 1924
3 PM
86
MOPS

G. M. Matuschke
Deputy

I, PORTER H. ALBRIGHT, HEREBY CERTIFY THAT I AM A CIVIL
ENGINEER, AND THAT THIS MAP, CONSISTING OF 3 SHEETS,
CORRECTLY REPRESENTS A SURVEY MADE UNDER MY
SUPERVISION OCTOBER 1923, AND THAT ALL MONUMENTS
SHOWN HEREON ACTUALLY EXIST, AND THEIR POSITIONS
ARE CORRECTLY SHOWN.

Porter H. Albright
CIVIL ENGINEER

February 21

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF, OR INTERESTED IN, THE
LAND INCLUDED WITHIN THE SUBDIVISION SHOWN ON THE ANNEXED MAP
AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY
TO PASS A CLEAR TITLE TO SAID LAND, AND WE CONSENT TO THE
MAKING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE
COLORED BORDER-LINE, AND HEREBY DEDICATE TO PUBLIC USE ALL
STREETS, AVENUES, DRIVES, BOULEVARDS, WALKS AND ALLEYS
SHOWN ON SAID MAP WITHIN SAID SUBDIVISION.

15th February 24

Thos. J. ...

HELLMAN COMMERCIAL TRUST AND SAVINGS BANK

BY *James W. ...*
VICE-PRESIDENT

BY *...*
SECRETARY

15th February 24

STATE OF CALIFORNIA } ss
COUNTY OF LOS ANGELES }
ON THIS 4 DAY OF FEBRUARY A.D. 1924,
BEFORE ME, EMIL BARUCH, A NOTARY PUBLIC
IN AND FOR SAID COUNTY, RESIDING THEREIN, DULY
COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED
EMIL LORR, KNOWN TO ME TO BE THE VICE-
PRESIDENT, AND W. H. KELLY, KNOWN TO ME TO BE
THE SECRETARY, OF THE
HELLMAN COMMERCIAL TRUST AND SAVINGS
BANK

STATE OF CALIFORNIA } ss
COUNTY OF LOS ANGELES }
ON THIS 4 DAY OF FEBRUARY AD 1924, BEFORE
ME, GEORGE H. CLARK, A NOTARY PUBLIC IN AND
FOR SAID COUNTY, RESIDING THEREIN, DULY COM-
MISSIONED AND QUALIFIED, PERSONALLY APPEARED
PORTER H. ALBRIGHT, KNOWN TO ME TO BE THE
PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN
INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE
EXECUTED THE SAME.
WITNESSED BY HAND AND OFFICIAL SEAL

THE CORPORATION THAT EXECUTED THE WITHIN
INSTRUMENT, KNOWN TO ME TO BE THE PERSONS WHO
EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF
THE CORPORATION WITHIN NAMED AND ACKNOWLEDGED
TO ME, THAT SAID CORPORATION EXECUTED THE SAME.
WITNESSED BY HAND AND OFFICIAL SEAL.

George H. Clark
NOTARY PUBLIC IN AND FOR LOS ANGELES COUNTY, CALIFORNIA

TITLE GUARANTEE AND TRUST CO
522394 B JANUARY 30TH 14
Hallman
Commercial Trust and Savings Bank
15

Emil Baruch
NOTARY PUBLIC IN AND FOR LOS ANGELES COUNTY, CALIFORNIA

JOHN A. GRIFFIN

city Feb. 14 24

TRACT NO 6826

11 Feb 24
J. F. Linner

19th NOVEMBER 14

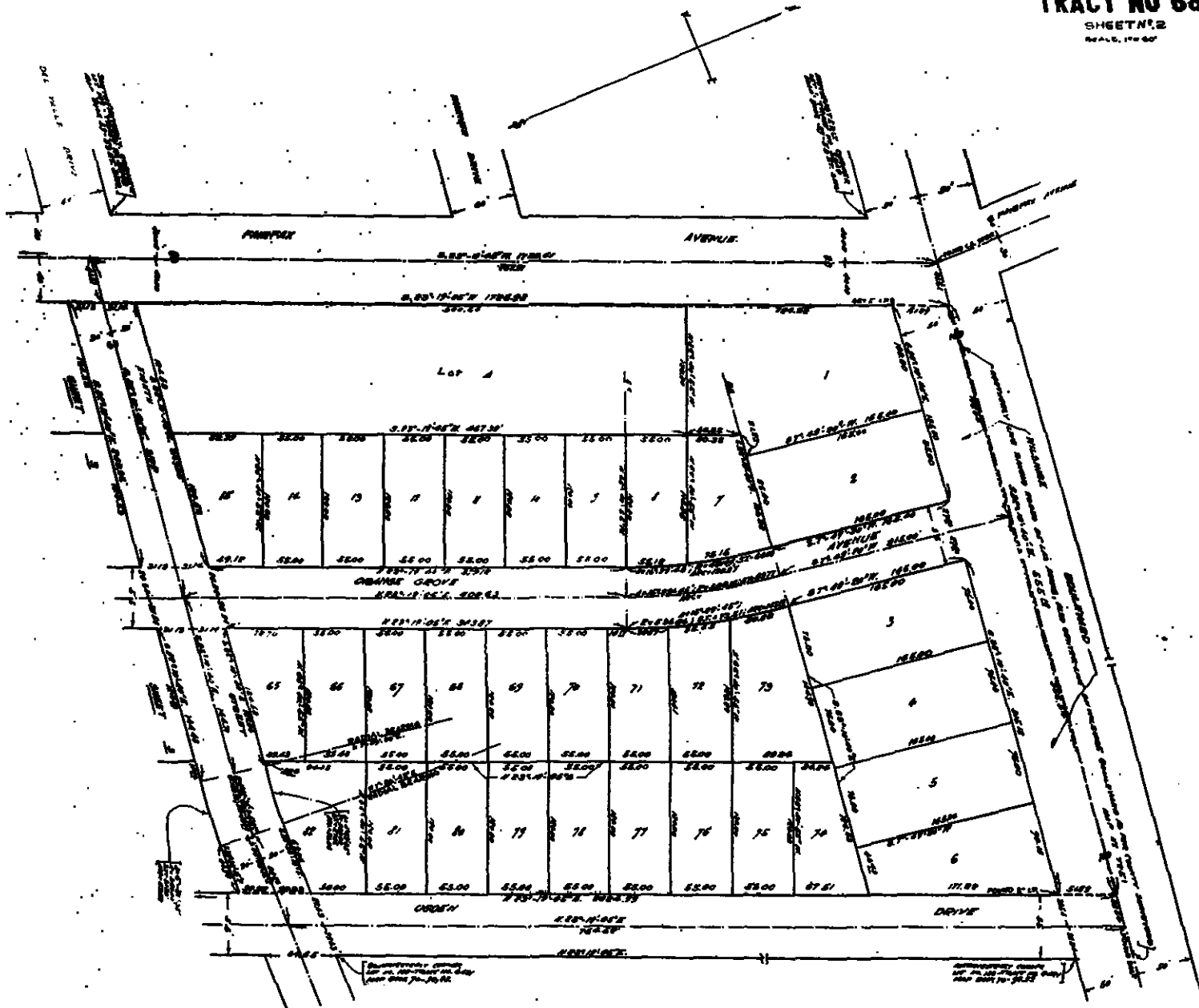
Feb. 14 4
JOHN A. GRIFFIN

By Agent
J. ...

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3 PM
FC
M 8/25

TRACT NO 6826
SHEET NO 2
SCALE 1" = 60'

L. Matichuk
Survey



66
67

FEB 20 1924
3 30 PM
B L
M 25

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SHEET #3
SCALE: 1" = 60'

J. B. Matlock
7-2

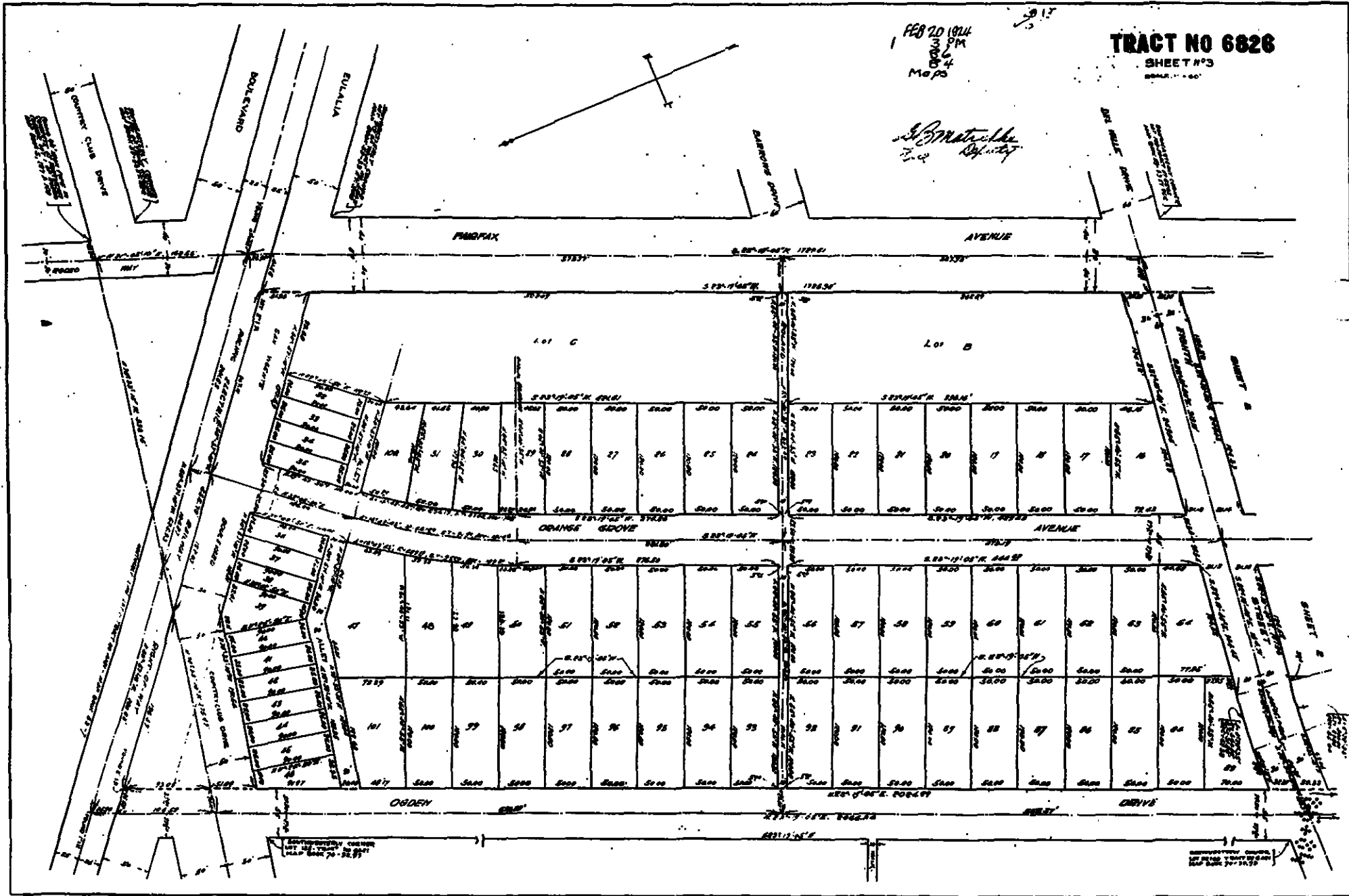


EXHIBIT 1
MAP NO. 70-22-997

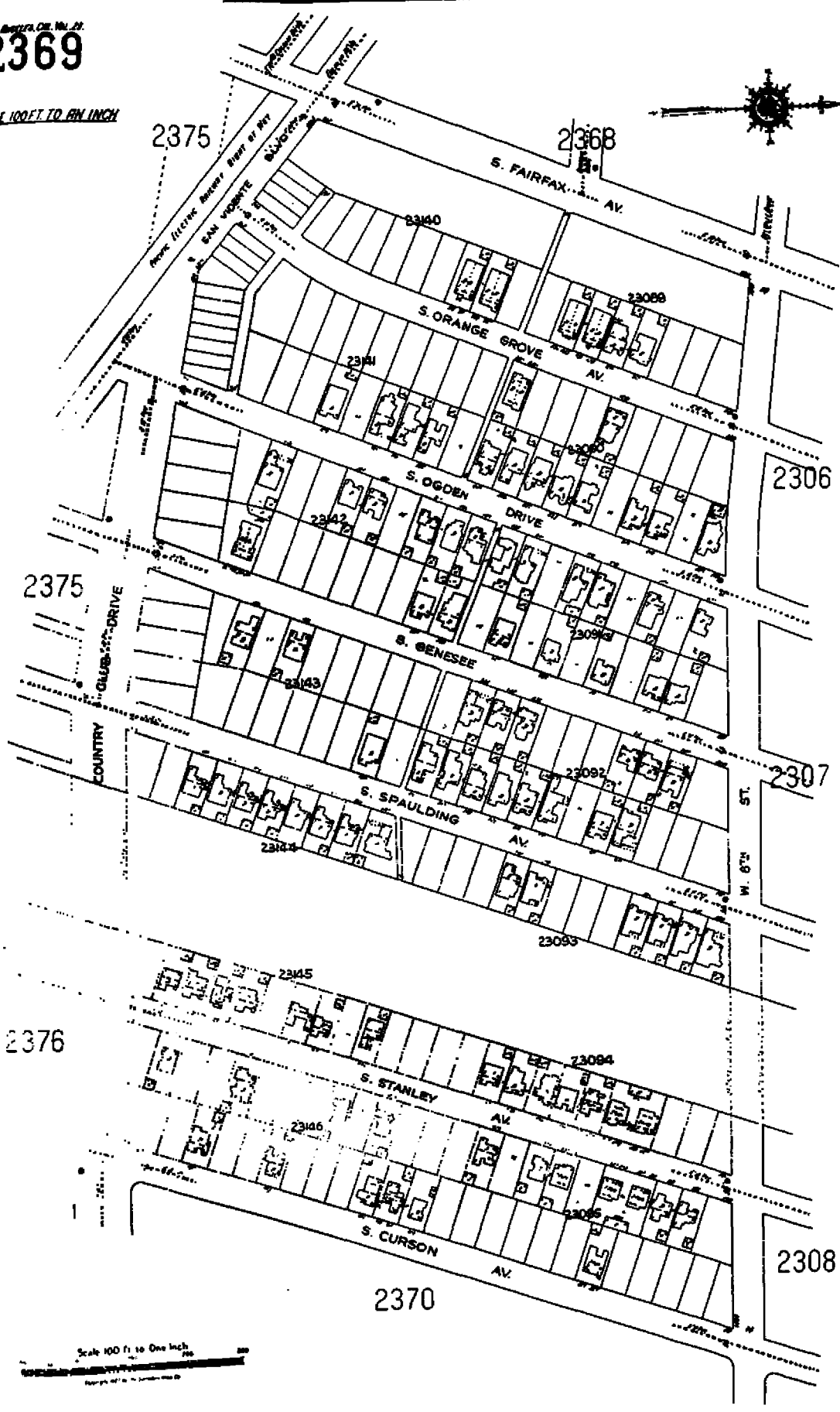
Appendix C

Sanborn Maps



2369

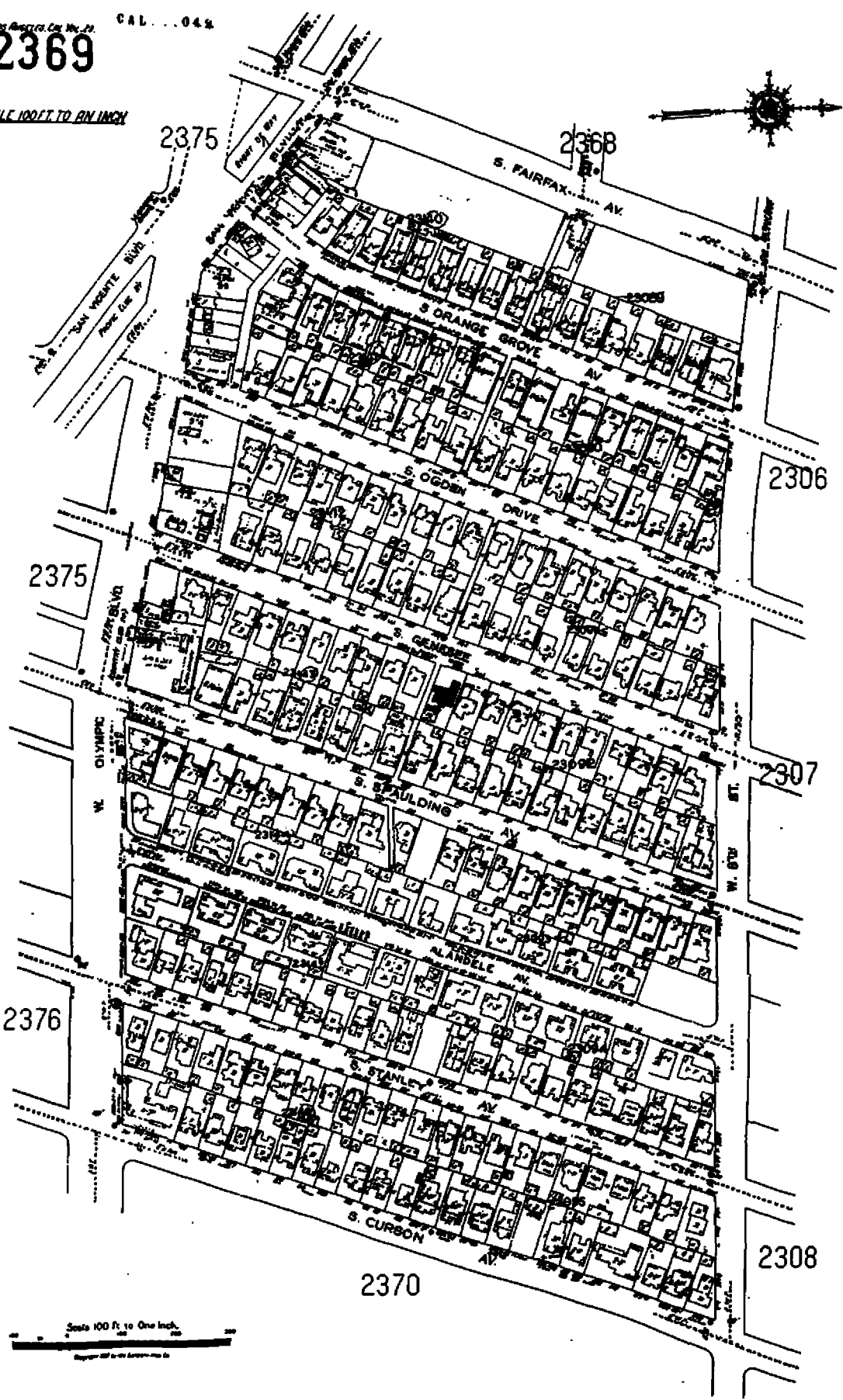
SCALE 100 FT. TO AN INCH



Scale 100 ft to One Inch

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SCALE 100 FT. TO AN INCH



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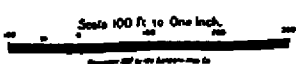
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Appendix D

Building Permits



1

APPLICATION TO ERECT A NEW BUILDING AND FOR A CERTIFICATE OF OCCUPANCY

CITY OF LOS ANGELES
DEPARTMENT OF
BUILDING AND SAFETY
BUILDING DIVISION

Lot No. SOUTHERLY 104' OF LOT "B"

Tract 6826

Location of Building 840 So. FAIRFAX AVE

Between what cross streets 8th St & San Vicente Blvd
THE INK OR INDELEIBLE PENCIL

1. Purpose of building RESTAURANT

2. Owner TOM BERGIN

3. Owner's address 10343 URBANA RD. L.A.

4. Certified Architect NONE

5. Estimated Expense NONE

6. Contractor Tom Berger, Owner

7. Contractor's address 10343 URBANA RD. L.A.

8. VALUATION OF PROPOSED WORK

9. State how many buildings NOW on lot and give tax of each. NONE

10. Size of new building. 33' x 103'6" No. Stories 2 Height to highest point 28' Size loaded 1-2nd

11. Material Exterior Walls PLASTER, BRICK, x 8'000 Type of Roofing CONCRETE

For (a) Footing: Width 1-4" Depth in Ground 2'-2" Width of Wall 7'

(b) Size of Stairs 2' x 6' 4" x 2' x 2' Material of Floor BRICK, TILE

(c) Size of Floor Joists 2" x 8" Size of Rafters 2" x 4"

I hereby certify that to the best of my knowledge and belief the above application is correct and that this building or construction work will comply with all laws, and that in the doing of the work authorized thereby I will not employ any person in violation of the Labor Code of the State of California relating to Workman's Compensation Insurance.

SIGN HERE Tom Berger

BY George J. Berger

FOR DEPARTMENT SUPERVISOR

DISTRICT OFFICE

PLAN CHECKING

Date 11-15-1941

Receipt No. 13768

Valuation 34,000

Tax Paid 50.00

PERMITS BY W. B. ...

29354

PLANS

DATE 3680

REINFORCED CONCRETE

BRICK

CEMENT

FEES

PLAN CHECK

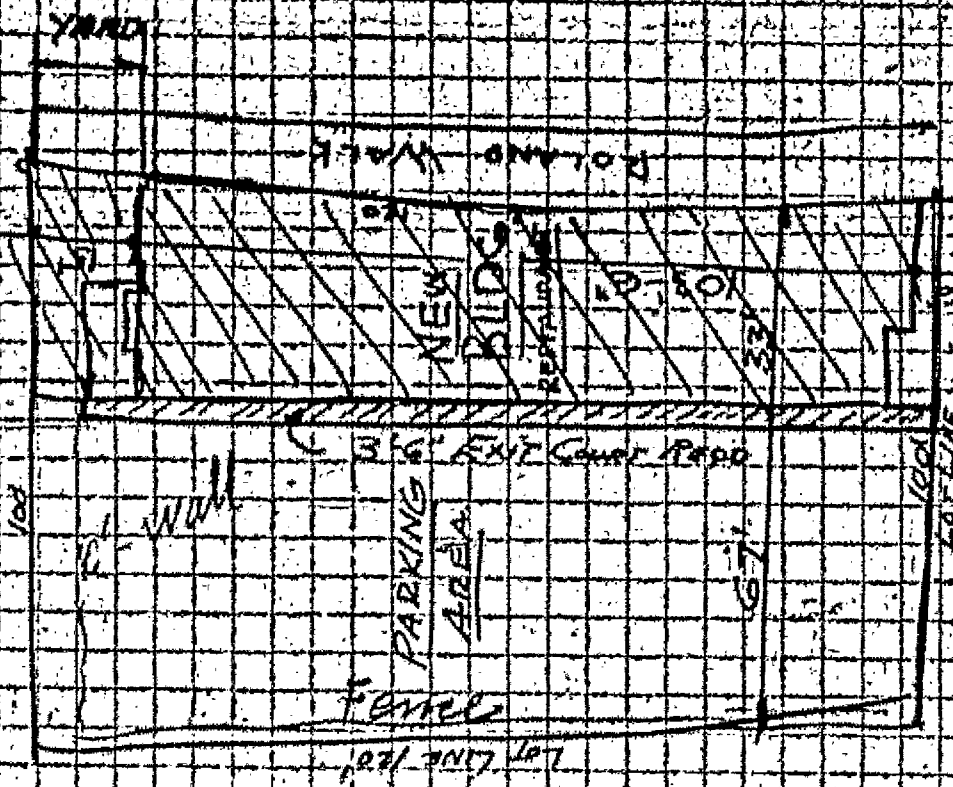
RECORDING

TOTAL

41.00

DEC 23 1941

Property front corner # 11-28-97
11-28-97
11-28-97



11-28-97 Parking area
W. K. Adams

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY

CERTIFICATE OF OCCUPANCY

NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety.

Address of Building 250 S Fairfax Ave
Permit No. and Year 20754, 1947
Certificate Issued March 24, 1949, 19.....

This certifies that, so far as ascertained by or made known to the undersigned, the building at above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 1, as to permitted uses; Ch. 9, Arts. 11, 3, 4, and 5; and with applicable requirements of State Housing Act,—for following occupancies:

**2-Story, Type I, 33' x 104' Restaurant.
B-2 Occupancy. 125 Occupants**

OVER

Owner

Owner's Address

**Fon Bergin
10243 Northvale Rd
Los Angeles 34, Calif.**

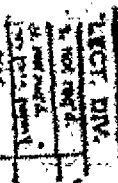
Form B-35a-20M-1-49 G. E. MORRIS, Superintendent of Building By.....

W. J. LAUGHERY

-Occ. Load Sign Delivered: 4-16-53

Bar & Grill: 75 persons.

Dining Room: 49 persons



**APPLICATION TO
ERECT A NEW BUILDING
AND FOR A
Certificate of Occupancy**

CITY OF LOS ANGELES
DEPARTMENT
OF
BUILDING AND SAFETY
BUILDING DIVISION

Lot No. 11 - South of 135th Street

Tract 6836

Location of Building 840 207 Ave. West

Between what cross streets: W. 207th and 210th

USE INK OR INDELIBLE PENCIL

1. Purpose of building Multi-family Dwelling

2. Owner Walter J. ...

3. Owner's Address W 11th St. Los Angeles, Cal.

4. Certified Architect None

5. Licensed Engineer None

6. Contractor None

7. Contractor's Address None

8. VALUATION OF PROPOSED WORK 100,000

9. State how many buildings now on lot and give use of each None

10. Size of new building 117 x 79 No. Stories 2 Height to highest point 22 Size lot 135 x 140

11. Material Exterior Walls Frame & Masonry Type of Roofing Impervious

For: (a) Footings Width 2' x 2' Depth in Ground 4' Width of Wall 8"

(b) Size of Studs 2 x 4 Material of Floor Joists Wood

(c) Size of Floor Joists 2 x 10 Size of Rafters 2 x 6

I hereby certify that to the best of my knowledge and belief the above application is correct and that the building as constructed will comply with all laws, and that in the doing of the work authorized hereby I will not employ any person in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

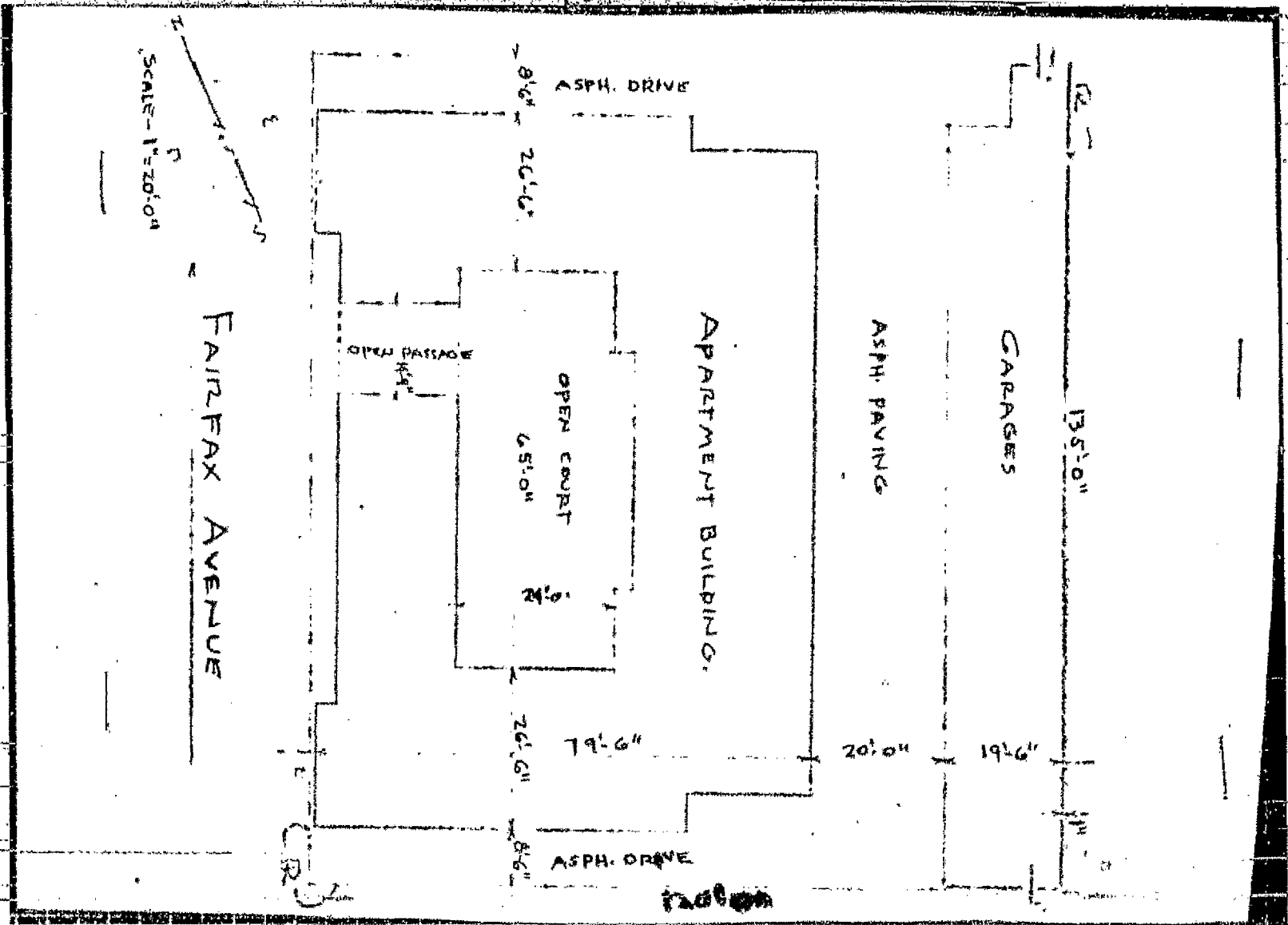
DISTRICT OFFICE: 1073 PLAN CHECKING: [Signature] FOR DEPARTMENT USE ONLY: [Signature]

FOR DEPARTMENT USE ONLY			
PLAN CHECKING			
Valuation	DATE ISSUED	TRACER NO. (N)	RECEIVED NO.
1073	NOV 22 53		135448
125			
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DO NOT WRITE BELOW THIS LINE

TYPE OF RECEIPT: Plan Check DATE ISSUED: NOV 22 53 TRACER NO. (N): 135448 CODE: 3291 FEE PAID: 181

Supplemental Plan Check: None Building Permit: 1A28616



SCALE - 1" = 20'-0"

FAIRFAX AVENUE

ASPH. DRIVE

APARTMENT BUILDING

OPEN COURT

OPEN PASSAGE

ASPH. PAVING

CARAGES

ASPH. DRIVE

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY

Los Angeles, Calif., 6-12 1951

MR. G. E. MORRIS,
Superintendent of Building,
Los Angeles, Calif.

Dear Sir:

I hereby respectfully request the change of address on

Building Permit No. LA 28616-17 Issued 1950

From 840 SOUTH FAIRMAR AVE

To 830

for the following reasons:

- () Change from one street to another street for corner lot.
- () Change because of error on part of some city department.

DUPLICATION OF HOUSE NO 5
NOTE: Change of address not permitted where the new address is on a lot different from that shown in the legal description on the building permit application.

Respectfully,

Owner/Contractor

Owner, Contractor or Authorized Agent

Address

Checked by

OK

Clerk

Approved by

J. J. Millington
Rm 505

Chief Clerk

LA 28616-1950

1

APPLICATION TO
ERECT A NEW BUILDING
AND FOR A
Certificate of Occupancy

CITY OF LOS ANGELES
DEPARTMENT
OF
BUILDING AND SAFETY
BUILDING DIVISION

Lot No. ~~10~~ 135 feet ~~lot~~

Tract 6826

Location of Building 240 So. Frank Ave

Approved by
City Engineer

Between what cross streets? 1st & Olympic Blvd

Deputy

USE INK OR INDELIBLE PENCIL.

- 1. Purpose of building Private garage
- 2. Owner ALBERT KOTHEPERG
- 3. Owner's Address 1011 W. 1st Blvd P. O.
- 4. Certificated Architect same
- 5. Licensed Engineer same
- 6. Contractor same
- 7. Contractor's Address same

Families 1 Rooms 16
Phone
State License No. Phone
State License No. Phone
State License No. Phone

8. VALUATION OF PROPOSED WORK

(including all labor and material and all permanent machine heating, ventilating, water supply, plumbing, etc. for heating, electrical, wiring and elevator equipment covered by this work.) \$8,000

9. State how many buildings NOW on lot and give use of each. none

(State Dwelling, Apartment House, Hotel or other purpose)

10. Size of new building 7x7 No. Stories 1 Height to highest point 10 Size lot 135x120

11. Material Exterior Walls frame & masonry Type of Roofing gmp

- (a) Footing: Width 12" Depth in Ground 14" Width of Wall
- (b) Size of Studs 2x4 Material of Floor flat concrete
- (c) Size of Floor Joists 2x4 Size of Rafters

I hereby certify that to the best of my knowledge and belief the above application is correct and that this building or construction work will comply with all laws, and that in the doing of the work authorized thereby I will not employ any person in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

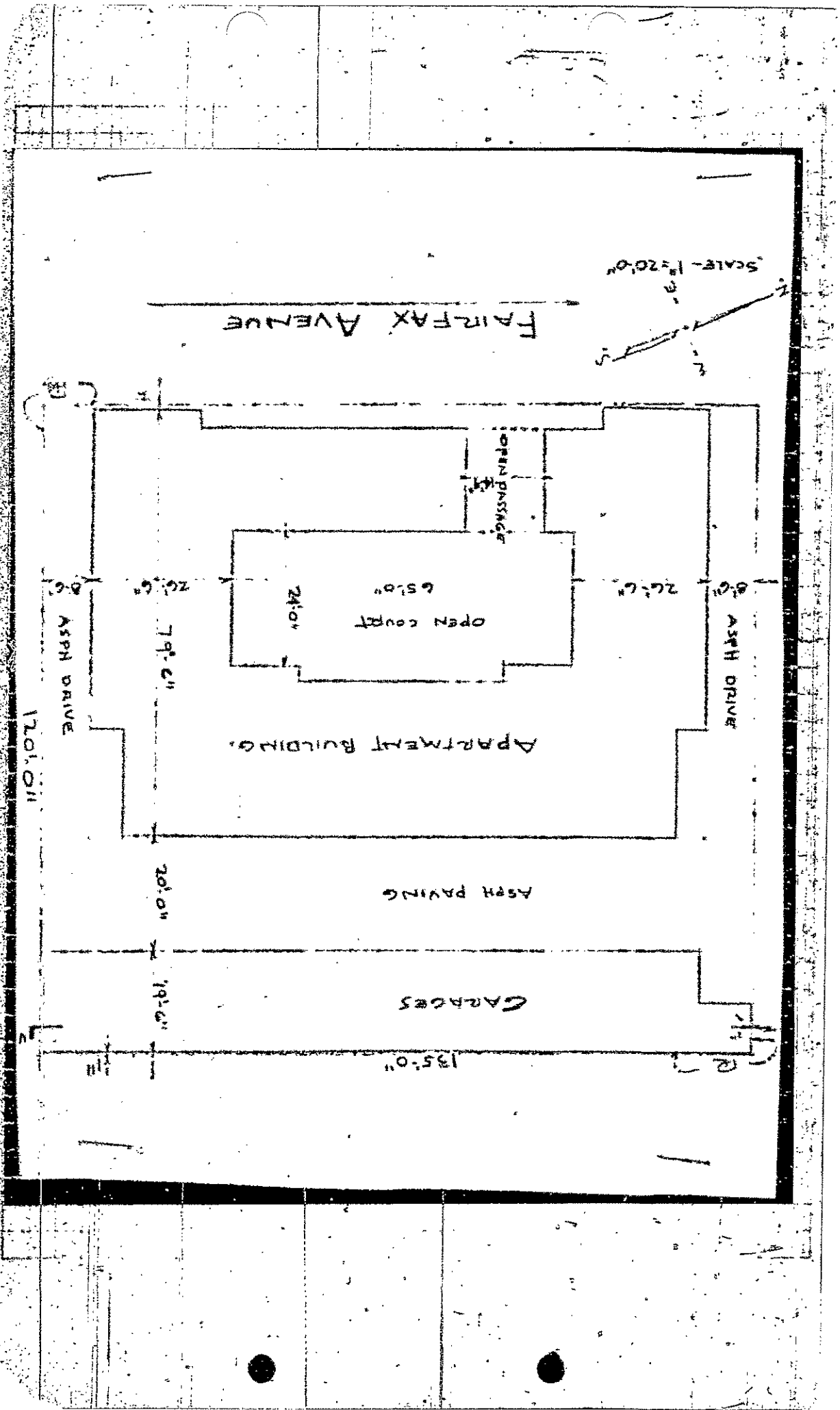
Sign here *Albert Kotheperg*
Contractor

DISTRICT OFFICE

FOR DEPARTMENT USE ONLY						
PLAN CHECKING						
Valuation \$ 108,000					Investigation Fee \$	
Fee \$ 125					Blk. Permit Fee \$ 27.00	
					Total \$ 152.00	
TYPE <i>D</i>	Maximum No. Occupants	Inside Lot	Key Lot	Lot Size <i>135x120</i>	Pl. Fee <i>10</i>	Block
GROUP <i>142</i>	Plans and Specifications Checked	Corner Lot	Corner Lot Keyed	Per Building <i>80</i>	Per Block <i>10</i>	Block
For Plans Fee	Application Verified	Key Lot	Key Lot	Sheet No. <i>5708</i>	Application checked and approved	
	Plans, Specifications and Allotments checked and approved			Inspector <i>Haring</i>		

DO NOT WRITE BELOW THIS LINE

TYPE OF RECEIPT	DATE ISSUED	TRACKER NO. (SC)	RECEIPT NO.	CODE	FILE PAID
Plan Checking	NOV 22 54		13548		
Supplemental Plan Checking					
Building Permit	DEC 27 54		LA28617		



SCALE - 1" = 20'

FAIRFAX AVENUE

OPEN PASSAGE

OPEN COURT

APARTMENT BUILDING

ASPH DRIVE

ASPH DRIVE

ASPH PAVING

GARAGES

170'-0"

135'-0"

20'-0"

19'-0"

79'-0"

24'-0"

26'-0"

8'-0"

8'-0"

12'-0"

21'-0"

INSTRUCTIONS: 1. Applicant to Complete Numbered Items Only.

1. LEGAL DESCR.	LOT	BLOCK	TRACT	COUNCIL DISTRICT NO.	DIST. MAP
Frac Lot B			6826	10	5708
2. PRESENT USE OF BUILDING	NEW USE OF BUILDING				ZONE
Restaurant	Same				C2-1
3. JOB ADDRESS	FIRE DIST.				
840 S. Fairfax Ave.	CWO				
4. BETWEEN CROSS STREETS	AND				LOT TYPE
W. 8th St.	San Vicente				COR
5. OWNER'S NAME	PHONE				LOT SIZE
Tom Birgen	936-7151				
6. OWNER'S ADDRESS	CITY				
840 S. Fairfax	LA				TRNG.
7. ENGINEER	BUS LIC. NO.	ACTIVE STATE LIC. NO.	PHONE	ALLEY	
Mackintosh & Mackintosh		662-1184		=	
8. ARCHITECT OR DESIGNER	BUS LIC. NO.	ACTIVE STATE LIC. NO.	PHONE	BLDG. LINE	
9. ARCHITECT OR ENGINEER'S ADDRESS	CITY				AFFIDAVITS
3838 Oakwood Ave.	Los Angeles				-
10. CONTRACTOR	BUS LIC. NO.	ACTIVE STATE LIC. NO.	PHONE		
G.R. Pollock		188181	387-4341		
11. SIZE OF EXISTING BLDG.	STORIES	HEIGHT	NO. OF EXISTING BUILDINGS ON LOT AND USE		
WIDTH 31 LENGTH 135	1	20	1/restaurant		
12. CONST. MATERIAL OF EXISTING BLDG.	EXT. WALLS	ROOF	FLOOR		
type V		asph/shing conc			
13. JOB ADDRESS	STREET GUIDE				DISTRICT OFFICE
840 S. Fairfax Ave.	LA				LA
14. VALUATION TO INCLUDE ALL FIXED EQUIPMENT REQUIRED TO OPERATE AND USE PROPOSED BUILDING	\$ 2,000				SEISMIC STUDY ZONE
15. NEW WORK (Describe)	Fire damage repair (1% Damage per fire damage report)				GRADING
					FLOOD
					HWY. DED.
					CONS.
NEW USE OF BUILDING	SIZE OF ADDITION	STORIES	WEIGHT	INDEXED BY	
Same				Hogan	
TYPE	GROUP OCC.	FLOOR AREA	PLANS CHECKED		
			APPLICATION APPROVED		
DWELL UNITS	MAX OCC.	TOTAL	TYPIST		
			SC		
GUEST ROOMS	PARKING REQ'D	PARKING PROVIDED	INSPECTOR		
			Hogan		
PC	DPJ	CONT INSP	B & B-3 (R 1.83)		
S.P.C.	FM		CASHIER'S USE ONLY		
BP 19.00	EL 50	Claims for refund of fees paid on permits must be filed: 1. Within one year from date of payment of fee, or 2. Within one year from date of expiration of extension for building or grading permits granted by the Dept. of B. & S. SECTIONS 22.12 & 22.13 LAMC.	50 E. 1. 1.00 DSS 19.00 BP-R 763 83 0001 44787 4/1/07/83 20.60 CHTD		
IF	DS				
DIS	S.S.S.				
DIST. OFFICE	D/D	SPRINKLERS REC'D SPEC.			
P.C. NO.		ENERGY			

DECLARATIONS AND CERTIFICATIONS LICENSED CONTRACTORS DECLARATION

16. I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. Date 11/7/83 Lic. Class B-1 Lic. Number 188-181 Contractor G.R. Pollock & Assoc.

OWNER-BUILDER DECLARATION

17. I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Sec. 7031.5, Business and Professions Code): Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he is licensed pursuant to the provisions of the Contractor's License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500.).

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he did not build or improve for the purpose of sale.)

I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law.)

I am exempt under Sec. B. & P. C. for this reason.

Date _____ Owner's Signature _____

WORKERS' COMPENSATION DECLARATION

18. I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Worker's Compensation Insurance, or a certified copy thereof (Sec. 3800, Lab. C.). Policy No. WEP-117489 Insurance Company Fremont Indemnity Co. Hiker

Certified copy is hereby furnished.

Certified copy is filed with the Los Angeles City Dept. of Bldg. & Safety. Date 11/7/83 Applicant's Signature G.R. Pollock & Assoc.

Applicant's Mailing Address 422 Wilshire Blvd. Suite 109 L.A. 90010

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

19. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California. Date _____ Applicant's Signature _____

NOTICE TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

CONSTRUCTION LENDING AGENCY

20. I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3897, Civ. C.). Lender's Name _____ Lender's Address _____

21. I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection, that it does not approve or authorize the work specified herein, that it does not authorize or permit any violation of failure to comply with any applicable law, that neither the city of Los Angeles nor any board, department, officer or employee thereof shall be responsible for the performance or results of any work described herein or the condition of the property or soil upon which such work is performed. (Sec. 91.0202 LAMC)

Signed _____ Position _____ Date 11/7/83

(Owner or agent having property owner's consent)

03730300126

Handwritten initials

<i>Vertical text on the left side of the table, possibly a date or reference number.</i>	<i>Faded text in the first row of the table.</i>
	<i>Faded text in the second row of the table.</i>
	<i>Faded text in the third row of the table.</i>
	<i>Faded text in the fourth row of the table.</i>
	<i>Faded text in the fifth row of the table.</i>
	<i>Faded text in the sixth row of the table.</i>
	<i>Faded text in the seventh row of the table.</i>
	<i>Faded text in the eighth row of the table.</i>
	<i>Faded text in the ninth row of the table.</i>
	<i>Faded text in the tenth row of the table.</i>
	<i>Faded text in the eleventh row of the table.</i>
	<i>Faded text in the twelfth row of the table.</i>



Bldg-Alter/Repair
 Commercial
 Express Permit
 No Plan Check

City of Los Angeles - Department of Building and Safety

**APPLICATION FOR BUILDING PERMIT
 AND CERTIFICATE OF OCCUPANCY**

Last Status: Ready to Issue
 Status Date: 02/22/2012

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF#	PARCEL ID# (PIN#)	2. ASSESSOR PARCEL#
TR 6826		LT B	1	MB 86-82/84	132B177 273	5086 - 008 - 012

3. PARCEL INFORMATION

Area Planning Commission - Central
 LADBS Branch Office - LA
 Council District - 4
 Certified Neighborhood Council - Mid City West
 Community Plan Area - Wilshire

Census Tract - 2163.00
 District Map - 132B177
 Energy Zone - 9
 Fire District - 2
 Lot Cut Date - 09/10/1940

Methane Hazard Site - Methane Zone
 Near Source Zone Distance - 2.6
 Thomas Brothers Map Grid - 633-B3

ZONES(S): C2-1-O

4. DOCUMENTS

ZA - ZA-1998-962-PAB CPC - CPC-1995-148-GPC
 ORD - ORD-165331-SA2452
 ORD - ORD-171044-SA170
 CPC - CPC-1986-823-GPC

5. CHECKLIST ITEMS

Std. Work Descr - Seismic Gas Shut Off Valve

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
 Tk And Mk Llc 840 Fairfax Ave LOS ANGELES CA 90036

Tenant:

Applicant: (Relationship: Contractor)
 (323) 868-3812

7. EXISTING USE (17) Restaurant

PROPOSED USE

8. DESCRIPTION OF WORK

RE-ROOF #45 SQUARES W/CLASS 'A' OR 'B' MATERIALS WEIGHING LESS THAN 6 LBS PER SQ FT. TEAR OFF EXISTING ROOFING FIBERGLASS OR ASPHALT SHINGLES (MAX. 2 OVERLAYS).

9. # Bids on Site & Use:

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: OK for Cashier: Jennifer Montana
 Signature: [Signature]

DAS PC By: [Signature]
 Coord. OK: [Signature]
 Date: 2/22/12

LA DEPARTMENT OF BUILDING AND SAFETY
 For inspection requests, call toll free (888) LADBS (542-2845) or (213) 473-3231
 Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org. To speak to a Call Center agent, call 311 or (866) 4LACITY (452-2845). Outside LA County, call (213) 473-3231.

11. PROJECT VALUATION & FEE INFORMATION Final Fee Period

Permit Valuation:	\$30,000	PC Valuation:	
FINAL TOTAL Bldg-Alter/Repair	459.90		
Permit Fee Subtotal Bldg-Alter/Re	350.00		
Fire Hydrant Refuse-To-Pay			
E.Q. Instrumentation	6.30		
O.S. Surcharge	7.67		
Sys. Surcharge	23.00		
Planning Surcharge	22.62		
Planning Surcharge Misc Fee	10.00		
Planning Gen Plan Maint Surchar	11.31		
CA Bldg Std Commission Surchar	2.00		
Permit Issuing Fee	27.00		
Permit Fee-Single Inspection Flag			
Sewer Cap ID:		Total Bond(s) Due:	

DESCRIPTION	AMOUNT
ONE STOP SURCH	9350.00
SYSTEMS DEVT FEE	90.30
CITY PLANNING SURCH	97.67
MISCELLANEOUS	223.00
PLANNING GEN PLAN MAINT	11.31
CA BLDG STD COMMISSION S	2.00
BUILDING PLAN CHECK	27.00
Total Due:	9459.90
Credit Card:	9459.90

W/O #: 21603488
 F120163000003488FM

190142
 2012WL44023

12. ATTACHMENTS



14. APPLICATION COMMENTS:

** Approved Sensitive Gas Shut-Off Valve may be required **

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS	CITY	CLASS	LICENSE #	PHONE #
(C) Shaddick Construction	126 1/2 North Flores Street,	Los Angeles, CA 90048	B	891974	

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98 0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBSec. 22.12 & 22.13 LAMC. The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (SIS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code and my license is in full force and effect. The following applies to B contractors only. I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: **B** License No. **891974** Contractor: **SHADDICK CONSTRUCTION**

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

() I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

(X) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: **State Comp. Ins. Fund** Policy Number: **713-0028966**

() I certify that in the performance of the work for which this permit is issued I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING, FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3700 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 9827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per sections 6716 and 6717 of the Labor Code. Information is available at Health Services for L.A. County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code)

Lender's Name (If Any) _____ Lender's Address _____

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction and hereby authorize representatives of this city to enter upon the abovementioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property but in the event such work does destroy or unreasonably interfere with such easement a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91 0106.4.3.4 LAMC).

By signing below, I certify that:

- (1) I accept all the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, Construction Lending Agency Declaration, and Final Declaration; and
- (2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: **Linda Shaddick** Sign: *[Signature]* Date: **3-27-16** Contractor Authorized Agent



Bldg-Alter/Repair
Commercial
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety
**APPLICATION FOR BUILDING PERMIT
AND CERTIFICATE OF OCCUPANCY**

Last Status: Ready to Issue
Status Date: 03/08/2012

L TRACT	BLOCK	LOT(s)	ARR	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
TR 6826		LT B	1	M B 86-82/84	132B177 273	5086 - 008 - 012

3. PARCEL INFORMATION

Area Planning Commission - Central
LADBS Branch Office - LA
Council District - 4
Certified Neighborhood Council - Mid City West
Community Plan Area - Wilshire

Census Tract - 2163.00
District Map - 132B177
Energy Zone - 9
Fire District - 2
Lot Cut Date - 09/10/1940

Methane Hazard Site - Methane Zone
Near Source Zone Distance - 2.6
Thomas Brothers Map Grid - 633-B3

ZONES(S): C2-1-O

4. DOCUMENTS

ZA - ZA-1998-962-PAB
ORD - ORD-165331-SA2452
ORD - ORD-171044-SA170
CPC - CPC-1986-823-GPC

CPC - CPC-1995-148-GPC

5. CHECKLIST ITEMS

Std. Work Descr - Seismic Gas Shut Off Valve

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
Tk And Mk Llc
840 Fairfax Ave
LOS ANGELES CA 90036

Tenant:

Applicant: (Relationship: Agent for Owner)
Alfredo Quesada -
4046 Huron Ave
CULVER CITY, CA
(310) 339-4540

7. EXISTING USE
(17) Restaurant

PROPOSED USE

8. DESCRIPTION OF WORK

335 Sq ft. ADDITION TO AN EXISTING TWO STORY RESTAURANT, PER ORDER TO COMPLY, FROM HEALTH DEPARTMENT TO ENCLOSE WALK IN COOLER AND STORAGE.

9. # Bldg on Site & Use:

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Ricardo Tres
OK for Cashier: Ricardo Tres
Signature: *[Signature]*

DAS PC By: Ronald Allen
Coord. OK:
Date: 3/08/2012

For inspection requests, call toll-free (888) LA4BUILD (524-2845).
Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org. To speak to a Call Center agent, call 311 or (866) 4LACITY (432-2489). Outside LA County, call (213) 473-3231.

For Cashier's-Use Only
W/O #: 11620201

11. PROJECT VALUATION & FEE INFORMATION Final Fee Period

Permit Valuation: \$52,079	PC Valuation: \$0	
FINAL TOTAL Bldg-Alter/Repair	835.43 School District Commercial Area	157.45
Permit Fee Subtotal Bldg-Alter/Re	547.31 CA Bldg Std Commission Surchar	3.00
Handicapped Access	Permit Issuing Fee	0.00
Plan Check Subtotal Bldg-Alter/Re		0.00
Off-hour Plan Check		0.00
Plan Maintenance		10.95
Fire Hydrant Refuse-To-Pay		
E.Q. Instrumentation		10.94
O.S. Surcharge		11.38
Sys. Surcharge		34.15
Planning Surcharge		33.50
Planning Surcharge Misc Fee		10.00
Planning Gen Plan Maint Surchar		16.75
Sewer Cap ID:	Total Bond(s) Due:	

12. ATTACHMENTS

D.A. Hardship Exemption
Plot Plan



(P) Floor Area (ZC): +213 Sqft / 4485 Sqft
 (P) Height (BC): 0 Feet / Feet
 (P) Height (ZC): 0 Feet / Feet
 (P) Length: 0 Feet / Feet
 (P) Stories: 0 Stories / Stories
 (P) Width: 0 Feet / Feet
 (P) B Occ. Group: +213 Sqft / 4485 Sqft
 (P) S2 Occ. Group: +122 Sqft / 122 Sqft
 (P) B Occ. Load: +2 Max Occ. / 44 Max Occ.
 (P) S2 Occ. Load: +1 Max Occ. / 1 Max Occ.

(P) Parking Req'd for Bldg (Auto+Bicycle): +2 Stalls / 23
 (P) Provided Compact for Bldg: +9 Stalls / 9 Stalls
 (P) Provided Disabled for Bldg: +1 Stalls / 1 Stalls
 (P) Provided Standard for Bldg: +13 Stalls / 13 Stalls
 (P) Type V-A Construction

14. APPLICATION COMMENTS:
 ** Approved Seismic Gas Shut-Off Valve may be required. ** Modification to allow simplified methane mitigation method for small additions granted and on file with the Department.

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS	CLASS	LICENSE #	PHONE #
(C) Shaddick Construction	126 1/2 North Flores Street,	B	891974	
(E) Pirkadian, Amir	5435 Balboa Blvd 212,		C72413	
	Los Angeles, CA 90048			
	Encino, CA 91436			

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951)

17. LICENSER CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: **B** License No.: **891974** Contractor: **SHADDICK CONSTRUCTION**

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: **State Comp. Ins. Fund** Policy Number: **713-0028966**

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): _____ Lender's Address: _____

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

- (1) I accept all the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, Construction Lending Agency Declaration, and Final Declaration; and
- (2) This permit is being obtained with the consent of the legal owner of the property.

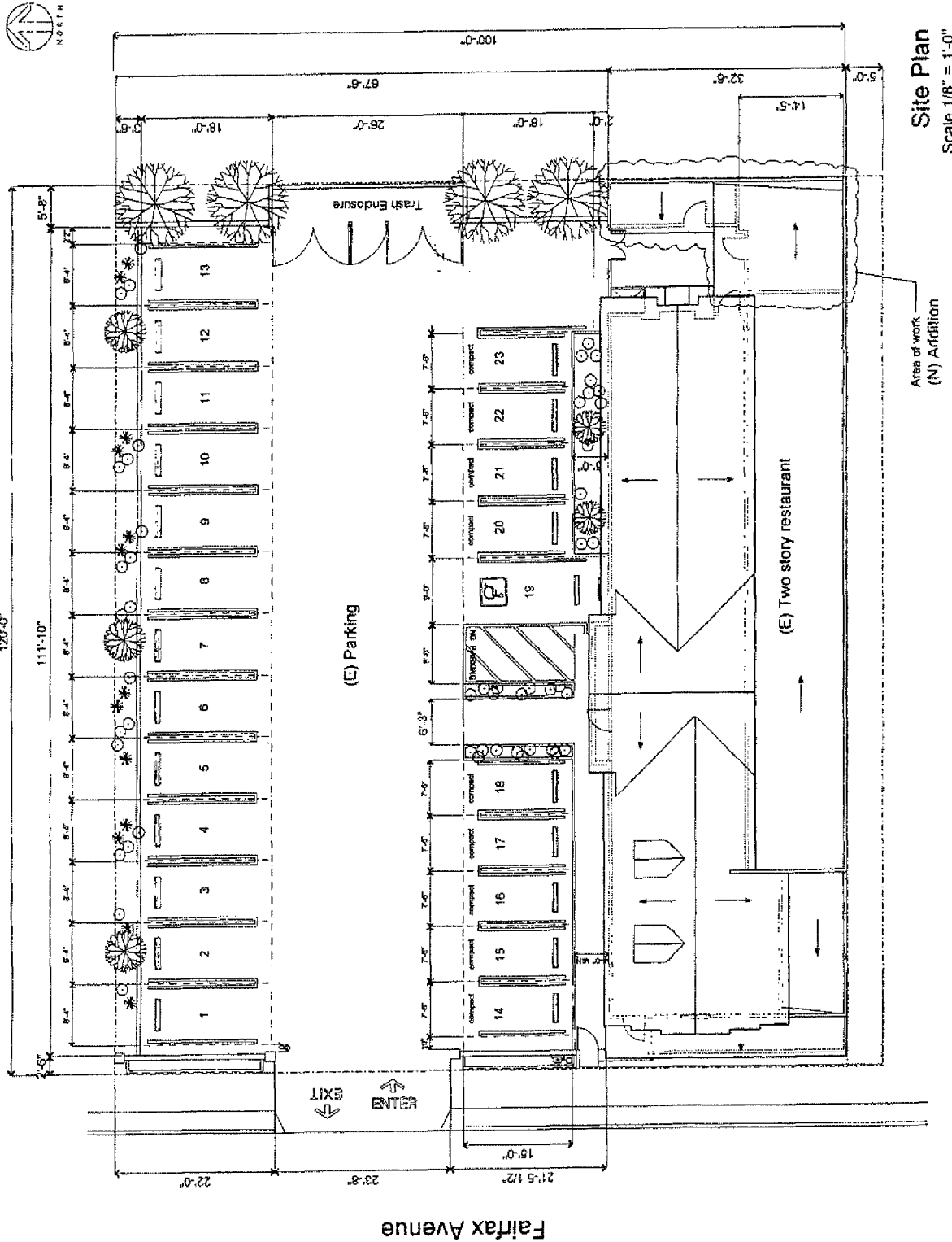
Print Name: **X LAUREN SHADDICK** Sign: **X** Date: **X 2/9/12** Contractor Authorized Agent

Bldg-Alter/Repair
Commercial
Plan Check

City of Los Angeles - Department of Building and Safety

Plan Check #: B11LA11193FO
Initiating Office: METRO
Printed on: 02/23/12 09:10:59

PLOT PLAN ATTACHMENT



(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDER)

Site Plan
Scale 1/8" = 1'-0"



Application for Unreasonable Hardship to Disabled Access Requirements (Form A)
(For Existing Buildings Where Cost of Construction does not exceed \$132,536.28 (rev. 1-2011) Sec. 1134B.2.1 Exc. 1)

Project Address: 840 S. FAIRFAX AVE	Plan Check # B111A-11193
Project Description:	Total Construction Cost (project valuation) \$ 52,079.00

It is requested that the above project be granted an exemption from the requirements of the State of California Title 24, Accessibility Regulations, as specifically listed below. The specific accessibility features that create a hardship may be exempted but not all of them.
The area of alteration itself may not be exempted.

Access Features item Provide description below	Does this feature meet latest edition of Title 24?	If not, is this feature going to be made accessible as part of this permit?	If so, cost of making feature accessible? (Documentation may be required)
1. Path of travel to entrance	<u>NO</u>	<u>YES</u>	\$ <u>8,700.00</u>
2. Entrance to Building	<u>NO</u>	<u>YES</u>	\$ <u>1,800.00</u>
3. Path of travel within building / facility to area remodel	<u>90% YES</u>	<u>SAME</u>	\$ <u>—</u>
4. Elevator	<u>N/A</u>	<u>N/A</u>	\$ <u>—</u>
5. Restrooms	<u>NO</u>	<u>NO</u>	\$ <u>—</u>
6. Public telephones if provided	<u>N/A</u>	<u>N/A</u>	\$ <u>—</u>
7. Drinking fountains if provided	<u>N/A</u>	<u>N/A</u>	\$ <u>—</u>
8. Other (parking, etc.)	<u>NO</u>	<u>YES</u>	\$ <u>950.00</u>
Total Cost of access features provided (A)			\$ <u>11,450.00</u>
Total cost of construction (B)			\$ <u>52,079.00</u>
(A + B) x 100% (20% minimum expenditure is required)			<u>21.99 %</u>
Has the same tenant performed work in the same tenant space, within the last three years?			<u>NO</u>
Description of access features to be provided	<u>PARKING, NEW ACCESS PATH OF TRAVEL FROM PUBLIC WAY TO BUILDING & NEW ENTRY DOOR.</u>		

Applicant Information

I certify that the above noted information is true and correct.

Name (print) ALFREDO QUESADA
 Firm Address 4046 HURON AVE
CULVER CITY 90232

Signature [Signature]
 Position AGENT FOR OWNER

FOR DEPARTMENT USE ONLY

Approved by R. Tris
Shine Lin
 Denied by _____

Title Office Eng Tech I Date 3/08/2012
2/28/12
 Title _____ Date _____

**CITY OF LOS ANGELES
CALIFORNIA**



ANTONIO R. VILLARAIGOSA
MAYOR

CERTIFICATE OF OCCUPANCY

OWNER TK AND MK LLC 840 S FAIRFAX AVE LOS ANGELES CA 90036	No building or structure or portion thereof and no trailer park or portion thereof shall be used or occupied until a Certificate of Occupancy has been issued thereof.	
	CERTIFICATE: Issued-Valid BY: MICHAEL E MARTIN	DATE: 06/16/2012

SITE IDENTIFICATION
ADDRESS: 840 S FAIRFAX AVE 90036

LEGAL DESCRIPTION

TRACT	BLOCK	LOT(s)	ARB	CO. MAP REF #	PARCEL PIN	APN
TR 6826		LT B	1	MB 86-82/84	132B177 273	5086-008-012

This certifies that, so far as ascertained or made known to the undersigned, the vacant land, building or portion of building described below and located at the above address(es) complies with the applicable construction requirements (Chapter 9) and/or the applicable zoning requirements (Chapter 1) of the Los Angeles Municipal Code for the use and occupancy group in which it is classified and is subject to any affidavits or building and zoning code modifications whether listed or

COMMENT 335 Sq Ft. ADDITION TO AN EXISTING TWO STORY RESTAURANT TO ENCLOSE WALK IN COOLER AND STORAGE. S-2 OCC.

USE PRIMARY OTHER
 Restaurant (-) None

PERMITS
 11016-10000-20201 |

STRUCTURAL INVENTORY

ITEM DESCRIPTION	CHANGED	TOTAL
Stories	0 Stories	
Length	0 Feet	
Width	0 Feet	
Height (BC)	0 Feet	
Height (ZC)	0 Feet	
Floor Area (ZC)	213 Sqft	4485 Sqft
Type V-A Construction		
B Occ. Group	213 Sqft	4485 Sqft
S2 Occ. Group	122 Sqft	122 Sqft
B Occ. Load	2 Max Occ.	44 Max Occ.
S2 Occ. Load	1 Max Occ.	1 Max Occ.
Parking Req'd for Bldg (Auto+Bicycle)	2 Stalls	23 Stalls
Provided Compact for Bldg	9 Stalls	9 Stalls
Provided Disabled for Bldg	1 Stalls	1 Stalls
Provided Standard for Bldg	13 Stalls	13 Stalls



APPROVAL

CERTIFICATE NUMBER 101245
 BRANCH OFFICE: LA
 COUNCIL DISTRICT: 4
 BUREAU: INSPECTN
 DIVISION: BLDGINSF
 STATUS: CoFO Issued
 STATUS BY: MICHAEL E MARTIN
 STATUS DATE: 06/16/2012

Michael E. Martin

APPROVED BY: MICHAEL E MARTIN
 EXPIRATION DATE:

<u>PERMIT DETAIL</u>			
PERMIT NUMBER	PERMIT ADDRESS	PERMIT DESCRIPTION	STATUS - DATE - BY
11016-10000-20201	840 S Fairfax Ave	335 Sq ft. ADDITION TO AN EXISTING TWO STORY RESTAURANT, PER ORDER TO COMPLY, FROM HEALTH DEPARTMENT TO ENCLOSE WALK IN COOLER AND STORAGE.	CofO Issued - 06/16/2012 MICHAEL E MARTIN

<u>PARCEL INFORMATION</u>		
Area Planning Commission: Central	Census Tract: 2163.00	Certified Neighborhood Council: Mid City West
Community Plan Area: Wilshire	Council District: 4	District Map: 132B177
Energy Zone: 9	Fire District: 2	LADBS Branch Office: LA
Lot Cut Date: 09/10/1940	Methane Hazard Site: Methane Zone	Near Source Zone Distance: 2.6
Thomas Brothers Map Grid: 633-B3	Zone: C2-1-O	

<u>PARCEL DOCUMENT</u>		
City Planning Cases (CPC) CPC-1986-823-GPC	City Planning Cases (CPC) CPC-1995-148-GPC	Ordinance (ORD) ORD-165331-SA2452
Ordinance (ORD) ORD-171044-SA170	Zoning Administrator's Case (ZA) ZA-1998-962-PAB	

<u>CHECKLIST ITEMS</u>		
Attachment - D.A. Hardship Exemption	Attachment - Plot Plan	Std. Work Descr - Seismic Gas Shut Off Valve

<u>PROPERTY OWNER, TENANT, APPLICANT INFORMATION</u>			
<u>OWNER(S)</u>			
Tk And Mk Lic	840 Fairfax Ave	LOS ANGELES CA 90036	
<u>TENANT</u>			
<u>APPLICANT</u>			
Relationship: Agent for Owner			
Alfredo Quesada-	4046 Huron Ave	CULVER CITY, CA	(310) 339-4540

<u>BUILDING RELOCATED FROM:</u>

<u>(C)ONTRACTOR, (A)RCHITECT & (E)NGINEER INFORMATION</u>					
NAME	ADDRESS		CLASS	LICENSE #	PHONE #
(C) Shaddick Construction	126 1/2 North Flores Street,	Los Angeles, CA 90048	B	891974	
(E) Pirbadian, Amir	5435 Balboa Blvd 212,	Encino, CA 91436	NA	C72413	

<u>SITE IDENTIFICATION-ALL</u>	
ADDRESS:	840 S FAIRFAX AVE 90036

<u>LEGAL DESCRIPTION-ALL</u>						
TRACT	BLOCK	LOT(S)	ARB	CO.MAP REF #	PARCEL PIN	APN
TR 6826		LT B	1	M B 86-82/84	132B177 273	5086-008-012

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

CERTIFICATE OF OCCUPANCY

OWNER TK AND MK LLC 840 S FAIRFAX AVE LOS ANGELES CA 90036	No building or structure or portion thereof and no trailer park or portion thereof shall be used or occupied until a Certificate of Occupancy has been issued thereof.	
	CERTIFICATE: BY: MICHAEL E MARTIN	Issued-Valid Section DATE: 06/16/2012

SITE IDENTIFICATION
 ADDRESS: **840 S FAIRFAX AVE 90036**

LEGAL DESCRIPTION

TRACT	BLOCK	LOT(s)	ARB	CO. MAP REF. #	PARCEL PIN	APN
TR 6826		LT B	1	M B 86-82/84	132B177 273	5086-008-012

This certifies that, so far as ascertained or made known to the undersigned, the vacant land, building or portion of building described below and located at the above address(es) complies with the applicable construction requirements (Chapter 9) and/or the applicable zoning requirements (Chapter 1) of the Los Angeles Municipal Code for the use and occupancy group in which it is classified and is subject to any affidavits or building and zoning code modifications whether listed or

COMMENT 335 Sq FL ADDITION TO AN EXISTING TWO STORY RESTAURANT TO ENCLOSE WALK IN COOLER AND STORAGE. S-2 OCC.

USE	<u>PRIMARY</u>	<u>OTHER</u>
	Restaurant	(-) None

PERMITS
 11016-10000-20201 |

STRUCTURAL INVENTORY

ITEM DESCRIPTION	CHANGED	TOTAL
Stories	0 Stories	
Length	0 Feet	
Width	0 Feet	
Height (BC)	0 Feet	
Height (ZC)	0 Feet	
Floor Area (ZC)	213 Sqft	4485 Sqft
Type V-A Construction		
B Occ. Group	213 Sqft	4485 Sqft
S2 Occ. Group	122 Sqft	122 Sqft
B Occ. Load	2 Max Occ.	44 Max Occ.
S2 Occ. Load	1 Max Occ.	1 Max Occ.
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Provided Disabled for Bldg	1 Stalls	1 Stalls
Provided Standard for Bldg	13 Stalls	13 Stalls

CITY LA DBS
 DEPARTMENT OF BUILDING AND SAFETY

APPROVAL

CERTIFICATE NUMBER	101245
BRANCH OFFICE:	LA
COUNCIL DISTRICT:	4
BUREAU:	INSPECTN
DIVISION:	BLDGINSF
STATUS:	CofO Issued
STATUS BY:	MICHAEL E MARTIN
STATUS DATE:	06/16/2012

APPROVED BY: MICHAEL E MARTIN
 EXPIRATION DATE:

<u>PERMIT DETAIL</u>			
PERMIT NUMBER 11016-10000-20201	PERMIT ADDRESS 840 S Fairfax Ave	PERMIT DESCRIPTION 335 Sq ft. ADDITION TO AN EXISTING TWO STORY RESTAURANT, PER ORDER TO COMPLY, FROM HEALTH DEPARTMENT TO ENCLOSE WALK IN COOLER AND STORAGE.	STATUS - DATE - BY CofO Issued - 06/16/2012 MICHAEL E MARTEN

<u>PARCEL INFORMATION</u>		
Area Planning Commission: Central Community Plan Area: Wilshire Energy Zone: 9 Lot Cut Date: 09/10/1946 Thomas Brothers Map Grid: 633-B3	Census Tract: 2163.00 Council District: 4 Fire District: 2 Methane Hazard Site: Methane Zone Zone: C2-1-O	Certified Neighborhood Council: Mid City West District Map: 132B177 LADBS Branch Office: LA Near Source Zone Distance: 2.6

<u>PARCEL DOCUMENT</u>		
City Planning Cases (CPC) CPC-1986-823-GPC Ordinance (ORD) ORD-171044-SA170	City Planning Cases (CPC) CPC-1995-148-GPC Zoning Administrator's Case (ZA) ZA-1998-962-PAB	Ordinance (ORD) ORD-165331-SA2452

<u>CHECKLIST ITEMS</u>		
Attachment - D.A. Hardship Exemption	Attachment - Ploi Plan	Std. Work Descr - Seismic Gas Shut Off Valve

<u>PROPERTY OWNER, TENANT, APPLICANT INFORMATION</u>			
<u>OWNER(S)</u> Tk And Mk Llc	840 Fairfax Ave	LOS ANGELES CA 90036	
<u>TENANT</u>			
<u>APPLICANT</u> Relationship: Agent for Owner Alfredo Quesada-	4046 Huron Ave	CULVER CITY, CA	(310) 339-4540

<u>BUILDING RELOCATED FROM:</u>

<u>(C)ONTRACTOR, (A)RCHITECT & (E)NGINEER INFORMATION</u>					
NAME	ADDRESS		CLASS	LICENSE #	PHONE #
(C) Shaddick Construction	126 1/2 North Flores Street,	Los Angeles, CA 90048	B	891974	
(E) Pirbadian, Amir	5435 Balboa Blvd 212,	Encino, CA 91436	NA	C72413	

<u>SITE IDENTIFICATION-ALL</u>
ADDRESS: 840 S FAIRFAX AVE 90036

<u>LEGAL DESCRIPTION-ALL</u>						
TRACT	BLOCK	LOT(s)	ARB	CO.MAP REF #	PARCEL PIN	APN
TR 6826		LT B	1	M B 86-82/84	132B177 273	5086-008-012

Appendix E
DPR Forms

ESA

State of California - The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____

HRI # _____

Trinomial _____

NRHP Status Code 6Z

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 15 *Resource Name or #: (Assigned by recorder) 840 S. Fairfax Avenue

P1. Other Identifier: Tom Bergin's, Old Horseshoe Tavern and Kennel Club

*P2. Location: Not for Publication Unrestricted

*a. County Los Angeles and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad _____ Date _____ T _____ R _____ of _____ of Sec _____ B.M.

c. Address 840 S. Fairfax Avenue City Los Angeles Zip 90036

d. UTM: (Give more than one for large and/or linear resources) Zone _____ mE/ _____ mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, decimal degrees, etc., as appropriate)

APN: 5086-008-012

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The subject property, addressed as 840 S. Fairfax Avenue, occupies a single roughly 12,000-square foot parcel along Fairfax Avenue, which sits between San Vicente Boulevard and West 8th Street. Oriented east-west, the subject commercial building occupies roughly one-third of the lot extending from Fairfax Avenue to the eastern extent of the property line. A surface-level parking lot spans the remainder of the parcel. A pedestrian alleyway sits to the southern limit of the parcel, accessible through a metal gate along the sidewalk. Two free-standing pole signs sit toward the western extent of the property line, each with neon signage. The vertical sign reads "Tom Bergin Steaks Chops," while the other is in the shape of a shamrock, and reads 'House of Irish Coffee.' [See Continuation Sheets]

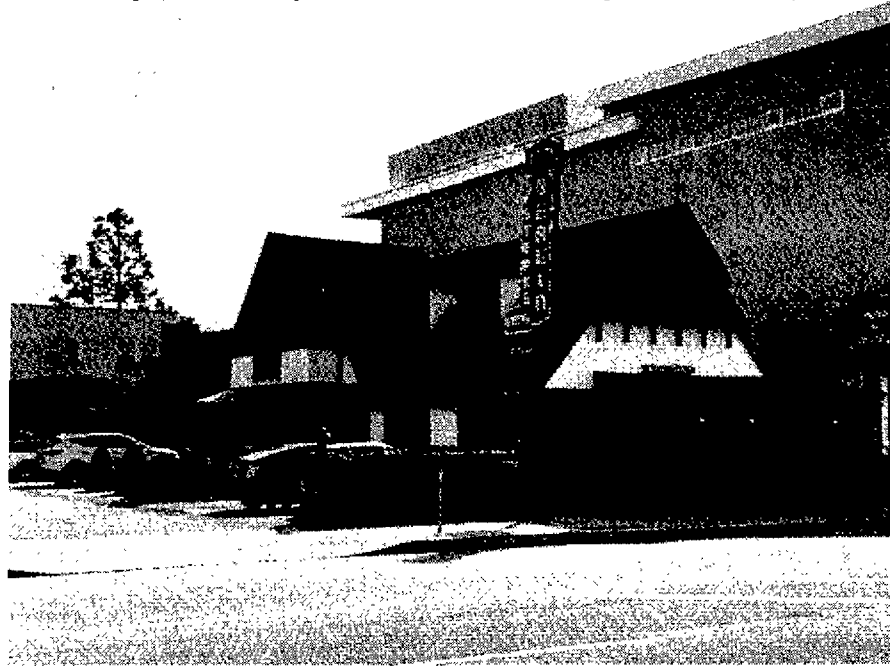
*P3b. Resource Attributes: (List attributes and codes) HP6 (1-3 Story Commercial Building)

*P4. Resources Present:

Building Structure Object Site District Element of District

Other (isolates, etc.)

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



P5b. Description of Photo: (view, date, accession #) Primary (north) facade and west elevation, view southeast

*P6. Date Constructed/Age and Source:

Historic Prehistoric

Both

1920/Los Angeles County Assessor

*P7. Owner and Address:

FMB Development

5757 Wilshire Boulevard, Suite 448

Los Angeles, CA 90036

*P8. Recorded by: (Name, affiliation, and address)

ESA

626 Wilshire Blvd., Suite 1100

Los Angeles, CA 90017

*P9. Date Recorded:

February 2019

*P10. Survey Type: (Describe)

Intensive Pedestrian

*P11. Report Citation: (Cite survey report and other sources, or enter "none.")

ESA, 840 S. Fairfax Avenue, Los

Angeles, California: Historic

Resource Assessment, February

2019

*Attachments: NONE Location Map Continuation Sheet Building, Structure, and Object Record

Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record

Artifact Record Photograph Record Other (List): _____

BUILDING, STRUCTURE, AND OBJECT RECORD

*Resource Name or # (Assigned by recorder) 840 S. Fairfax Avenue *NRHP Status Code 6Z

Page 2 of 15

B1. Historic Name: Old Horseshoe Tavern and Kennel Club
 B2. Common Name: Tom Bergin's
 B3. Original Use: Restaurant, Bar B4. Present Use: Restaurant, Bar - closed

*B5. Architectural Style: Late Tudor Revival, vernacular

*B6. Construction History: (Construction date, alterations, and date of alterations)

A construction history of the subject property was developed using building permits on file with the City's Building and Safety department, Assessor records, and Sanborn Maps. The first permit on file with the Los Angeles Department of Building and Safety was for a new construction permit issued on December 23, 1947 to Tom Bergin, who was listed as both the owner and contractor. Valued at \$35,000, the building was to be two stories tall, 33 feet by 103 feet, and with plaster, brick, and wood at the exterior. [See Continuation Sheets]

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features:

B9a. Architect: _____ b. Builder: _____

*B10. Significance: Theme Neighborhood Commercial Development (1880-1980), Restaurants (1990-1980) Area Wilshire

Period of Significance 1949-1973 Property Type 1-3 Story Commercial Applicable Criteria _____

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

Tom Bergin's namesake business originally began along Wilshire Boulevard in 1936. The subject building at 840 S. Fairfax Avenue was constructed at the current site in 1949. The property has had three subsequent owners since Bergin, and business here was in operation until 2018. The property was reviewed under the two SurveyLA sub-themes associated with the subject property: Restaurants (1880-1980); and Late Tudor Revival (1930-1950). The identified period of significance, 1949-1973, corresponds with the original owner and proprietor, Tom Bergin's period of ownership and operation. As discussed above, the building retains integrity of location, association, feeling, and setting, but does not retain strong integrity for its design, materials or workmanship, three crucial aspects which would allow the property to convey its historical significance as an example of a destination restaurant of the mid-century period.

[See Continuation Sheets]

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References:

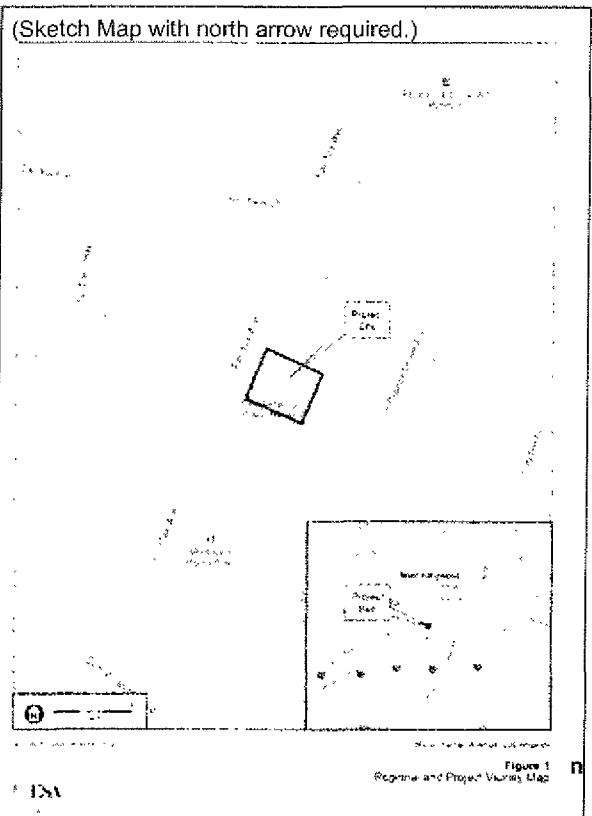
[See Continuation Sheets]

B13. Remarks:

*B14. Evaluator: ESA

*Date of Evaluation: February 2019

(This space reserved for official comments.)



CONTINUATION SHEET

Property Name:

Page 3 of 15

*P3a. Description (continued):

Landscaping at the property includes hedges along the sidewalk, and brick planters with shrubbery located both along the sidewalk and on either side of the north main entrance. Hedges and trees in brick planters also line the extent of the eastern property limit, interspersed by a garbage receptacle shed.

The two-story commercial building is overall rectangular in plan, with shallow gabled projections to the north and west. The building features a steeply pitched cross gable roof. The lower portion of the roofline over the one-story southwest corner has a shed roof, while the southern portion of the roof over the kitchen is flat. The north façade and west elevation are both asymmetrical in configuration and display Tudor Revival-style detailing and materials, including washed stucco, vertical and horizontal wood siding, multi-lite windows with small dimensioned lites, and brickwork. Wood decorative detailing also includes trim at the windows and brackets at the gable ends.

North Elevation (front façade)

The north elevation of the building is asymmetrical in configuration with a roughly centered two-story overhanging end gable. The end gable features wood siding oriented vertically and horizontally, and an oriel window assembly featuring three multi-lite wood hopper windows. Decorative wood trim and small decorative brackets adorn the assembly. Decorative wood brackets, a more recently constructed single entrance door, and two multi-lite windows with metal security grilles sit below the pronounced gable where a contemporary fabric canopy with metal supports is affixed. The remainder of the second story extends to the right (west) from the northern gable toward Fairfax Avenue. This portion of the roofline features two dormers each with a 3/8-lite casement window. The first floor dining room area extends to the left (east) of the northern gable, featuring six multi-lite windows, with replacement multi-colored glass and metal security grilles.

The west elevation (formerly the building's primary façade) abuts Fairfax Avenue and is asymmetrical in configuration. A one-story shed roof surmounts ground floor brickwork, punctuated by three casement windows with rondel glass, wood trim, and metal security grilles. The original full brick wall terminates at the left of this elevation. A non-original brick pony wall continues here, enclosing a single stepped back wood door, where the former original entrance once was. Decorative woodwork here includes brackets and dentils adorning the door surround and hood. A steeply pitched gable which comprises the second floor rises from the shed roofline at the first floor. This gable features decorative brackets below two shallow stepped overhangs. A casement window with contemporary rondel glass sits centered in the gable, with a metal weathervane sits the ridge.



800-322-5555
www.gso.com

Ship From

JEFFER MANGELS BUTLER AND MITCHELL LLP
BENJAMIN M. REZNIK
1900 AVENUE OF THE STARS 7TH FL
LOS ANGELES, CA 90067

Tracking #: 545059459



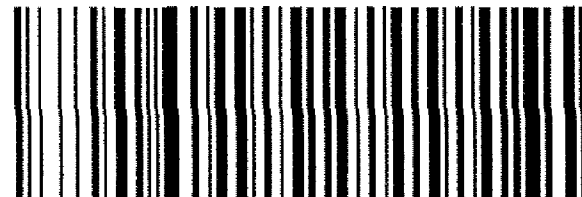
Ship To

CITY OF LOS ANGELES
HOLLY L. WOLCOTT, CITY CLERK
200 NORTH SPRING T., ROOM 395
LOS ANGELES, CA 90012

LOS ANGELES

BY
DEPUTY
CITY CLERK
2019 JUN -6
AM 11:29
RECEIVED
CITY CLERK'S OFFICE
DS

S90012A



3805363

COD: \$0.00

Weight: 3 lb(s)

Reference:

Delivery Instructions:

Signature Type: STANDARD

NWK CA906-N 0

East Elevation

The gabled portion of the east elevation terminates with a centered brick exterior end chimney. Here, a break in the roofline gives way to a flat roof which extends the length of the building along the entirety of the south elevation. This flat roof extends toward the eastern property line, comprising a more recently modified enclosed service/storage area below, which is accessible through a wood gate

South Elevation

The south elevation's second floor reciprocally features multi-lite dormer windows and a cross gable as present at the north elevation. The majority of the south elevation abuts a pedestrian alleyway which runs along the extent of the southern property line and is not visible from the street (Figure 28). The unarticulated wall is utilitarian in character and void of the mixed materials present at the dominant north facade and west elevation. The roof along the southernmost portion of the building is flat and houses mechanical systems atop.

Interior

The building's interior spaces alternate between decorative, richly ornamented public areas, and more industrial service-oriented areas. The variation in the level of decorative finishes largely corresponds with the building's roofline, whereas steeply pitched cross gables match up with more intimately crafted spaces below, while the flat, unarticulated roofline surmounts a service kitchen, restrooms, office, and employee and storage areas.

First Floor

The tavern's bar space with seating and restrooms is located at the west, a non-original central entry vestibule toward the north, with reconstructed booth seating and a dining room to the east. The contemporary business office and employee areas are toward the center, and a commercial kitchen with back of house and storage areas is oriented in the southeast portion of the building.

The building's main entrance (constructed in 2012) sits in below the overhanging gable at the north elevation. Here, a small contemporary entryway vestibule leads to the dining room at the left, and the main bar area to the right. The tavern/bar area features a large modified U-shaped wood bar, with open shelving and cabinetry toward the center. Built-in booth seating with tables line the eastern wall, with a single exit door at the northeast corner, in the location of the building's original entrance. Contemporary men's and women's restrooms line the bar area's southern wall, which leads to a behind-the-house, employee-only hallway accessed by an unarticulated door to the southeast of the bar area. Decorative elements in this space include original wood paneling along the walls, original exposed bracing with individual cardboard shamrocks painted with the names of former patrons, and shamrock motif stained glass chandeliers wall sconces, dating from around the 1980s. The original flooring in this area is comprised of red brick, which continues into the adjacent booth seating area.

A business office, and male and female employee storage areas and restrooms extend off of this rear hallway, spaces which appear to be largely intact. These spaces feature tile flooring, with plaster and metal paneling at the walls. Further east sits the recently modified industrial kitchen with industrial equipment including stoves, sinks, storage areas, and extant refrigerator connections.

Recently reconstructed additional booth seating stretches to the east of the entryway area in a narrow space that leads to the dining room. Features along either side of the hallway include recently added posts with coat hangers, and small stained glass lanterns with a shamrock motif at the walls which were added around the 1980s. Wood wall paneling, a coved ceiling with a plaster finish, and red bricks at the floor comprise the original materials in this narrow space. Original built-in cabinetry sits adjacent to a single wood door that leads to the building's stairwell. Beyond the stairwell, access to the kitchen is gained through a pair of double doors with single lites.

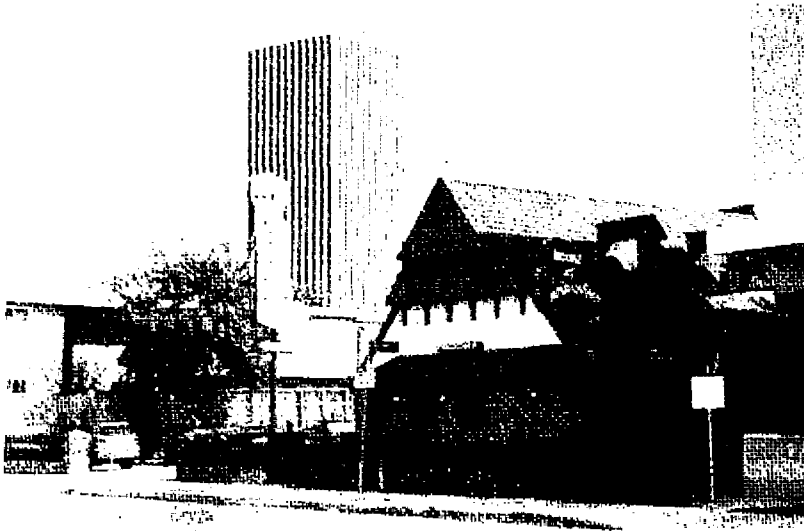
Two multi-lite paneled doors sit at the eastern end of the seating area, which lead to the dining room space complete with a red brick fireplace surround and wood mantle at the back wall. Here, the vaulted ceiling is exposed with wood rafters, tie beams, and paneling. Wood paneling surrounds the fireplace and lines the perimeter lower portion of the walls, which appears to have been furred out. Textured stucco with false timbering lines the walls above the wood paneling. Diagonal wood boards at the ceiling appear to have been a recent modification. Plaid checkered rolled carpet is present in this room. An additional wood open-cabinetry/bar unit sits in the northwest corner of the dining room area, which was constructed within the recent years.

Partial Second Floor

The enclosed stairwell located in the seating area leads to the partial second floor, which spans the northwestern portion of the building including the north and west gables. The stairs lead to a newly constructed open area with a new wood bar similar to the bar downstairs with storage above, positioned adjacent to the original oriel window assembly. A newly constructed restroom and lounge room with built-in cabinetry sit beside one another toward the east of the space, each accessible by a single door. The restroom has tile flooring, and the remainder of this area has plaid checkered rolled carpet.

An additional smaller set of stairs leads up to a recently constructed platform/mezzanine space that surmounts a portion of the downstairs bar area below. Here, the vaulted ceiling corresponds with the steeply gabled roof above. Dormer windows with marble sills punctuate the ceiling on either side of this elongated space, with the northern dormer windows original to the building, while the southern windows were recently constructed. A pair of casement windows, recently replaced with rondel glass, sit within the western gable facing Fairfax Avenue.

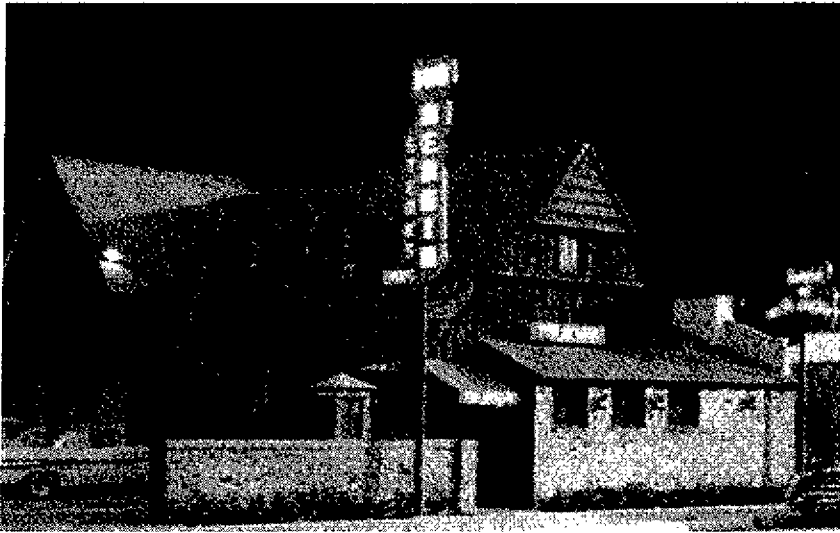
*P5a. Additional Photographs (continued):



View of west elevation, looking northeast (ESA, 2019)



View of bar in the tavern area, looking south (ESA, 2019)



Postcard of Tom Bergin's Tavern, c. 1957 (Bison Archives via LA Magazine)

***B6. Construction History (continued):**

Originally constructed as a bar and restaurant, the Certificate of Occupancy was issued on March 24, 1949. Interior photos taken shortly after construction completion convey the tavern area and the rear dining room in their early original configuration. The dining room featured vaulted ceilings, exposed wood beams, and wood paneling, with a brick fireplace at the rear of the space). In the tavern area, the U-shaped bar with cabinetry comprised the bulk of the space. The 1951 Sanborn map depicts the building as having one restroom in the southwest corner of the tavern area.

The plot plan associated with the original construction permit indicated that the curb was cut to make the driveway leading to the new parking lot which was to be enclosed by a fence at the north and a wall at the east enclosed.

A postcard from around 1957 depicts the subject property with two neon pole signs, a parking area, and a free-standing brick wall which ran along sidewalk adjacent to Fairfax Avenue. The original location of the primary entrance on Fairfax Avenue had double doors and an awning indicating the name of the establishment. The north side elevation (left) featured a continuous band of windows underneath the stepped gable. A steeply pitched roof had two gabled dormers on the north side. The cladding materials on the gable ends were horizontal wood clapboard with vertical tongue-and-groove below and decorative wood brackets. Contrasting brick was used on the ground floor level. A phone booth sat just outside of the front entrance at this time.

With Tom Bergin's sale of his namesake restaurant in 1973, several modifications took place over the course of the different ownership. Interior modifications here included the addition of booths, different lighting fixtures, and updates to the bar area to include a draught system and

refrigerators. The phone booth was removed, bathrooms updated, and a shower was installed at the upstairs area, then used as an office.¹

On November 7, 1983, a permit was issued to repair fire damage valued at \$2,000, the location and extent of which is unknown.

A series of modifications followed a subsequent change in ownership in 2011, generally addressing deferred maintenance from the previous 38-year ownership period. Interior modifications from 2011 involved upgrades to existing spaces with changes performed largely in keeping with the existing interior. The central portion of the bar was disassembled, reconfigured, with the outer ring bar top custom fitted with a copper top. The men's and women's restrooms in the bar/tavern area were newly constructed as part of this work. According to then-property owner Warner Ebbink, the work performed at this time was, "...more restoration than renovation, keeping with what was true of Bergin's."² He went on to say, "We just replaced and repaired what needed to be replaced and repaired, then distressed them so people won't even know."³

Two permits were issued in 2012, the first on February 22nd for a reroof, and then on March 8th for a 335-square foot addition to the rear of the building in order to comply with the health department to enclose a walk-in cooler and storage. Changes at the kitchen area included an expansion of this space to accommodate a larger kitchen space. A Certificate of Occupancy for this work was issued on June 16th. Other work undertaken during this time period included a new access path of travel from the public right-of-way to the subject building, and a new entry door to be installed at the north elevation under the gable. This became the current main entrance to the building. The parking lot was also repaved and a low brick wall between the parking lot and the north elevation was constructed.

This approach to modifying the building was also employed when the subsequent, and current property owner purchased the property in 2013. Current owner, Derek Schreck restored the existing decor, noting that the bar would remain as it always had. At this time, the current owner reconfigured and fully finished the upper floor to create a private lounge/whiskey club called Vestry. Upper floor work also included the construction of a mezzanine level, and new two dormers at the south elevation that mirror those at the north elevation. Construction at this portion of the building spanned from 2011 to 2017. Site work modification included minor changes to the neon signs, a new dumpster enclosure and planters along the east elevation and leading to the newly reconfigured north entrance. An auxiliary wood bar was added into the dining room in 2017.

Occupancy and Ownership History

1 "Chronology of Bergin's: Alterations, Configurations, & Locations," 2019.

2 Gary Baum, "Legendary Hollywood Pub Where Kiefer Sutherland Once Romanced Julia Roberts Gets a Rebirth," *Hollywood Reporter*, May 23, 2012, <https://www.hollywoodreporter.com/news/tom-bergins-fairfax-328666>.

3 Ibid.

City directories and building permits on file with the City's Building Division, as well as Assessor, U. S. Census, and other records, were reviewed to determine if the subject property has any significant associations with the productive lives of historic personages or businesses. Table 2 below summarizes the occupancy and ownership history of 840 S. Fairfax Avenue.

Old Horseshoe Tavern and Thoroughbred Club, 6110 Wilshire Boulevard (1936-1948)

Tom Bergin was born in 1895 to Irish immigrant parents. As an Irish-American, Bergin was "among the country's first naval aviators during World War I." Bergin was an avid horse racing fan, and locally practicing attorney. He opened the business he would operate until his retirement in 1936. Located first at 6100 Wilshire Boulevard, the business was named the Old Horseshoe Tavern and Thoroughbred Club, named after his Boston-area bar (Figure 16). Photographs from the Los Angeles Public Library taken in 1978 suggest that Tom Bergin's bar at the early Wilshire Boulevard location was housed in a Tudor-style building, featuring turrets, brick work, half-timbering, and decorative brackets. At this location, the business consisted of a small, horseshoe shaped bar, 5 booths, and a small kitchen. The tavern then catered largely to theater goers, as the Circle Theatre was nearby. A matchbook with the former Wilshire Boulevard address reflects that the early iteration of Tom Bergin's business served steaks and chops and served "after theatre specials.". The Old Horseshoe Tavern and Kennel Club operated at this early location for roughly 12 years, until Bergin purchased a parcel of land several blocks south and developed the subject property in order to add a restaurant space to his business. As the business had expanded to the point of requiring additional space and facilities to prepare food and serve more patrons, the purchase of land and the erection of a brand new building for expansion was reflective of the success and popularity of Tom Bergin's business at this time. The surrounding portions of the subject block along Fairfax Avenue were undeveloped, and this parcel was one of the first to be sold along this portion of the block.

Tom Bergin's, 840 South Fairfax Avenue (1948-present)

Tom Bergin, owner, 1948-1973

The subject building was constructed at 840 South Fairfax Avenue by original owner Tom Bergin between 1948 and 1949. According to the current property owner, "Legend has it they moved the fixtures from the old bar down Fairfax piece by piece." An LAist article suggests that, "Bergin designed the new location so that nearly every single fixture, each booth and even the weather vane from the original bar could be relocated." While the extent of what was relocated is unclear, it does seem that there was an intention to relocate and incorporate several features and items from the Wilshire location into the new restaurant building at Fairfax Avenue. Bergin operated his tavern and restaurant at this location for roughly 24 years before selling the business.

T. K. Vodery and Mike Mandekic, owners, 1973-2011

In 1973, bar regulars T. K. Vodrey and Mike Mandekic purchased Tom Bergin's Old Horseshoe Tavern. Thompson Kelly "T. K." Vodrey born in Ohio in 1933, was listed as a Junior Grade Lieutenant in the Navy Register of 1961. Michael "Mike" Mandekic was born in Los Angeles in

1938, and played football for the University of Southern California. Mandekic worked in real estate for the majority of his career. Limited additional information was found for either Vodrey or Mandekic.

Owners Vodrey and Mandekic did not intend to change much about the bar, in that “their attitude is reverent and they intend no changes in the hallowed haunt of the Irish.” They announced that they would be serving Irish tradition’s including pot roast and corned beef, which appeared to have been changes to the menu at this time. An interview with a long-time staff member in 2013 suggested that during this period, the business was “more loosely run,” as “...more of a mom-and-pop shop.” According to the current owner, the building was essentially left to deteriorate this 1973 sale and onward.

A 1978 LA Times article suggested that by the late 1970s, hundreds of thousands of drinks had been served at the Fairfax location, then referred to as Tom Bergin’s House of Irish Coffee. Most notably served here were the Irish coffees, particularly during St. Patrick’s Day annual celebrations at the bar, where roughly 5,000 Irish coffees were anticipated to be served in 1987. The holiday would be considered Tom Bergin’s busiest day of the year.

In 1998, half-owner and business manager Mandekic left the business partnership prompting the remaining owner to find a replacement manager to operate Tom Bergin’s. As a result, the business began to lose money, and deferred maintenance continued which allowed for the building systems to gradually fail. The business underwent a few changes as a result of this ownership and management shift, which included modifications to the non-extant restroom, and lunch service including a new seasonal menu in addition to the existing pub fare. After roughly 38 years of ownership, remaining-owner Vodrey offered the business to his family who declined to purchase it.

Warner Ebbink and Brandon Boudet, owners, 2011-2013

In 2011, restaurateurs Warner Ebbink and executive chef Brandon Boudet purchased the business from Vodrey. Both Boudet and Ebbink are the restaurateurs associated with Dominick’s restaurant in West Hollywood, and Little Dom’s in Los Feliz.

Business partners Ebbink and Boudet closed the restaurant and bar for 11-months to renovate and reconfigure the building. Upon reopening, the menu was remade by chef Boudet. As a result of this menu update, sales slowed at Tom Bergin’s resulting in the business’s closure just 11 months later after failing to attract enough customers. Longtime staff interviewed during this period noted, as a result of the recent change in management, the restaurant was “a little more organized and almost corporate.” In a summer of 2013, just prior to closing down, a Los Angeles Times article profiled the bar’s regular patrons on a Sunday afternoon as “white-haired guys, wearing sweaters and ties even when it was a bit warm, having lunch with their families...” The article also noted the lament of former patrons who were saddened over the closing of Tom Bergin’s.

Derek and Frank Schreck, owners, 2013-present

In 2013, the building was purchased by son and father, Derek and Frank Schreck. Frank is a gaming attorney and political activist. Current owner/proprietor Derek is an actor who has appeared in the movies *The Mechanic*, and *Stolen*.

The new ownership exhibited a reverence for the bar's associated history. With a fondness for the bar, the decor was restored, and the tavern was to remain as it always was – with Schreck noting that the bar itself was the original bar. Further updates under Schreck's ownership included an upstairs speakeasy lounge with a private bar and whiskey room, modifications which continued through 2017. Despite building upgrades, a kitchen expansion, and the redesign of the menu with local chefs, the business was never profitable and closed in March of 2018. Furthermore, Schreck notes that the frequent closing of Fairfax Avenue during Metro construction cut into revenue, as access to the bar was challenging during closure over the course of many weekends in a row. During this time, patrons and regulars found other places to frequent.

***B10. Significance (continued):**

Conclusion

As such, the property appears to be ineligible for listing as an HCM under Criterion 1 for its association as a destination restaurant associated with the ownership of Tom Bergin for whom it is named, because the subject property has been substantially altered after the period of significance by subsequent owners and no longer retains its historic appearance from its period of significance.

Furthermore, the subject property is not associated with events that have made a significant contribution to the broad patterns of our nation's history or of California's history or cultural heritage. The subject property is not associated with significant events in the Civil Rights movement, or with LGTBQ history, or with Irish immigrant history, or other social or cultural history in Los Angeles. Other than annual Saint Patrick's Day parties, no notable events occurred at the subject property. Therefore, the subject property does not reflect or exemplify the broad cultural, economic or social history of the nation, State or community under National Register of Historic Places Criterion A or the California Register of Historic Places Criterion 1, or LAHCM Criterion 1.

The original owner and operator of the subject business and building, Tom Bergin, appeared to have been a lively fixture in his namesake bar during his period of ownership. Bergin relocated his business to a custom-designed restaurant, operating it until his retirement in 1973. However, Bergin does not appear to have made significant contributions to local, State, or national history through his association with the subject property. Therefore, 840 S. Fairfax Avenue does not appear to be associated with significant personages or events as is required under LAHCM Criterion 2.

While the property has a few select character-defining features that would vaguely reference the style, it is lacking sufficient character-defining features to fully embody the Late Tudor Revival Style. The configuration of the horizontal and vertical siding, the unarticulated entryway, and curious organization of the stepped gables allow for the building to read as a vernacular property that vaguely references certain elements from a particular style. Applied here in a more simplified manner, the commercial property is not reflective of a significant example of the Late Tudor Revival style in Los Angeles. The property at 840 S. Fairfax Avenue does not meet the significance requirements under the LAHCM Criterion for its architectural design. The property does not meet the significance requirements under the National Register of Historic Places Criterion C or the California Register of Historic Places Criterion 3.

The subject property does not appear to yield significant information that would expand our current knowledge or theories of design, methods of construction, operation, or other information that is not already known about the period in which they were constructed, their method of construction, or their design. Therefore 840 S. Fairfax Avenue does not meet the significance requirements under the National Register of Historic Places Criterion D or the California Register of Historic Places Criterion 4.

***B12. References (continued):**

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EXHIBIT O

Cultural Heritage Commission
Attn: Etta Armstrong, Commission, Executive Assistant I
City of Los Angeles
200 N. Spring Street Room 1010, City
Hall Los Angeles, CA 90012

Re: CHC-2018-5803-HCM

Dear President Barron and Members of the Cultural Heritage Commission:

I have been retained by the owner of 840 S. Fairfax Avenue (the "Property") to provide my independent analysis and input on whether or not the Property meets the criteria for Historic-Cultural Monument ("HCM") designation under the Los Angeles Administrative Code ("LAAC"). As the Commission knows, I have 19 years of experience preparing HCM nominations, Mills Act Historical Property applications, and advising architects and property owners on national, state, and local eligibility standards for historic structures. Based on my review of the Property, the associated HCM nomination materials, and the analysis set forth below, it is my opinion that the building/associated business entity do not qualify as an HCM under any of the LAMC criteria. It is this historian's recommendation, therefore, that the Commission recommend against the designation of 840 S. Fairfax Avenue.

The HCM Criteria

Pursuant to LAAC Section 22.171.10, a historical or cultural monument as any site (including significant trees or other plant life located thereon) building or structure of particular historic or cultural significance to the City of Los Angeles, such as historic structures or sites in which the broad cultural, economic, or social history of the nation, State or community is reflected or exemplified, or which are identified with historic personages or with important events in the main currents of national, State or local history or which embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period style or method of construction, or a notable work of a master builder, designer or architect whose individual genius influenced his age. This historian, therefore, agrees with all points set forth by the City finding against 840 S. Fairfax Avenue becoming a Historic-Cultural Monument and would add a no finding to the Cultural History of the potential HCM. In addition, this historian would like to point out some other relevant facts to be considered.

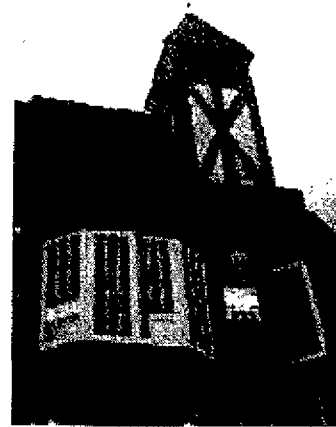
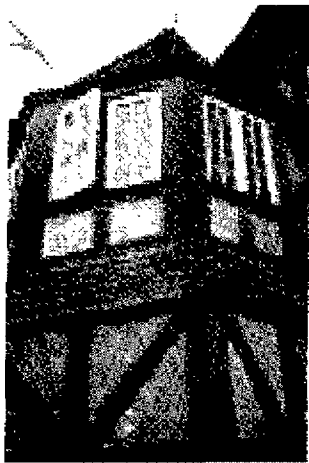
Criteria 1: The Property does not reflect the broad cultural, economic, or social history of the nation, state of community.

This HCM nomination exhibits several shortcomings: The nominators looked at the general sentimentality of the enterprise rather than the evolution and devolution of the actual businesses which operated at the Property throughout its history. The businesses that have been operating on the property since the 70's were all Irish Pub style establishments. These businesses have almost nothing in common with the higher end "steakhouse" restaurant and tavern opened by the original proprietor in 1936, Tom Bergin. The nominator fails to acknowledge that these two business entities share nothing more than a surname, and that the recent businesses have almost nothing to do with the original owner and certainly nothing to do with his original business concept.

Tom Bergin survived WWI as a fighter pilot. He returned to Boston, studied law, became an attorney and journeyed to Los Angeles, the dream capital of the USA. He practiced law but had a desire which he realized by opening a tavern along with a steak, chop and seafood house known as the Old Horseshoe Tavern and Kennel Club at 6110 Wilshire in 1936 following the example of his ancestors in the Haymarket in Boston, MA. The only Irish feature of the establishment was the owner's surname: Bergin.

Prohibition ended in 1933. Old Horseshoe Tavern and Kennel Club opened in 1936. Logic tells us that many liquor licenses were issued in the years between December 1933 and the opening of Bergin's establishment in 1936. Sapphos lays out numbers in her rebuttal. Liquor licenses were granted before Prohibition with some still in effect. The "King Edward Bar" sold liquor in bottles and liquor from the bar as early as 1908 at the 127 East 5th Street address. [During Prohibition "King Edward" went underground as a speak easy with a piano repair shop in the former location, above it, serviced by the City's tunnels and with the Mayor's blessing.] The "King Edward Grill" may have been the first to get a liquor license after prohibition in 1933 - they were either first or second with Golden Gopher according to what we know now. [Miki Jackson, for AIDS Healthcare Foundation, owner of King Eddy's]. Both establishments still operate as bars and are licensed to sell packaged liquor. This information puts to rest the myth that the Bergin establishment had the second oldest liquor license.

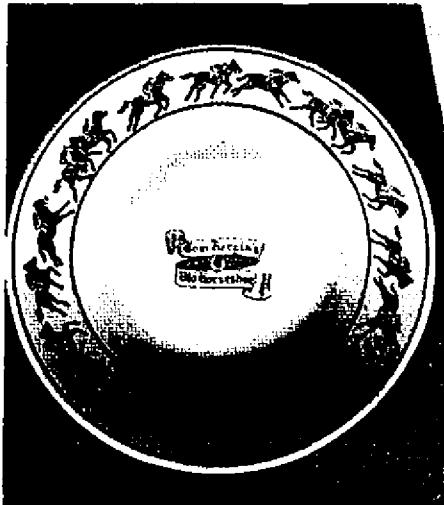
Photographs of details of the original Old Horseshoe Tavern and Kennel Club at 6110 Wilshire were located at the Los Angeles Public Library in Tessa: Digital and Photo Collections and are displayed below. Please note the building pre-dated the Bergin enterprise, thus was not created for it.



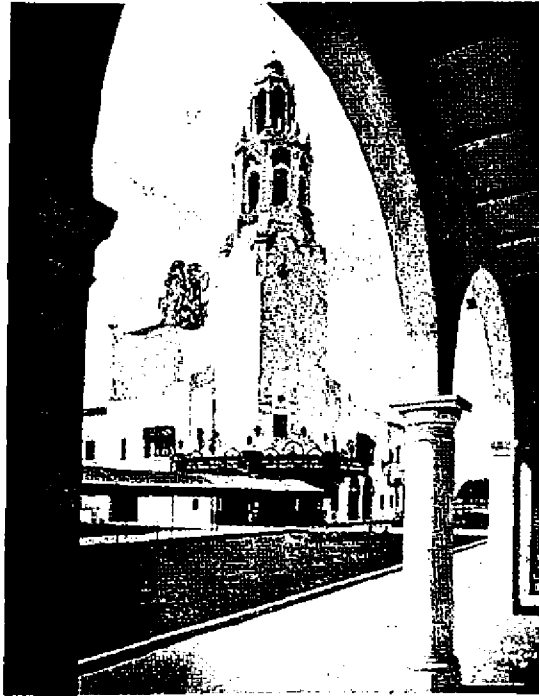
The cover of the original menu, displaying a sketch of the Old Horseshoe Tavern and Kennel Club, where it is referred to as the Olde Horseshoe Tavern and Thoroughbred Club. [Source: Bergin Archive]



The Old Horseshoe Tavern and Thoroughbred Club is further reinforced visually by the china chosen for the establishment, pieces of which are exhibited following [Source: Bergin Archive]:



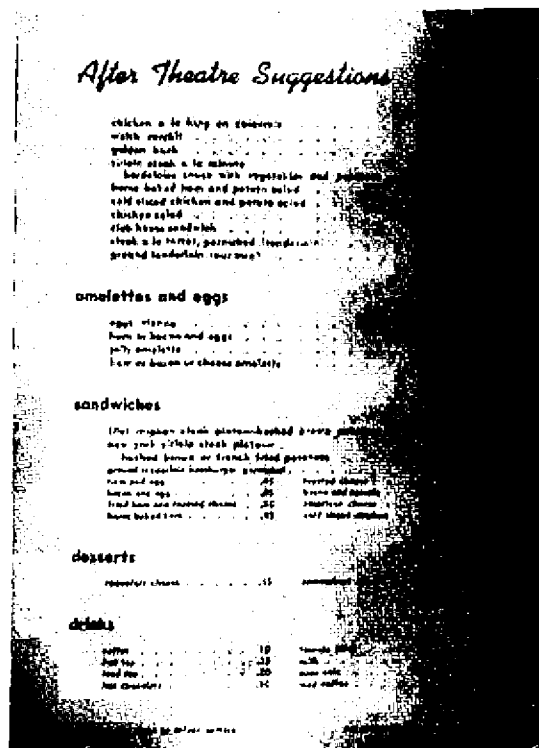
A menu for an event showing 1936 prices and menu items follows. The menu is primarily Kansas City steaks, chops and seafood accompanied by potatoes and sandwiches of that ilk with additional sides separately available. [Source: Bergin Archive]



Carthay Circle Theatre

Source: <https://www.findingwalt.com/carthay-circle-theater/>

After Theatre Suggestions from one leaf of the Old Horseshoe Tavern and Thoroughbred Club menu of the 1940s - 1950s. [Source: Bergin Archive]



The entities on Gilmore Island were also a source of clients for the Old Horseshoe Tavern. Located to the north at Fairfax Ave and Beverly Blvd., the sports facilities – Gilmore Stadium at front in photograph, below, and Gilmore Field, at rear in photograph, below, which hosted a wide variety of sporting events and team practices brought in the patrons for Bergin, for they were located in the area of Fairfax Ave. & Beverly Blvd. [Source: LAPL]



The first leaf of the second leaf of the menu shown above, which appears following, would more appeal to the sports types.

The Old Horseshoe Tavern
special de luxe dinner

choice of puree of tomato or consommé		
or our own original chef's salad		
new york cut or filet mignon steak	2.00	
grilled french lamb chops	2.50	
english mutton chops	2.50	
vegetables in season		
boiled brown or french fried potatoes		
coffee	1.00	or milk

a la carte -- from our charcoal broiler

new york cut sirloin, main's hand	1.50
filet mignon, small	1.50
herb plus special steak, vegetable	1.40
new york french lamb chops	1.50
herb plus english mutton chops	1.50
virginia tender bone steak	1.15

large steaks

thick french city sirloin tenderloin	2.50
large choice western food tenderloin	2.50
new york cut sirloin, for two	4.00
western food tenderloin, extra good, for two	4.50
we serve hot brown or french fried potatoes with all our steaks and chops	

oysters		
fresh fried	.50	grilled
potatoes		
back french	.25	boiled potato
potatoes	.25	or gratin
french fried	.25	or potato omelet
vegetables		
steamed peas	.25	spinach
green peas	.25	steamed tomatoes
soups		
cream soup or potato	.25	cream of mushroom
cream of tomato	.25	chicken
salads		
spring and cold chicken, tomatoes, lettuce, home prepared	.60	
new york, the same	.75	chilled chicken
green salad with french dressing, the same	.75	

Free parking in rear

Citing the sociologists' "Third Place" theory in relation to the original iteration of Bergin's enterprise or of the later iterations of the Irish bar is a major travesty. Had it been cited for Molly Malone's—an Irish pub just a few blocks to the north on Fairfax Avenue where everyone comes together for lunch and a beer, after-work camaraderie, and live musical performances this historian would have thought it proper. However, beginning with the Old Horseshoe Tavern and Kennel Club citing the "Third Place" is a travesty. The business began as a gentleman's tavern, Old Horseshoe Tavern, with food for fellow thoroughbred horse racing fans, The Kennel Club. The food service operation originally served a menu that was on the French side -- *and nothing on it was Irish*. It was steaks and chops, seafood, a few vegetables available as sides and sandwiches of the same ilk.

Bergin was so successful that he was invited to provide the first restaurant for the newly opening Del Mar Thoroughbred Club [racetrack] in 1937 by Bing Crosby and other Hollywood players who were responsible for the racetrack. Bergin and Bing Crosby were racing friends before this affiliation. Bergin ran the racetrack restaurant until 1942 when the track temporarily closed due to WWII. At the same time Bergin decided to leave his practice of law behind to concentrate on the Old Horseshoe Tavern and Thoroughbred Club (to reflect the horseracing track concept on Wilshire). Because of its marketing focus it does not strike one as a casual neighborhood place where everyone welcomed anyone who waked through the front door.

When Bergin moved to Fairfax in late 1949 the name of the business did not change nor did it's focus. It remained a gentlemen's tavern to which you could take your wife or female companion for a steak and chop house meal with drinks—*although Irish coffee had not yet made it's debut in America*. The clientele remained somewhat upper crust with Hollywood stars thrown in, *just as they were in any upscale tavern/restaurant*.

In 1973 Bergin retired, selling the tavern and restaurant operation to TK Vodrey and Mandecick, two faithful patrons. They continued the Bergin operation, adding lunch to the establishment. They also removed the Thoroughbred aspect, keeping only the horse portraits executed by an artist to pay his bar tab, and began turning it more Irish as can be seen from the menus. The menu below, which carries *Irish Coffee as an offering as does every Irish pub, bar and tavern in the USA* is from the 1970s when TK Vodrey and Mandecick owned the establishment and exhibits the turn to the Irish.



Tom Bergin's The Home of Irish Coffee
Cavern

★ Add your choice for the Special of the Evening ★

AT THE BURGERS

- Steak Burgers with House Dressing 3.50
- Beef & Cheeseburgers 2.95
- McDonald's Double Cheeseburger 3.50

WINE & BEER DRINKS

- House Wine 0.75
- Our Manager's Special 0.75

OUR ORIGINAL IRISH EXPRICES

- Irish Style Curried Beef with Cheddar 2.50
- Guinness Beef & Potato 2.75
- Irish Style Beef & Potato 2.95
- The Lamb of the Mountains 3.50
- Chicken & Potatoes 2.50

CHILLED SALADS

- A Chef's Shrimp 3.95
- The Cobb of Cobb 3.95

FOR OUR GOURMET FRIENDS

- The Irish Mutton 11.99
- Consomme of Turkey 9.95

FROM OUR FAMOUS McLELLIN CHICKEN BROILIN

- New York Seltain Steak, Onion Rings 13.50
- Top Sirloin Steak, Onion Rings 12.25
- Large Juicy Pork Chops 11.50
- Double Thick Lamb Chops 14.05
- Julia's Steak 8.75
- Chai Shaved Burger 6.25

FOR THE LOVERS OF THE SEA

- The Lobster 12.95
- Shrimp & Pasta 11.95

BEVERAGES

- Coke 0.25
- Irish Coffee 2.25

AND THOSE EXTRA HEARTY CHINESE

- Spam
- Spam & Eggs
- Spam & Potatoes

AFTER DINNER DELICIES

- The Flamingo 1.50
- A Cake for All Times 1.25
- The Tavern Treat 1.50
- And Plain Ice Cream or Sherbet 1.50

1970s menu when TK Vodrey and Mandecick owned the establishment.
 Source: LAPL Tessa Photo and Digital Collection.

A menu from the early 2000's when TK Vodrey was the sole owner takes it a wee bit more Irish.



AS WE DO FOR SKAFTERS
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

CHILLED SMASH
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

SANDWICHES A LA CHER
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

THE BENGINBURGER
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

ADDITIONALS
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

BEVERAGES
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75



ORIGINAL BREAD AND BUTTER
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

FROM OUR MESQUITE GRILL
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

JAKE'S STAKE
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

SPECIALTIES OF THE TAVERN
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

SWEETS 'N' SUCH
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

BEVERAGES
 Small Drink with Bread and Butter 1.75
 Small Drink with Bread and Butter and Buttered Potatoes 2.25
 Small Drink with Bread and Butter and Buttered Potatoes and Buttered Potatoes 2.75

Early 2000's menu when TK Vodrey was the sole owner of the establishment.
 Source: LAPL Tessa Photo and Digital Collection.

The shamrocks with names emblazoned across them were made of packing crates by patrons who earned the right in a marketing promotion by owners TK Vodrey and Mandecick to have a personalized shamrock on the ceiling or beam work. It was not a special privilege, but rather had to be earned through purchases. Very special to the one whose name is displayed, but more special to the owners' whose marketing success was deposited in the cash register!

The Irish tavern also failed to meet the parameters of a "Third State." Bergin's West opened in Brentwood in 1978 and closed in 1986. At its closing the shamrock chandeliers and stained glass from the Brentwood location were installed at the 840 S. Fairfax location. While it became a bit more casual the price points did not encourage "Third Stage" patronage.

TK Vodrey became the sole owner as the operation took a turn downward financially and began to devolve. In 2012, Vodrey sold it to a patron who lived in the neighborhood; Derek Schreck, doing business as VintageVices, LLC. The pub underwent another remodel plus the upstairs office was expanded and transformed into Vestry, a fine whiskey club with an initiation fee of \$1,000 plus additional fees. If ever there was a move that would permanently remove it from the "Third State," this would be it!

Criteria 2: The Property is not associated with the lives of historic personages important to national, state city or local history.

No claims were made by the nominators under Criterion 2, *not even for Tom Bergin, the original business owner.*

Criteria 3: The Property does not embody the distinctive characteristic of a style. Type, period or method of construction or represent a notable work of a master designer, builder or architect whose individual genius influenced his or her age.

The nominators did make a claim for architectural style attempting to shoehorn it into Tudor Revival Commercial style. The City staff did not agree with their finding. Nor did Sapphos who did an excellent analysis as to why the architecture is not Tudor Revival nor historic since the building has undergone a remodel on more than one occasion during the past 10 years removing all but the superstructure, and even altering that as well as adding unpermitted features, particularly at the second level. This historian would have labeled the original building Los Angeles Fantasy Commercial style architecture and would claim that the building exhibits no historicity. The nominators also did not cite an architect, builder or designer, *since none is known*. Remodeled multiple times during the past 10 years *the building carries no historicity.*

Yours truly,

Anna Marie Brooks
Historian