

Contact Information

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Agenda Date:

Item Number:

Brief Summary: The Studio City Neighborhood Council requests that the City Attorney take all steps necessary to complete and issue its report on cell tower regulation, as directed by the Council Public Works Committee in CF 09-2645 (expiration November 2011).

Additional Information: We request additionally that an inquiry be conducted to find out why Ventura Boulevard, from Woodrow Wilson Drive to Sepulveda Boulevard is no longer considered a scenic highway, as Ventura Boulevard west of Sepulveda Boulevard is considered. The law is more beneficial to the communities in a scenic highway corridor related to cell installations.

## SCNC BOARD

Jeffrey Carter  
Ben Di Benedetto  
Joshua Gelfat  
Victor Helo  
Wayne Kartin  
Remy Kessler  
Ben Neumann  
Richard Niederberg  
Todd Royal  
Lisa Sarkin  
Lana Shackelford  
Gail Steinberg  
Ron Taylor  
Rita C. Villa  
John T. Walker



# BOARD MEETING AGENDA

**Wednesday, April 20, 2011**  
**Light Refreshments 6:30pm**  
**Meeting 7:00pm**

at

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

**PRESIDENT**  
John T. Walker

**VICE PRESIDENT**  
TODD ROYAL

**TREASURER**  
Remy Kessler

**SECRETARY**  
Rita C. Villa

**CORRESPONDING SECRETARY**  
Lana Shackelford

4024 Radford Ave.  
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The public is requested to fill out a "Comment Card" to address the Board on any item of the agenda prior to the Board taking action on an item. Comments from the public on Agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the Agenda that is within the Board's subject matter jurisdiction will be heard during the Public Comment period. **Public comment is limited to two minutes per speaker, unless directed otherwise by the presiding officer of the Board.** The agenda is posted for public review at: Studio City Neighborhood Council website ([www.studiocitync.org](http://www.studiocitync.org)); as well as CBS Studio Center, Radford and Colfax gates; the Studio City Library, 12511 Moorpark St.; the Studio City Recreation Center, 12621 Rye Ave. and at Carpenter Avenue Elementary School, 3909 Carpenter Avenue, Studio City, CA 91604. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least three (3) business days (72 hours) prior to the meeting you wish to attend by contacting the Neighborhood Council Project Coordinator (213) 473-5391 or by e-mail to [Thomas.Soong@lacity.org](mailto:Thomas.Soong@lacity.org). In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the Board in advance of a meeting, may be viewed at our website by clicking on the following link: [www.studiocitync.org](http://www.studiocitync.org) or at the scheduled meeting.. In addition, if you would like a copy of any record related to an item on the agenda, please contact [office@studiocitync.org](mailto:office@studiocitync.org).

1. Call to Order & Roll Call. Jeffrey Carter – present, Ben Di Benedetto – present; Josh Gelfat – present, Victor Helo - present, Wayne Kartin – present, Remy Kessler - present, Ben Neumann present, Richard Niederberg - present, Todd Royal - present, Lisa Sarkin - present, Lana Shackelford – present, Gail Steinberg – present, Ron Taylor – present, Rita Villa –present, John Walker – present. 14 voting members; 55 stakeholders present.
2. Approval of March 16, 2011 minutes and February. Approved without objection.
3. Comments by the President - recommendation for vacant Homeowner seat: **Denise Welvang**. (10 min). Thanked the board members and committee chairs for the work they put in and acknowledged Lisa for stepping in to do the work while John Walker introduced Denise Welvang. She came to the mike and said she volunteered because she wants to be part of the solution by volunteering. Lisa asked where she lives. CD5. Ben Dibenedetto asked how long she has been here she said since she was a child. Approved without objection and she took her seat on the board.
4. Introduction of City Attorney, **Carmen Trutanich** (30 min). John Walker introduced City Attorney and said he has supported the City Attorney from the beginning. Carmen said he had the FBI in his office today and that they have been very busy. He is the top cop. When he took office there was over 1,000 pot shops and thousands of illegal billboards. He came to enforce those laws that are on the books. He does not make the laws. He has fought the medical marijuana businesses to be sure illegal ones are closed down. This has increased the amount of litigation he has to do despite budget cuts. He has been there two years and has not hired one person in that time. He has been on a freeze. He has lost lawyers due to attrition and they are doing more work. He has significantly reduced the amount spent on outside counsel. The budget cut has been over 31%. His office will be about 3 million short but as that was the result of cola increased due to the layoffs. He has the reserved city attorney program volunteers do this for 6 months (one month training and 5 month of work for no pay). There are over 100 people has gone through this program. Outside counsel work has continued to be cut.

His lawyers are winning cases. They have saved over 300 million dollars in liability costs for the city. They have won 79 nor 80 cases they have lost some federal labor standard cases. On the criminal side they handle about 115,000 police reports. They file about 70 to 75 cases. They also file police misdemeanor cases. LAPD wobbler cases 12k to 15k of those cases every year. They could not do the job without the reserve program. He has move lawyers from criminal side to the civil side to prevent judgements from failing to defend the cases. There are about 2800 open civil lawsuits against the city of LA asking for 2 billion dollars of damages excluding punitive damages and injunctive damages or attorneys fees if they lose. City Attorney office is the protecting from the robber at the bank gate. He thanked stakeholders for making his department number 7 in list of priorities in the budget survey. Right after mandatory human services. Hi budget is going to be restored to 95 million. He spends too much of his time dealing with the budget issues. Everything done in his office is important and very serious and they are proud of their work product. Noted several of the outstanding lawyers in his office. He wants to be the best lawyer the city has ever had. Morale is high and his office is functioning very well. He asked us to support ACE. As to gangs, he said we are not getting the word out. We need to change the way we are doing things in this city. Kids in 7<sup>th</sup> through 9<sup>th</sup> grade doing gang crimes. High School kids are recruiting middle school kids for the gangs. He said this must be stopped. Plan of City Attorney said there ore 176K people in state prison. It is cheaper to send them on a cruies. State released 40K prisoners a couple of month ago. Wants to start teaching life skills to children to show them and let them know gangs are a dead in street. We need to start thinking like this so we do not have to pay to have them locked up in prison. The better way is anti-gang education. :Lets fix the city by fixing the kids. John Walker asked him to explain the district attorney situation. Carmen said he will not run against Steve Kooley. The District Attorney office is a place to effectuate a lot of change. He needs to see where he can best serve the citizens. He has opened an exploratory campaign to preserve his option to run and to let people know that he is a potential candidate. Many cops are willing to say lets make him the next DA. If Kooley stays Carmen stay in his current job. Barry Johnson asked if he would encourage someone from inside his office to run for city attorney if he runs for District Attorney so the momentum does not stop. He said there are many good lawyers in his office but good lawyers do not necessarily make good leaders. His 4 kids are the most important thing in his life. He will not do something that would tarnish his reputation in their eyes. He will not leave if there is not someone good to take his place. Ron Taylor asked if marijuana situation is a prohibition situation. Response is no as marijuana is illegal in every country in the world but alcohol was legal in all other countries. As long as marijuana is illegal federally we cant sell it. If feds legalize it he will enforce that law. Current federal law says you can't sell it. Go to 1996 ballot statement by proponents of medial marijuana and read the third and fourth paragraphs. It says nothing in the law will permit the selling or overgrowing of marijuana. A stakeholder asked why are there stores on every corner. He said he is fighting these lawsuits every day and we are down from over 1,000 to a couple of hundred. He is trying to close stores operating illegally. You can grow enough marijuana for your collective and reimburse yourself for cost only. This is not the wallmart model. Lana asked what percent of budget is spend on illegal or undocumented individuals. He said he does not prosecute based on content of message just on illegal conduct. He asked if someone owes the city of LA 4 million in back taxes they have collected on behalf of the city and they did not pay it to the city and 3 million more is due for this year. filed a lawsuit and gets a receiver put into his business. He goes after the building. New ordinance if you owe the city a tax or franchise fee and you have not paid you are prevented from bidding on any RFP's for 10 years. Carmen related only legal fishing is san pedro is mackerel and anchovy. Wayne last question – related to the traffic incident firedept response time delayed due to van on freeway incident. Asked why that was not a crime. Response being a prosecutor is difficult and you must take into account all information. Doesn't want to ruin the kids life with a criminal record just make them go to court 6 or more times. Punishment should fit the

crime. Introduced John Franklin public information officer. Also spoke about his son who was hurt in Iaqu. He will have surgery on akellies tendon. Will have surgery and have to go back.

5. Public Comments on non-agenda items within the Board's jurisdiction. John Hinton with DPW trunkline constructin group. Construction will start soon and Tom Ley construction supervisor is here as well. This is part of the 10 year capital improvement program to replace the aging infrastructure. It will improve water quality and reliability. Unit 5 project is replacing a trunk line that is over 100 years old. He showed the map and location of the two tunnels that will be part of the project. The connections with take 2 and a half weeks. Project dates 5.16/2011 to 5/2015. This could slip two weeks on start date pending approval of traffic plans by ladot. Work area 5 will start south of dickens to north and south of Van Org. AS far as traffic they will provide one lane of traffic in each direction. There is contact information of the fact sheet. , Missy McGuire with American Cancer Society Relay For Life distributed handout and is looking for sponsorship and participation; Marilyn White-Sedel wanted to report on status of Barbara Monahan left to go back to massachusets. She went with barbara and they drove in 9 days. The conditions of the highways especially on 40. There were no potholes. and no trash. Barabra is happy and doing well, Susan Haymer was not there when called, Mark Cole not here when called, Barry Johnson , Carole Gallegos in 2004 hired to manage Studio City Farmers Market and has done that for 7 years. She has brought in craft people and many unique vendors. They got awards. The studio city maket has been acknowledged as one of the best in the valley. On March 17<sup>th</sup> she was forced to resign without getting a chance to take the market in a new direction, Jack McGrath was president of chamber when market began. He feels this is a tragedy and he has never seen such disrespect for a person who has done such a good job. Ms Doyche was appointed to be an overseer of the market. He believes this is a shame and is selfdealing, Joe Goodman as past president of studio city chamber. Stated that Carol has done a great job and he is shocked and surprised that this was done. He would like a motion stating that the farmers market was well run., Debra Price said she is a long time resident. She is Carol's friend and she loves the market and said Carol has put her heart and soul in the market. Carol ran a tight ship and she does not want quality to go down and be run like a flee market. She would like Carol to be brought back and that would be an asset to the community., Bruce Nickels read part of the article on the firing of Carol. He is bothered by the fact that Alan Dymond, Melody and two others who are attorneys should have looked at the bylaws regarding selfdealing, Steven Gallegos he is Carol's husband. Said that his wife dedicated her life to this market. This was her family. he said this is important to our community. This market is now in the same catgory as Santa Monica and West Hollywood. He doesn't know why there should be a change for someone with no experience. Asked for a motion to ask SCRA to reconsider. Barry Johnson asked if everyone as seen the flags posted promoting the getty museum or LA Phil. He has seen many in other places recognizing Neighborhood Councils. He thinks we should get them on Ventura Blvd announcing the NC.
6. Responses to comments from the Board. Lisa Sarkin said the matter of posters should go through Outreach. Ron asked of John Hinton is there are any estimates of how much the traffic will be slowed down. He said that part of Coldwater is already congested so there will not be additional traffic impact. He said there will be a loss of parking lanes but not traffic lanes. Lisa Sarkin said we asked for ways to expidite the movement of traffic of our council office. Response was that there was a delay in starting the project due to a delay in the permitting. He wants to close coldwater to expidite the project but there was concern that would not be accepted by the community. As to Moorpark, there was a delay due to DOT staffing issues. He does not perceive this type of delay on this project. Josh Galfat asked what about the stretch that is the 4 lane road. They acknowledged that area will be reduced to a two lane road and this will result in additional congestion. Ben DiBenedetto asked if

there would be neighborhood intrusion. Answer was no. Richard asked if they are connecting to newer pipelines. Response was yes. Denise asked when they are through with the construction will the street be resurfaced all the way to Mullholand. Response, part only. Lana said will there be information about this in the dwp bills? Response is not because that is difficult. They will do a separate mailing and it will go out soon.

7. Treasurer's report by **Remy Kessler**. Remaining budget of 28K. John Walker read the motion.

**MOTION: The Board of the Studio City Neighborhood Council has reviewed the April 2011 financial statements and the March 2011 bank statements and hereby accepts and approves them. Approved without objection**

8. Budget Committee Report by **Remy Kessler** for **Mark Batterman**. NONE
9. Bylaws Committee report by **Ron Taylor** (10 min). Ron Taylor reported that a grievance provision is required. It adheres to the template from the City Attorney with a few exceptions. Barry Johnson thanked the committee for taking the witch hunt out of the process. Todd Royal read the motion in **Vote 12 year unanimous** and John Walker and Victor Helo out of the room

**MOTION: The Board of the Studio City Neighborhood Council approves the following revision of the SCNC Bylaws, Article XIV (attached).**

10. Outreach Committee Report by **Lisa Cahan-Davis** (10 min). Lisa reported that they have a list of new ideas and asked for stakeholders to go to the website and share their ideas on how the NC can best communicate with stakeholders. They have suggestions on how to improve the website. She would like to do a survey using surveymonkey on how to improve information dissemination. Gail gave a suggestion of how to expedite the approval of committee meeting minutes so they can be disseminated to the public. Barry Johnson said people expect to be spoon fed. If you want to be involved in the community check the website and come to the meeting. Richard said will there be a request for the 4<sup>th</sup> of July celebration. John said no one has been approached yet.
11. Transportation Committee Report by **Ben Di Benedetto**. Ben reported that there has been a parking problem on Itedel and he printed for the board the CD2 report on the interim agreement with the residents and read part of that report. Another parking problem on Sunswep due to position of the sign. He read the email from CD2 and progress is being made on the issue. Barry asked if there will be measuring to be sure firetrucks can get through. Ben Di Benedetto said he is not sure if they will measure as this is a temporary solution. Motion Moved by Todd to adjourn second by Ron
12. Government Affairs Committee Report by **Jeffery Carter** and **Rita Villa** (20 min). See written report. John Walker read the first motion.

**MOTION: The Board of the Studio City Neighborhood Council supports the efforts led by Councilman Paul Koretz and the Los Angeles City Attorney Carmen Trutanich (Report R 10-0264 and Motions 10-0085 and 10-0600) to allow an alternative method of code enforcement known as Administrative Code Enforcement (ACE). We support the ACE Ordinance and request that it would be used for all city departments from inception.** Barry Johnson he thinks this is excellent and we should vote yes., Alan Dymond welcomed Denise and extended congratulations from the SCRA. The SCRA discussed this but did not take a formal position. Part of

the code on sidewalks. He is asking to be part of the task force on this. Lisa said Carmen Trutanich is in favor of this. Richard said this is a fast and effective method of getting enforcement but allows proper due process. John waker asked for clarification of Alan Dymonds comment. Vote 13 yes I abstain. John read the second motion.

**MOTION: The Board of the Studio City Neighborhood Council approves the submission of a community impact statement with respect to Community Care Facilities substantially in the form attached thereto.** Barry Johnson said it is important to be sure that these facilities are not allowed to be in R1 areas. Asked us to vote yes. Vote unanimous. Yes. John Walker read the next motion. Barry asked that we vote yes.

**MOTION: The Board of the Studio City Neighborhood Council approves the issuance of a community impact statement and a letter with respect to the issuance of the cell tower regulation report substantially in the form attached hereto.** Lana asked for correction of typo. Vote 14 yes.

13. Land Use Committee Report by **Lisa Sarkin** (20 min). Barry Johnson , , Lisa Sarkin said there was an extensive report by the Winnefred Nancy of DWP but she has not come back to that. John Walker read the first motion.

**MOTION: The Board of the Studio City Neighborhood Council supports the Studio City Beautification Association assuming responsibility of landscaping and irrigation system maintenance on the Los Angeles City's easements on the north and south sides of the Los Angeles River Colfax Avenue footbridge.** Lisa explained the purpose of the motion. Barry Johnson said Beautification has an impeccable record for doing these things please vote yea. Beth Dymond speaking on behalf of Beautification. Irrigation will be done by the county but they will maintain both banks. They may need an adopt a median program approved by the City but that is why they need this motion. Ben Di Benedetto asked what will the landscaping be. Lisa said they need to get the ramp. Gail asked the question how far east will the landscaping go. Do not know because the ramp is not in yet. Vote: Yes 14. John Walker read the next motion.

**MOTION: The Board of the Studio City Neighborhood Council opposes an increase of enrollment allowing in excess of 20 students at the Sunset Montessori Pre-School, located at 4212 Tujunga Avenue, Studio City, CA (ZA-2011-360).** Lisa Sarkin explained the plans and the background on the motion. The Land Use decided that 40 children was just too much for this location. Barry Johnson, Alan Dymond said the SCRA is concerned about the traffic. He does not think the solution is to expand this school. Open and additional location. Based on the traffic impact he supports the motion to oppose the increase. Mitzi Martin has a child at the school and is looking to have another child at the school. She believes that this school will put money in the community. Kayce Middleton sister of Mitzi has her daughter in the school and she lives in waking distance of the school. There is no business on the street because of this school. Asked us to vote yes. Katherine Wagner said education is the most important thing and she also has a child at the school. Momtosiri is an important educational technique that should be available in Studio City so school shoulc expamd., David Decker #2 has student at the other campus. No set drop off and pick up never seen more than one or two times. The other campus has a circular drive. He is in the community and uses the services of the community and asks for the support of the board.. Barry Johnson said this is a school in a two bedroom converted house. The should have bought a larger property if they wanted to have 40 children instead of 20. He has experienced double parking in front of this school. Not every day but

at least once a week. They have what is legally allowed and enough is enough. The impact to the neighborhood of increased enrollment will be negative. Lisa Cahan Davis said there should be a traffic study before this is voted down. Lee Ambers on behalf of the school he said the traffic impact is not significant. They are permitted to have 20 kids. 35 square feet of passive feet and 75 feet of active play area per child. Parking is determined based on number of class rooms. Two class rooms and two parking spaces. He said they want a circular driveway but that will entail removal of a tree. Roamn Kenny said he is a resident and parking is not a issue. Revenue will be raised for the City. This will satisfy the demand for this type of education. Lana said with all due respect we are not talking about Sears or USC. The resident two doors down has witnessed a pedestrian being hit in this area. She is against any increase in enrollment. Jeff Carter is on the land use committee and asked what is the actual flow of traffic and timing of drop off. Applicant was not prepared to answer questions. Again tonight there appears to be an hour and a half window. His problem is that while applicant got a green light that there was not a traffic problem. He sees no facts to support the traffic study. Response by representative said no count has been made but an extra 20 kids will not make a difference based on their experience in general and not on this school. Ben Di Benedetto suggested that the applicant come back with more information so this should be tabled. Ron Taylor said he is a parent and he understands the drop off times. Tujunga has experienced two pedestrian fatalities just north of this facility. We have looked at much more detailed proposals in the past. There is not enough information presented by this school. Remy opposes the motion the way it is worded. He thinks we should look at quality education and increase in business. Gail said she visited the school and it is beautiful. They kept the facility as a single family home style but the issue she experienced the cars backing out on Tujunga and three cars were honked at. Tujunga is a secondary highway, and we should not have more cars. Suggestion was a loading zone. Richard said he does not oppose the circular driveway. He opposes the increase in density within the building. Rita moved to send back to committee for better plan by the school as to pick up and drop off. Todd Called the Question Victor Secod Vote:ye 3 opposed 8. Ron Taylor supports Rita;s motion asking the Preschool for a better plan. Lisa said the reason the motion came out this way is because they did not have enough information. Denise said we need to give them a time frame. June land use meeting is Vote 10 opposed 2 Abstain 3.

14. VANC Report by **Arlene Samak** (10 min). None

15. Crime & Safety Committee report by **Wayne Kartin**. Had a meeting and they are working on the mission statement. He will send out a question to the board about what they should do. Barry Johnson said it is a crime to call someone selfrighteous just because they know more about this issue then they do. Lana asked about the incident by Carpenter. Wayne gave a report on what took place. Crime was committed in North Hollywood. Ron Taylor said he heard that the principal did excellent

16. Cultural Affairs Committee report by **Richard Niederberg** (10 min). Cultural affairs is setting up for summer programming. CBS asked about a ceremony regarding the statuary along CBS property. No action because no date set.

17. Comments from Board Members on subject matters within the Board's jurisdiction (10 min) Victor said billboards bothers him. Best way to eliminate unhitched billboards is to report it to the police and they will be ticketed. Gail Steinberg said they are trying a new format on their sign in sheet. There are some people who do not want to be contacted. He resents having his comments about the traffic on Tujungs characterized as hearsay or lying or to characterize as micromanaging the function of the land use committee. Richard said you have to be content neutral.

Barry Johnson

18. Adjournment (1 min).Moved Jeff second Todd Vote unanimous.



**Re Council File No. 09-2645**

The City of San Francisco has enacted new regulations of Public Right Of Way ("PROW") cell facilities (including utility poles) They recently revoked a permit for a **utility pole** cell installation. As you already know, the City of Glendale (a member of the Joint Pole Agreement, along with Los Angeles) last year also enacted new regulations of private property and PROW cell facilities (including utility poles). Following the lead of San Francisco and Glendale -- and as requested by over 80 community organizations city-wide (see motions/letters on file in CF 09-2645) -- the City of Los Angeles should enact new, up-to-date cell tower regulations, specifically including utility pole cell facilities located in the PROW. **The City Attorney's report is a critical first step in that process.**