

Contact Information

Neighborhood Council: Studio City Neighborhood Council

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Date of NC Board Action: 09/17/2014

Type of NC Board Action: Against Proposal

Impact Information

Date: 09/23/2014

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 14-1169

Agenda Date:

Item Number:

Brief Summary: The Board of the Studio City Neighborhood Council is opposed to the change in philosophy and approach to assessing how developers and traffic engineers assess traffic congestion for projects under the California Environmental Quality Act (CEQA).

Additional Information:

**SCNC BOARD**

Lisa Cahan Davis  
Jane Drucker, Ph.D  
Jon Epstein  
Alex Izbicki  
Remy Kessler  
Brian Mahoney  
Richard Niederberg  
Scott Ouellette  
Steven Quat  
Lisa Sarkin  
Lana Shackelford  
Gail Steinberg  
Rita C. Villa  
John T. Walker, Ph.D  
Denise Welvang



**BOARD MEETING  
DRAFT MINUTES  
Wednesday, September 17, 2014  
Light Buffet 6:30pm  
Meeting 7:00pm  
at  
CBS Studio Center, Building 8, MPR-3,  
4024 Radford, Studio City CA, 91604**

**PRESIDENT**  
John T. Walker, Ph.D

**VICE PRESIDENT**  
Lisa Sarkin

**TREASURER**  
Scott Ouellette

**SECRETARY**  
Rita C. Villa

**CORRESPONDING SECRETARY**  
Jane Drucker, Ph.D  
4024 Radford Ave.  
Edit. Bldg. 2, Suite 6  
Studio City, CA 91604  
(818) 655-5400

[www.StudioCityNC.org](http://www.StudioCityNC.org)

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. 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 Studio City Neighborhood Council Vice President, Lisa Sarkin (818) 655-5400 or by e-mail to [lsarkin@studiocitync.org](mailto:lsarkin@studiocitync.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.

1. Call to Order & Roll Call. Lisa Cahan Davis – present, Jane Drucker - present, Jon Epstein – present, Alex Izbicki – present, Remy Kessler - present, Brain Mahoney – present, Richard Niederberg - present, Scott Ouellette – present, Steven Quat – present, Lisa Sarkin - present, Lana Shackelford – present, Gail Steinberg – present, Rita Villa – present, John Walker – present, Denise Welvang – present. 14 voting members; 8 to pass a motion. 52 stakeholders present.
2. Pledge of Allegiance. The flag was not brought to the room so the Pledge of Allegiance was not recited.
3. Approval of August 20, 2014 Regular and Special Board Minutes and Approval of recorded September 8, 2014 Special Board meeting. **Approved** in the absence of objection.
4. Comments by the President. **John Walker** welcomed the stakeholders. He explained that tonight we are presenting the SCNC's draft response to the DEIR that board received in advance of the meeting. The response was put together by the ad hoc committee members: Lisa Sarkin, John Walker, Barry Johnson and Rita Villa. The committee took into consideration the public's response to the proposed project given at the special meeting on September 8, 2014 and other facts based their review of the DEIR and research they did. Therefore, public comments will be limited to one minute. **John Walker** also reminded the stakeholders again that we have one seat, the independent contractor seat, open on the board and he encouraged any stakeholder interested to contact him.
5. Public Comments on non-agenda items within the Board's jurisdiction.

**Stella Shih** introduced herself as a representative for ATT. She stated that ATT is proposing to put a cell site at the Studio City Recreational Center. Her associate that was originally scheduled to speak to us tonight could not be here. She explained that the Department of Parks and Recreation has developed a program for cell sites to be put on park facilities. The program is open to all carriers. The carrier rents the site and a percentage of the rent goes to the local park. There will be a public meeting on the September 29<sup>th</sup> where the program will be more fully explained and discussed. Printed information related to the program is on the table in the back. **Barry Johnson** said he is greatly disturbed that the Department of Parks and Recreation is allowing this program which would let cell towers be put in our parks. They could not get approval for billboards to be in the parks and now they want cell sites. **Richard Adams** said that he agrees with Barry Johnson.

6. Responses to comments from the Board. **Lisa Sarkin** said the Land Use Committee referred the issue of cell towers in the parks to the Park Advisory Board. **Richard Niederberg** said this project makes no provision for the hot spots which the City also wants to put at every park. He further indicated that when the cell tower goes in, the hot spot should be put in at that same time so the park is not torn up twice. **Stella Shih** said the cell tower is for cell phone use. The preferred design is to replace a light pole but there is also a design of a tower that looks like a tree. **Jon Epstein** said there is concern that living near a cell site causes medical issues especially to people living near the cell towers. He questioned why we would put these near children. **Stella Shih** responded that ATT would lose its license if it was not in compliance with all protective legislation regarding the placement of cell towers. The cell tower pole is 70 feet tall and the antenna points outward. **Steven Quat** said parks are for serenity. He said it is not truly known whether cell phones due or due not cause cancer but he does know that none of the schools allow cell towers on their facilities. This causes him to believe they should not put them in the parks either. **Brian Mahoney** asked if the rent is from \$27,000 to \$36,000, "What percent goes to the park?" **Stella Shih** responded that it could be up to 50% but they don't know yet. **Brian Mahoney** said that is an important fact and it should be disclosed. **Lana Shackelford** asked if this program was originated by Parks and Rec or was it originated by ATT. **Lana Shackelford** said she is not sure the cell towers should be there. **Lisa Cahan Davis** asked if someone will represent the SCNC at the meeting. She indicated that some SCNC representative should be at the meeting and asked for ATT send us feedback from the meeting.

7. **Presentation, discussion and possible motion with respect to the Studio City Neighborhood Council's response to the Draft Environmental Impact Report for the proposed Studio City Senior Living Center Project [ENV-2001-1196-EIR] at 4141 Whitsett Avenue by Rita Villa.**

**Rita Villa** gave a PowerPoint presentation containing the substance of the SCNC Response to the Draft Environmental Impact Report for the proposed Studio City Senior Living Center Project.

**Alan Dymond** president of SCRA thanked the SCNC for making the presentation. He advised everyone that on November 1<sup>st</sup> they are breaking ground on the LA River Greenway Project. That project is already funded. He specifically thanked us for supporting Alternative D in the DEIR as the SCRA has spent much money on this project. **Barry Johnson** said that at the SCRA meeting last week, Controller Ron Galprin spoke of the fact that there are many funds in the City that lie dormant. One such fund is for golf course acquisition. There is \$19 million that has been sitting there for 10 years and it has had no expenses except for fund administration. Some of those funds may be available for buying the Weddington Golf and Tennis land and keeping the site as it is now. **Richard Adams** said the stakeholders said all he would have said during the special meeting. He stated that the water table comes up to the surface on the other side of the river. He questions how many units will actually be built. He is also concerned about how many tips will be required to bring in the new land fill as they only addressed the trips required for the excavation. **Jane Drucker** said there is more open space in Manhattan than is Studio City. **Steven Quat** thanked the ad hoc committee. He said that based on the unanimous opposition expressed by the community, we should not even have to respond to the DEIR. He hopes that the Mayor and Councilman heed the voice of the stakeholders. If not, they will be held accountable at election time. **Alex Izbicki** thanked the committee. He stated that he agreed with **Steve Quat**. We have a community plan and our open space is precious and can't be replaced. Anything that puts open space at risk would have to be quite compelling before it should even be considered and this project is not. He asked city leaders to listen to the community. **Scott Ouellette** said the property owner spent much money on the preparation of the DEIR. This project is really for high end senior condos. That is a very small market. These condos will cost over \$600,000 and the HOA dues will be at least \$500 per mo. He believes that this project is really dead on arrival from an economic perspective. **Richard Niederberg** said the DEIR response is excellent. **Lana Shackelford** said she concurs with Scott's comments. This will be a county club residence for "DINKS" and will not be occupied by seniors as presented. **Gail Steinberg** said the Weddingtons, years ago, requested this land be downzoned to agricultural in order to save money. Now they want to turn it back to medium density residential to make money.

**Lisa Sarkin** presented a motion. **Second by Steven Quat.**



**Motion: The Board of the Studio City Neighborhood Council supports the SCNC's response to the Draft Environmental Impact Report for the proposed Studio City Senior Living Center Project [ENV-2001-1196-EIR] at 4141 Whitsett Avenue, Studio City as prepared by the SCNC's ad hoc committee. Vote: Unanimous. Motion Carried.**

See Board Vote on Funding Request Form attached to these minutes as Exhibit II.

8. Special guest speaker **Nancy Kremer** on Robert's Rules of Order. **John Walker** introduced Nancy Kremer and gave some information on her background. **Nancy Kremer** gave background on deliberative assemblies and referred to the constitutional convention. The US is a Republic. We need to keep it. Power and authority are given to us by natural law. 10,000 people become citizens in LA every month. The SCNC is a deliberative assembly and we use Robert's Rules of Order ("RRR"). RRR states that the voice of the minority should be heard and the will of the majority should be acted upon. That is a summary of RRR. RRR was formulated so that deliberative assemblies would have uniformity across the country. Authority of one vote per member. When there is a problem you have RRR, the rule book, to refer to. Rules are meant to be broken only when nobody cares. If there is a disagreement then deliberative bodies should refer to RRR. She wished the SCNC God's speed on our journey of self-government. Jon Epstein asked a question about the historical reference she made at the beginning of her presentation.
9. Update from CD2 by **Courtney Hamilton**. **Courtney Hamilton** reported that there will be a closure on Moorpark this weekend from Vineland to Tujunga due to St. Ann's festival. The closure will be from noon Saturday until Midnight Monday. There will be great food and entertainment. She also reported that the ACE program passed the City Council yesterday and it is waiting for the Mayor's signature. It will now be possible for infractions to be handled with citations and with a fine. Citations will be issued for noise violations and dogs barking excessively or being off leash. **Jon Epstein** asked if Tujunga would be open during the St. Ann's festival. **Gail Steinberg** said that last Sunday Ventura Blvd. was closed for an event. The detour signage was not adequate and people were lost. As a result they went through Colfax Meadows and they were very impatient and did not drive safely. **Barry Johnson** said this NC voted to support the ACE Ordinance so we should be happy to see this pass the City Council.
10. Treasurer's Report by **Scott Ouellette**. **Scott Ouellette** reviewed the monthly expenditure report. Cumulative Expenditures are \$6,491 and for the month they are \$2,523. He also stated that he is trying to get the \$3,000 taken from our current year budget which related to the prior year put back into this year's budget.

**Motion: The Board of the Studio City Neighborhood Council has reviewed the Monthly Expenditure Report for August, 2014 and**

**hereby accepts and approves it.**

See Board Vote on Funding Request Form attached to these minutes as Exhibit I.

**Vote: Unanimous. Motion Carried.**

11. Budget Committee Report by **Remy Kessler**. **Remy Kessler** requested that the meeting be adjourned to the Special Agenda. **Moved:** Lisa Sarkin; **Second:** Jane Drucker; **Vote:** Unanimous. Move to Special Agenda. Returned from Special Agenda at 9:00 PM.
12. VANC Report by **Denise Welvang**. **Denise Welvang** reported that VANC met on the 13<sup>th</sup>. Councilmember Mitch O'farrell of the 13<sup>th</sup> district gave a presentation. He supported the River Revitalization Master Plan. He also supported Alternative 20 to the report of the Army Corps of Engineers. He wants to set up a trust fund for maintenance of the river so that the projects which are completed will be properly maintained. Gracie Lu was there from DONE. She spoke about the need to notify DONE 30 days in advance of NC any event. She also said that we need to have permits for everything we do. Darin Martinez from the City Attorney's Office was there and he clarified information regarding NC meetings and the Brown Act. All meetings should be open and transparent. We need to tell the public we are preparing a response to a DEIR. We need notice meetings to train new board members. Lillian Gutierrez explained that rates for the metro are going up. VANC is hosting a debate for supervisor candidates at 7 PM 10/9/14. 12/11/2014 is the VANC planning forum. They need sponsors. There will be a Valley disaster preparedness open house 9/27/14 10 am to 2 pm at a local fire station.
13. Outreach Committee Report by **Lana Shackelford or Lisa Cahan Davis**. **Lisa Cahan Davis** reported that the meeting was Monday. They discussed street banners. On 2/15/15 the current street banner motion expires. We need to ask our Councilman to do a new motion. They also discussed the Luminaria. She asked what dollar amount was allocated for outreach on that event so they can start the creative process. Saturday will be the set up and Sunday is the event on December 7th. The small business seminar is coming up. Many free services will be explained to businesses and entrepreneurs. She said the Outreach Committee is asking the chairs of all committees to advise the outreach committee of their 2015 events. They want us all to think of what is possible. She requested that the Chairs put this on the October committee meeting agendas so it can be on Outreach agenda in November. They are discussing Halloween movie possibilities. She stated that all events have to have a certificate of insurance. **Lana Shackelford** clarified Luminaria will be on Dec 7<sup>th</sup>. The set up will be the 6<sup>th</sup>.
14. Land Use Committee Report by **Lisa Sarkin**. **Lisa Sarkin** gave a report on the Land Use Committee meeting. Valet parking may be made available on lot east of Rusty's. They could not get approval for the lot being considered previously. **John Walker** read motion A.

**Motion A: The Board of the Studio Neighborhood Council supports the Motion by Councilmember Krekorian to protect the trees on Cantura Street in Studio City as requested by the Stakeholders living on Cantura Street. This Motion should be submitted as a Community Impact Statement to [CF 14-1199].**

**Lisa Sarkin** stated that most of the people who supported this motion could not come to the LUC meeting. The trees are not California Sycamores, so they are not covered by the Tree Ordinance. She talked about the motions Councilmember Krekorian has submitted to the City Council. **Richard Adams** said he supports motion A. **Barry Johnson** said he was disappointed that the Councilman did not do a motion to protect all parkway trees located in residential areas. His motion only related to Cantura. He said the GAC should take this up as it is a city wide problem to protect our mature trees. **Sheri Herman** said she is a resident of Cantura Street. The Silver Triangle is the Laurelwood terrace historic district. Mature trees are a characteristic of the district. 5 trees have been cut down. Councilman Krekorian is a knight in shining armor for these trees. **Jon Gordon** said the trees provide a lot of amenities to the area not just to the street. The LA Department of Public Works Urban Forestry Division has policies regarding the trees. The City needs to preserve and protect the native forest next to the public right of way. It needs to protect and provide for the care of the street trees. He appreciates the support of the SCNC. **Gillian Horvath** said he has only lived on Cantura Street for 19 years. The tree-lined street is the envy of everyone who visits Cantura. We should not take the trees down as they keep the area cool. It is hotter where the trees have been removed. **Bret Shefger** is in favor of the motion. **Nora Doyle** said she is part of the group of neighbors that wrapped the trees. She thanked the Councilman and the Land Use Committee for protecting the 90 year old trees. They have 1,838 signatures on a petition to protect the trees. Building and Safety should work with Urban Forestry to protect the trees.

See Board Vote on Funding Request Form attached to these minutes as Exhibit III.  
**Unanimous. Motion Carried.**

**John Walker** read motion B.

**Motion B: The Board of the Studio City Neighborhood Council supports Rocco's Tavern [ZA-2014-2425(CUB)] located at 12514-16 Ventura Blvd. per the current application.**

**Lisa Sarkin** said the neighbors support this. Rocco's wants a quiet dining area of 749 square feet in an area to be in an area that is now an office. She asked the board to please support this. **Alex Manos** thanked Lisa Sarkin and the committee for hearing them and their supporters. He has been in business in LA for 15 years. He supports the communities they are involved in. **Barry Johnson** asked that something other than pizza be brought to future meetings. He wants to be sure the quiet dining area does



not have live entertainment. **Richard Niederberg** said this restaurant should not get credit for bike parking. He is concerned about the number of parking spaces. **Gail Steinberg** said she has never seen so many in the Community come out and speak on behalf of an establishment. **Lisa Sarkin** said there is enough parking per the specific plan.

See Board Vote on Funding Request Form attached to these minutes as Exhibit IV. **Unanimous. Motion Carried.**

**John Walker** read motion C.

**Motion C: The Board of the Studio City Neighborhood Council supports the Studio City Beautification Association's placement and maintenance of a standard "Studio City Welcomes You" monument at the southeast corner of Ventura Blvd. and Longridge Ave.**

**Lisa Sarkin** said we have before us a presentation to SCNC from SC Beautification. It has many photos. Studio City has nothing at this location to identify the entry into Studio City. The sign will face away from the nearby homes and it will be backlighted. It will face Ventura Blvd. **Beth Dymond** said she supports the motion. **Barry Johnson** said this NC did a motion a few years ago that enabled us to get the signs that say Studio City at all the points of entry to Studio City. We don't have a sign at this location and we need a sign on the West side. We need to book end Studio City with the "Welcome to" signs. **Richard Adams** said this was voted down in 2013. The neighbors said they do not want this. He has volunteered to work with Studio City Beautification to get this put in the center of the street. He does not support this. **Alan Dymond** said he does not recall this ever getting to a negative vote. The SCRA is in full support of this. It was in the newsletter over a year ago and not one person called in to say they do not want it. They also sent out an eblast and had 900 openings of the eblast and no one said they do not want it. He said that Bill Harmond is here to speak on this if the SCNC wants to hear from him. **John Walker** asked if anyone came to LUC to object to this. **Lisa Sarkin** responded no. **Jon Epstein** said he agrees with Richard Adams that this is not the correct place for this sign. He does not support this and he lives there. **Denise Welvang** said she does not know who responded to this but the neighbors do not like it and she does not support it. She lives there and this should not be pushed down their throats. There must be better signage and a better way to do this. **Richard Adams** objected to allowing Bill Harmond to speak. **John Walker** asked what outreach was done. **Bill Harmond** responded that 100 people were sent an email about this a year ago. The sign will be located at the Southeast corner of Ventura and Longridge. **Alex Izbicki** said this is an interesting proposal. It was proposed last year and he is torn as he does not understand the placement. He requests that this be tabled because there is concern that the neighbors did not have time for proper



consideration. **Second motion to table:** Jane Drucker. **Motion Failed.** **Lisa Sarkin** said the SCNC did not oppose this last year, we just did not support it. No motion was brought to oppose the monument. She read from the April 2013 board minutes. The LUC and the SCNC both did proper notice on this matter. No one opposed this motion at the Land Use Committee meeting. The SCRA represents 1500 households in Studio City and supports the SC Beautification Assoc. **Jane Drucker** said that there is clearly objection from the immediate neighbors. **Steven Quat** said the sign is not big. **Scott Ouellette** called the question. **Vote to send back to committee:** Richard Niederberg-**yes**, Lisa Cahan Davis-**yes**; Denise Welvang-**yes**, Gail Steinberg-**abstain**, Jane Drucker- **yes**, Remy Kessler-**no**, Scott Ouellette-**no**, Lisa Sarkin-**no**, Steven Quat-**no**, Alex Izbicki-**yes**, Lana Shackelford-**yes**, Brian Mahoney-**no**, Rita Villa-**no**, John Walker-**abstain**. **Motion to send back to committee fails.** **Remy Kessler** asked how the sign will be maintained. **Bill Harmond** said Studio City Beautification maintains and replaces these signs at its costs. **Remy Kessler** said 20 residences are represented on the petition and not all of them are in Studio City. **Jane Drucker** said she has no problem with the sign but the people most directly impacted have a problem with this. The other signs are not in residential areas. **Jon Epstein** said he lives in the area and he has never seen any pamphlets on this. Placing a beautiful sign in a not taken care of area is not good. It will stand out in a way that it shouldn't be. **Lisa Cahan Davis** concurs that there is a question of the immediate area being properly notified. **Bill Harmond** said Jeff Burk sent emails to the neighbors in the immediate area. **Beth Dymond** said she personally walked the street and notified the businesses. She got 23 positive responses from the businesses. The neighbors were contacted. **Scott Ouellette** said the community as a whole should be considered. It is their sense of pride. **Gail Steinberg** said we have people on the board who said they did not get information. She is concerned about the controversy. **Richard Niederberg** asked if the cars would obstruct the sign. **Rita Villa** expressed her support of this motion. **Lana Shackelford** had concern that this area is not the right place as the location is not maintained. She is not in favor of this. **Lisa Sarkin** said this is the one place available to put a monument sign. The park area does not look good because of the drought. This is the location where it can be put. There has been no opposition at any meeting. She also stated that Jon lives out of the distribution area of a 500 foot radius. **Rita Villa** called the question. **John Walker** said he does not recall the discussion at the previous meeting. Lisa Sarkin read from the April 2013 board minutes that John was not there. **Jane Drucker**-Second on call of the question.

Niederberg Richard-**no**, Lisa Cahan Davis-**no**, Denise Welvang-**no**, Jane Drucker-**no**; Gail Steinberg-**no**; Remy Kessler-**yes**, Scott Ouellette-**yes**, Rita Villa-**yes**, Lisa Sarkin-**yes**, Steven Quat-**yes**, Alex Izbicki-**no**, Lana Shackelford-**no**, Brian Mahoney-**yes**, John Walker-**Abstain**. **Motion Fails.**

????See Board Vote on Funding Request Form attached to these minutes as Exhibit V.  
SPACING

15. Public Safety Committee Report and Budget Advocates by **Brandon Pender**.  
**Item tabled as Brandon Pender is not present.**

**Motion: The Board of the Studio City Neighborhood Council supports initiating a Youth Public Safety "Auxiliary Committee" Program connected to the Public Safety Committee for first response readiness, safety education and volunteerism in the community. Members of this committee will be able to participate in the regular monthly Public Safety Committee meetings, help with special events that the Public Safety Committee is involved in and earn academic credit if allowed by their learning institution. The age parameters and limitations shall be the same as governed by the SCNC Bylaws and only after the youth members have turned 18 years of age will they be able to vote on Motions and only after the have been officially made Public Safety Committee members.**

Exhibit VI not used.

16. Government Affairs Committee Report by **Rita Villa**. **John Walker** read motion A. **Barry Johnson** said if this change was made it would change how we would have had to respond to the DEIR and this would be horrible if passed. **Richard Adams** said this was discussed at GAC meeting. This is a long term goal of the state to gut CEQA. He asked us to support the motion.

**Motion A: The Board of the Studio City Neighborhood Council is opposed to the change in philosophy and approach to assessing how developers and traffic engineers assess traffic congestion for projects under the California Environmental Quality Act (CEQA). The Board of the SCNC authorizes its President to submit a letter substantially in the form attached hereto providing specific comments on the proposed revisions.**

See Board Vote on Funding Request Form attached to these minutes as Exhibit VII.

**Vote: Yes 13; No 1 (Scott Ouellette) Motion Carried.**

**John Walker** read motion B. A LANC motion on the same issue was read by **John Walker**. **Rita Villa** gave background of the committee's deliberative process with respect to the motion. **Barry Johnson** explained that the motion is just saying we support getting ideas of how to fix the problem. The Councilman asked for support and we are giving that support. **Richard Adams** said this barely got out of committee. **John Walker** stated that we only want discussion of the motion. **Richard Adams** stated that the

current proposal is floating a bond issue and that came out after the meeting. He said the city has the money if it cuts employee cost. When there is a cash flow problem cut budget. **Richard Niederberg** is concerned about the project. He said that property owners need to own what they repair. **Remy Kessler** said the councilman's motion is pushing the problem down the road. **Scott Ouellette** asked if the survey referred to in the motion will come to board. **Rita Villa** responded, yes. **Brian Mahoney** said that he agrees with Remy. **Alex Izbicki** said he agrees with Remy. The City is not facing its problem. **Steven Quat** said he agrees with Remy. **Lisa Sarkin** said we can't compare Los Angeles to Burbank. We need to support our Councilmember. **Jon Epstein** called the question. **Remy Kessler** - second on calling the question. **Denise Welvang** said she does not trust the City Council to fix the infrastructure without additional taxes. **Gail Steinberg** said she agrees with Denise. But she thinks something should be done about the sidewalks.

**Motion B: The Board of the Studio City Neighborhood Council supports the concept to institute a comprehensive sidewalk repair program and will respond to the survey to be distributed by the Councilmember to address the specifics of the proposal. This Motion should be submitted as a CIS to [CF-14-0163-S4].**

See Board Vote on Funding Request Form attached to these minutes as Exhibit VIII.

**Vote: Yes:** Lisa Sarkin, Scott Ouellette and Rita Villa. **Abstain:** Lana Shackelford and Lisa Cahan Davis. **No:** All others. **Motion Failed**

**John Walker** read motion C. **Barry Johnson** said he supports the motion. **Richard Adams** said he supports the motion because he is in a suburban area and there should be proper regulation. **Jane Drucker** requested that the typo be corrected corrected. **Richard Niederberg** said he is concerned that the motion just says we oppose street vending.

**Motion C: The Board of the Studio City Neighborhood Council is opposed to legalizing and permitting street vending of food and merchandise on City sidewalks and parkways. The Board of the SCNC authorizes its President to submit a letter substantially in the form attached hereto outlining the issues related to street vending and delineating conditions which should be included in the regulation and enforcement provisions of any street vending ordinance. This Motion should be submitted as a Community Impact Statement to [CF 13-1493].**

**Jon Epstein** called the question. Remy Kessler second.

**Called question Jon Epstein and Remy Kessler second. Vote: Yes – 10, No – Richard Niederberg and Brian Mahoney, Abstain – Scott Ouellette and John Walker. Motion Carried.**

See Board Vote on Funding Request Form attached to these minutes as Exhibit IX.

**Vote: No:** Richard Niederberg and Brian Mahoney; **Abstain:** Scott Ouellette and John Walker; **Yes:** all others.

17. Cultural Affairs Committee Report by **Richard Niederberg**. **Richard Niederberg** state that the Cultural Affairs Committee has no motion and no request for money. He reported that Story Slam was a success and a good start. Next time he would like to be held at a library rather than a law office.

18. Transportation Report by **Barry Johnson**. **Barry Johnson** stated that a lot of little complaints come in relating to transportation and rather than bombarding our Councilman with lots of little motions, Courtney Hamilton is handling them. One such matter is the speeding at Carpenter and Sunshine Terrace. **Lisa Sarkin** read the motion.

**Motion A: The Board of the Studio City Neighborhood Council supports the proposed north bank "preferred route" of the Final Draft of the Los Angeles River Bike Path Plan in Studio City from Laurel Canyon Blvd. with a Bike Bridge from the south bank to the north bank just west of Laurel Canyon Blvd. to connect to the north bank of Laurel Canyon Blvd. bike tunnel.**

**Additionally, we support the south bank alternate route between Whitsett and Laurel Canyon Blvd.**

**Lisa Cahan Davis** asked if this bike route is easy to follow. **Seven Quat** said there will be access for the Metro. **Vote: Yes 13. Unanimous.** **John Walker** was out of the room during this vote.

See Board Vote on Funding Request Form attached to these minutes as Exhibit X.

19. Bylaws Committee Report by **Jane Drucker**. **Jane Drucker** said neither motion is exactly correct so the corrected motions were read and substituted below. **Brian Mahoney** asked if the time period in motion A should be 90 days. **Jane Drucker** said, no and she explained why that was the case. **Remy Kessler** said the board should retain the its responsibility and not give it up. He is opposed to the motion. **Dennis Welvang** said there has to be a time frame. **John Walker** said he has done this for several years. This motion puts undue pressure on the president to have a time frame. He explained that the City Attorney said the board should have a right to say no to any person. Lisa Sarkin **moved to send Motion A back to committee.** **Second** by Rita Villa. **Vote: Yes-12; Abstain-** Jane Drucker and Denise Welvang. **Motion sent back to committee.**

**Motion A: The Board of the Studio City Neighborhood Council supports changing the first two (2) Paragraphs of Article XI, Grievance Process to the following:**



**Upon the first meeting of a newly elected Board the President shall publicly solicit a standing pool of at least twelve (12) stakeholders willing to serve on a Grievance Committee. Any stakeholder may volunteer to be a member of the grievance pool list. The grievance pool list shall be presented by the President at the next meeting and published on the SCNC website. The Vice President shall be responsible for replacing pool members who may become unable to serve so the pool is always compromised of no fewer than twelve (12) stakeholders.**

**Any grievance by a stakeholder or Board member shall be submitted to the Vice President who will promptly log and file it in a grievance file and forward copies to each member of the Board. At the earliest possible time but not later than thirty (30) days after submission of the grievance, the Vice President shall publically and randomly select a Grievance Committee comprised of five (5) stakeholder volunteers from the full grievance pool. No stakeholder may serve on a grievance committee who has a personal interest in the grievance being heard.**

See Board Vote on Funding Request Form attached to these minutes as Exhibit XI.  
**Motion sent back to committee.**

**Motion B: The Board of the Studio City Neighborhood Council accepts the following change in Bylaws Article V, Section 6, Vacancies:**

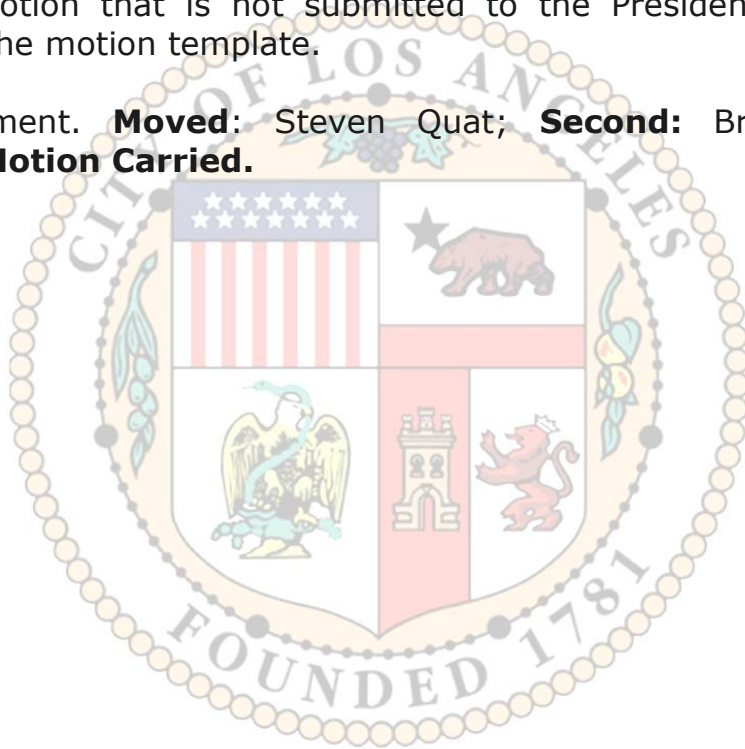
- A. The President shall announce any vacancy to the public and solicit applicants for the vacant seat.**
- B. Any Stakeholder(s) interested in filling a vacant seat on the Board shall submit a written application to the Secretary.**
- C. The Secretary shall promptly forward to all members of the Board copies of the applications of all stakeholders qualified to hold the vacant seat.**
- D. The President shall appoint an applicant to fill the vacancy not later than the second Board meeting following the vacancy, subject to review, discussion and majority approval of the Board at the meeting.**

**Move to send back to committee:** Rita Villa **Second:** Steven Quat  
**Vote:** yes-11. **Abstained-**Gail Steinberg, Jane Drucker and Denise Welvang. **Motion sent back to committee.**

See Board Vote on Funding Request Form attached to these minutes as Exhibit XII.

20. Comments from Board Members on subject matters within the Board's jurisdiction. **John Walker** said if we put many motions on the agenda and everyone wants to speak, then we need to try to understand when it is late when we adjourn. **Jane Drucker** said it depends on the relevance of the speaker as well. Speakers, in an election period, should only be given 10 minutes. **Lisa Cahan Davis** said she concurs with Jane and she wants more respect to be shown at the next meeting. She also said that all motions should get on the agenda. **Richard Niederberg** said that as we are in a filming town, we should realize that at this hour we have lost our audience. **Brain Mahoney** said he wants to volunteer to do research into the proper way to "call the question." He will give a presentation on that at the next meeting. **Denise Welvang** said we had the question called twice and only voted on it once. **Lisa Sarkin** said we should not accept any motion that is not submitted to the President, Vice President and Secretary on the motion template.

21. Adjournment. **Moved:** Steven Quat; **Second:** Brain Mahoney. **Vote:** Unanimous. **Motion Carried.**



**SCNC BOARD**

Lisa Cahan Davis  
Jane Drucker, Ph.D  
Jon Epstein  
Alex Izbicki  
Remy Kessler  
Brian Mahoney  
Richard Niederberg  
Scott Ouellette  
Steven Quat  
Lisa Sarkin  
Lana Shackelford  
Gail Steinberg  
Rita C. Villa  
John T. Walker, Ph.D  
Denise Welvang



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**PRESIDENT**  
John T. Walker, Ph.D

**VICE PRESIDENT**  
Lisa Sarkin

**TREASURER**  
Scott Ouellette

**SECRETARY**  
Rita C. Villa

**CORRESPONDING SECRETARY**  
Jane Drucker, Ph.D

September 18, 2014

[Christopher.Calfee@opr.ca.gov](mailto:Christopher.Calfee@opr.ca.gov)

Christopher Calfee, Senior Counsel  
Governor's Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

Re: Comments on Draft Changes to CEQA Guidelines SB 743  
Due October 10, 2014

Dear Christopher Calfee:

The board of the Studio City Neighborhood Council is opposed to the change in philosophy and approach to assessing how developers and traffic engineers assess traffic congestion for projects under the California Environmental Quality Act (CEQA). We submit the attached specific comments on the proposed revisions.

Respectfully submitted,

*John T. Walker, Ph.D.*

John T. Walker, Ph.D., President  
Studio City Neighborhood Council

## Comments on the Draft Changes to CEQA Guidelines SB 743

1. Levels of Service (LOS) is best metric - Currently, environmental review of transportation impacts focus on the delay that vehicles experience at intersections and on roadways. The draft guidelines specify that trip generation and vehicle miles traveled are the primary considerations in a transportation analysis. In the instance of an infill development, stakeholders in the surrounding area have made their decision to locate in a certain area taking into account the existing transportation infrastructure and the time it takes them to reach their destination. Revising the transportation metric consider the miles traveled and not how long it takes to travel them can had a seriously adverse impact on the quality of life of those stakeholders. As trip generation is an important component in the LOS metric this metric should continue to be the preferred metric especially in instance of infill development where existing alternative modes of transportation are not adequate or readily available.

2. Do not change environmental metric - Under SB 743, the focus of transportation analysis will shift from driver delays to reduction of greenhouse gas emissions, increases in transit, pedestrian and bicycle use and mix of land uses. Traffic studies based on traffic flows require developers to improve roads and intersections as mitigation for traffic impacts. This is reasonable and should continue. Improvement in conditions for pedestrians, bicyclist and transit should not be the preferred mitigation of traffic impacts in the case of infill development where existing alternative modes of transportation are not adequate or readily available.

3. Negative impacts on infrastructure – We support the current approach to mitigate increased delays for new projects. Developers are required to expand roadway capacity by widening intersections, adding lanes, re-striping, installing new signals, adding curb cutouts, etc. The Studio City Neighborhood Council (“SCNC”) does not agree with the State’s claim that these measures would actually increase auto use and emissions and discourage alternative forms of transportation. Just the opposite will occur if the new Guidelines are implemented. They will allow larger and more massive projects to be built that will in turn encourage increased density and increased population. Such increases will tax other infrastructure elements such as solid waste disposal, water, power, public safety, schools, etc.

4. Vehicle miles traveled (VMT) - SB 743 requires the Office of Planning and Research (OPR) to amend CEQA to provide an alternative to level of service for evaluating transportation impacts. The alternative criteria must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” We do not agree that measurements of transportation impacts should include “vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated.” The LOS standard should not be abandoned.

5. Reduction of meaningful mitigations – A consequence of the proposed changes will be that mitigations such as street dedications, widening roads or new traffic lights, etc. will no longer be required as the emphasis is shifted from the impact on stakeholders from traffic delays to the provision of multimodal transit. This is not appropriate in the instance of infill developments. When new projects generate the congestion the cost of mitigation measures should be borne by developers.



6. Regional impacts are inadequate metric - A project that results in vehicle miles traveled that is greater than the regional average would be considered to have significant impacts. The State proposes averages based upon an efficiency metric such as per capita, per employee, etc only generate theoretical results. Regional demand models do not necessary correlate with actual traffic conditions from a new project. Models are no better than the algorithm or assumptions they are based upon. Models that use subjective or amorphous variables result in unreliable and inaccurate results. Such models should not be utilized in place of empirical data. They fail to adequately address impacts on specific projects.

7. Time delays will increase - The proposed guidelines have negative impacts and raise significant concerns related transportation delays. For example the increase presence of bicyclists and pedestrians in roadways increase vehicle conflicts. More pedestrians crossing streets, bicycles crossing roadways or on sidewalks will slow traffic movement and introduce delays – generating more greenhouse gas emissions. There will be more queuing on freeway off-ramps where queues extend onto the mainline.

8. Accidents and fatalities - The new guidelines raise major safety concerns. The new guidelines will substantially increase the unsafe conditions for many roadway users. The greater use of bicycles and increased pedestrians may result in increases in accidents and fatalities.

9. Loss of local control - While the State implied that there will be loss of local control. It maintains that cities and counties still require projects to achieve levels of service designated in general plans or zoning codes and does not preclude the application of local general plan policies, zoning codes, conditions of approval, thresholds, or any other planning requirements pursuant to the police power or any other authority. The SCNC is concerned that the new guidelines will become the de facto standard and that developers could actually be subject to increased regulations.

10. Unintended consequences will result – The encouragement of greater pedestrian, bicycle and transit use will have negative unintended consequences. The proposed changes will divert funds and resources away from roadway improvements. This will encourage the conversion of roadway lanes to bicycle lanes, creating safety issues and unanticipated zoning consequences. For example the introduction of parklets into roadways will remove available parking spaces, jam vehicle traffic into less roadway space. It is highly unlikely that the proposed changes will actually promote the reduction of greenhouse gas emissions, encourage the development of multimodal transportation networks or increase the diversity of land uses.

11. Electric vehicle green-house impacts - The proposed guideline changes suggest that there will be an increased use of electric vehicles and electric vehicle networks. Electric vehicles use energy generated from coal fired plants. This will not change for the present and near future. It is highly unlikely that the proposed changes will actually promote the reduction of greenhouse gas emissions.

12. Development diet, not road diets should be implemented - Traffic congestion is best controlled by limiting building permits and rationing new development. This fundamental mitigation is totally overlooked and ignored by the State. There is a critical need to limit and control new development so that traffic flow is not made worse.