

Westside Neighborhood Council Meeting Minutes
Thursday, February 11, 2016
7:00 P.M.
Westside Pavilion
10800 W. Pico

1. Call to Order

Call to order: 7:04 PM

By Terri Tippit, WNC Chair

Attendance:

Jae Wu (Seat 1)

Lisa Morocco (Seat 2)

Craig Silvers (Seat 3 alternate)

Steve Spector (Seat 4)

David Burke (Seat 5)

Elnie Vannatim (Seat 6 alternate)

Barbara Broide (Seat 7)

Terri Tippit (Seat 8)

Sean McMillan (Seat 9)

Stacy Antler (Seat 10)

Colleen Mason-Heller (Seat 12)

Francesca Beale-Rosano (Seat 13)

Shannon Burns (Seat 14)

Eric Shabsis (Seat 15)

Lisa Tabor (Seat 16)

Aaron Rosenfield (Seat 17)

Seated after start:

Mary Kusnic (Seat 11)

New Business:

A) Approval of January 14, 2016 Minutes:

Minutes were reviewed and discussed with changes submitted regarding capitalizations, dates and a correction of the square footage associated with the existing development on the FOX studios lot.

Motion by Ms. Morocco to approve the January 14, 2016 minutes as corrected.

Second: Ms. Wu

14-0-2

Seats in favor: 1,2,4,5,7,8,9,10,12,13,14,15,16,17

Abstained: 3,6

Not present: 11

Passed

A) LAPD, Officer Mario Gonzales – There was one burglary at Selby and Westwood. Not too much going on now except parcel package thefts. We have numerous descriptions of people. IRS scams are a big problem also. Don't give out your information. We are still seeing catalytic converter thefts.

Ms. Burns – Is there a patrol car north of Olympic near Overland because I have been calling every weekend regarding a street vendor at Mississippi and Overland?

Officer Gonzales – What kind of vendor?

Ms. Burns – Fruit.

Officer o Gonzales – We are supposed to warn them first. The next time the guy is back, it is a different guy.

Ms. Morocco – Get ready for Pick Pico!

Ms. Tippit – Still waiting on the new police head at our meetings.

Mary Kusnic is seated

B) CPC-2015-4499-CA, a proposed amendment to the Small Lot Subdivision Ordinance that has been initiated by the Director of Planning. The proposed ordinance seeks to amend Section 12.22-C,27 of the Los Angeles Municipal Code to require greater front and rear yard setbacks, create a division of land process for “adaptive reuse” small lot projects, and add an incidental administrative clearance process and establish design standards for small lot subdivision projects. Mr. Rosenfield read the motion being considered on the agenda.

Ms. Broide – It is also being discussed that the City would preserve bungalows.

Ms. Burns read an alternate motion that is being considered by the City.

Ms. Broide – The motion being considered here today (*read by Mr. Rosenfield*) is the one put forward by WRAC which is different than the City motion. Currently, there are 15ft setbacks required on R1 zones and 10 ft setbacks on multi-family zones. The WRAC motion says the zoning takes precedence in deciding setbacks.

Motion by Ms. Broide to support the WRAC motion - The WNC supports the amending of the Small Lot Subdivision Ordinance (SLS) such that all SLS projects be required to comply with the land's underlying zone (which will return required setbacks to previous (pre-SLS Ordinance) measures), and further, that no cantilevered construction be permitted over required open space including driveways and required setbacks.

Second: Ms. Mason-Heller

Mr. Shabsis – What is the harm when a property backs up to a multifamily zone, to allow them to have a smaller set back?

Ms. Broide – The multifamily units should not be in such close proximity to the single family residences. A lot of the open space from multi-family residences is on roof top decks, which creates privacy issues.

Ms. Tippit – On Midvale and National the owner is trying to do a small lot where there would be a lot of impact on the neighbors.

Mr. Shabsis – I get the single family piece of it. Some in the community though are advocating for densification and where multi-family units are considered I am not sure I get it.

Ms. Broide – Condo owners have only a balcony and they don't want it to be in such close proximity to other people.

Ms. Burns – We represent the whole community. And I think everyone deserves the same quality of life. We should keep the boundaries the same for all.

Ms- Mason-Heller – There is a danger in a dichotomy between single and multi-family units.

9-2-6

Seats in favor: 7,8,10,11,12,13,14,16,17

Seats against: 9,15

Abstained: 1,2,3,4,5,6

Passed

**C) Sarah Blanch, Conditional Use Beverage (CUB) Permits for Alcohol. 5701 W. Slauson, Culver City, CA 90230, 310-215,9924 x133,
sblanch@publicstrategies.org.**

Handout:

ALCOHOL-SPECIFIC CONDITIONS ON CONDITIONAL USE BEVERAGE (CUB) PERMITS, AND WHY THEY MATTER

Backgrounder

THE ISSUE

In 2012, the City of Los Angeles implemented a new practice prohibiting Zoning Administrators from imposing "alcohol-specific" conditions requested by LAPD, Council Offices, neighborhood councils and community councils at Conditional Use Beverage Permit (CUB) hearings.

In a letter dated January 9, 2014, in response to a request from the Venice Neighborhood Council for clarification about what kinds of conditions can be legally included on a CUB, the City Attorney stated "...The City, unlike the Department of Alcoholic Beverage Control ("ABC"), is prohibited ("preempted") by State law from imposing these types of conditions on a CUB."

The letter references two documents -- a 1996 memo from then-Chief Zoning Administrator Robert Janovici to all Zoning Administrators containing examples of prohibited alcohol-related conditions, and a 1990 Superior Court writ invalidating alcohol-specific conditions imposed on a Pacoima food market.

Both documents are cited as evidence that the City is preempted by state law from imposing conditions related to the sale of alcohol.

For reasons detailed below, and in the attached resolution, both of these documents are outdated and do not reflect the current state of the law or the practice of virtually every other municipality in the State of California.

WHY THIS MATTERS

The City's relatively new position denies city agencies -- including the LAPD, Zoning Administration, Council Offices, and Neighborhood Councils -- the ability to prevent and abate public nuisances associated with the sale of alcohol by restricting the placement of conditions on, among other examples, hours of sale of alcohol, happy hours (rules and regulations), container sizes, and types of alcohol sold.

For decades, the City of Los Angeles allowed conditions to be placed on the sale of alcohol using its broad police powers under its land use and planning authority. The ability to place and then enforce such conditions has been crucial for mitigating adverse impacts of businesses selling and/or service alcohol.

Untold numbers of issues and concerns between community members and those businesses seeking CUBs have been amicably resolved through this process.

Unlike most retail products, alcohol has a direct and significant impact on public health, welfare and safety. Without the ability to place alcohol-related conditions, communities can no longer exert local control over the impacts of new alcohol-related businesses in their neighborhoods.

WHY THE CHANGE IN PRACTICE?

A policy change of this magnitude requires a vote from the City Council, and there has been no such vote. There is no clear understanding among the multiple affected parties (NCs, ZAs, community members) why the City is mandating such a strict departure from its decades-long practice.

Attempts to clarify the legal justification and rationale behind such a significant change in practice have been unsuccessful. Regardless, *without a public process and a vote from the City Council* mandating such a substantial change in long-standing City practice, various City agencies must be able to continue to place alcohol-specific conditions under the City's land use and planning authority.

NUMEROUS CALIFORNIA CITIES AND COUNTIES CONDITION THE SALE OF ALCOHOL

Unlike the City of Los Angeles, cities and counties throughout California allow alcohol-specific conditions to be placed on CUB permits for new businesses that sell or serve alcohol.

Ample California case law exists that calls into question the City's current practice. An examination of legal precedent indicates the City's position:

- overstates the breadth of the State's alcohol licensing authority;
- disregards recent case law; and
- ignores the practices of numerous other California jurisdictions.

In fact, to the best of our knowledge, the City of Los Angeles is the only jurisdiction in the State of California that takes the position that the City is powerless to regulate the impacts of alcohol with alcohol-specific conditions.

WHY THIS MATTERS TO BUSINESSES, TOO

Alcohol-specific conditions constitute a "path to yes" for restaurants, markets and liquor stores, allowing a process whereby applicants and communities can find mutually agreeable land use conditions which, once reached, allow business owners to enjoy the benefits of their CUB in their community.

Without the ability of Zoning Administrators to impose alcohol-related conditions to mitigate land use impacts, communities are forced to oppose projects they otherwise could support with proper conditions.

This impairs the ability of LAPD, Council Offices, and communities to negotiate with businesses to reach agreement on conditions that allow a project to move forward, which obstructs new business development.

WHO'S INVOLVED

A number of Los Angeles stakeholder organizations are mobilizing around this issue, including: the Brentwood Community Council, Brentwood Residents Coalition, Venice Neighborhood Council, Westwood Community Council, Westwood Neighborhood Council, as well as public health, safety and policy agencies Behavioral Health Services in Hollywood, Institute for Public Strategies in Venice, San Fernando Valley Partnership, and Social Model Recovery Systems, which is located in Skid Row.

WHAT YOU CAN DO

By voting 'Yes' on the Alcohol-Related Conditions motion, you are joining multiple other neighborhood community organizations and public health, safety and policy agencies in their efforts to reinstate Los Angeles communities' right to exert local controls over the sale and/or service of alcohol in their communities. You are also asserting that a policy change of this magnitude should not have been made without a full vote of the City Council after an opportunity for public review and comment.

Ms Blanch – Thanks for putting us on the agenda. I am here with Steve Sann and Wendy Rosen. We are funded by the LA County Public Health Department and are tasked with optimizing the retail alcohol environment. That is reducing the associated harms of things like drunken driving, crashes, noise, littering, fighting. In 2014, an issue arose with the Venice NC. Their president wrote to the City asking for clarification on dealing with incidences involving alcohol regulation. We are looking at reinstating neighborhood rights to be able to work together to place restrictions on the sale of alcohol such as the types of alcohol sold, happy hours, etc. These things have a direct impact on public health and safety. As a public body, you should have a say and that is how it was for decades. Then, in 2012, the City began preventing local bodies from having a say. This was done without a public process by administrative fiat. The measure before you today has been approved by every NC that has heard it. It is not anti-alcohol or anti business; it's about reasserting local say and having a process that works to reach common ground.

Wendy Rosen with the Brentwood Residents' Coalition, 310-476-1383, rosenfree@aol.com – I am the former chair of Brentwood Community Council. My first case on the council was an alcohol case. We went to a hearing together with the business and the zoning administrator was thrilled we came together. We ended up doing a lot of CUBs on the council. We always worked with the business to come up with a set of things that worked. If there was a disagreement, the zoning administrator would decide. Sometimes LAPD or other entities want conditions and those rights are being stripped away. When we looked at other cities around the state, none are doing what LA is doing. This was a large change. Nobody knew about it. Our Council Office didn't know and everyone says it should not have happened like this. So at the least there should be hearings and we would like it to go back to how it was.

Steve Sann, Westwood Community Council, 213-448-8147, stevesann2001@yahoo.com. I appreciate your time. I don't want to repeat what was said. This to us is a common sense question. It was passed unanimously by WRAC. It is not just us on the Westside. Go to the Council out in Boyle Heights where they have liquor stores and they cannot put on common sense conditions on alcohol sales. This has huge impacts on communities. We hope this Council, which is very knowledgeable, will consider this. All we are asking is to go back to the City Council, who we elected through a public process, so they can evaluate what is going on, not administrators. We hope you join the unanimity of all the Councils so far. We are going to all the Councils we can. We hope to start a prairie fire of support.

Ms. Broide – One of the things not mentioned is there are restrictions set that are specific to actual problems. Like at Barney's Beanery. Happy hour was not wanted because of the close proximity to UCLA. We also put sensible conditions on Bevmo regarding single serve.

Ms. Mason-Heller – There are huge land use issues associated with this with the new mixed use developments being proposed. You are talking about the potential for alcohol sales on a block by block basis. With the development occurring we need to be out ahead of the issue.

Mr. Shabsis – I am going to abstain on the vote. This issue came up under the previous City Attorney who opined the City not be allowed to discuss land use issues because of lawsuits. They would not approve conditional use permits because of the threat of lawsuit by the alcohol establishment. My question is where does this City Attorney stand on this issue? I believe it was a CD-5 case that caused this change. I am questioning the legality here. There were voluntary conditions placed on Bev Mo and Bev Mo came to the community who said thank you very much and approved them.

Mr. Sann – Where a CUB is existing, there are issues with those conditions being unilaterally stripped out.

Ms Shabsis – Planning keeps saying they can't accept voluntary conditions and the zoning administrators won't enforce them.

Mr. Sann – You are right. That is why this has to go through the process. You are correct. They are not excepting voluntary conditions. But if that is going to be the new policy, it should go through the City Council.

Mr. Shabsis – The previous City Attorney opined on the issue and told the Planning Department that if they put in conditions, there would be nobody to enforce them.

Mr. McMillan – Just to simplify, the question that comes to mind...am I to understand the change took place without any input? That jeopardizes us as Councils and it took place without question and it not being heard?

Mr. Sann – Yes, that's right and this resolution is for this issue to go through the process.

Mrs. Broide – The APC on Barney’s wanted to side with the community, but the City Attorney said if they did that, they would not defend them if there was any litigation.

Ms. Morocco – For the record, I was not present at that APC meeting.

Mr. Burke – When somebody goes in for a liquor license. Don’t they post something?

Mr. Sann – Yes, something for 30 days is posted by the State and it takes place before CUB process. That notice comes from Sacramento to Council and the City Attorney. We are asking the Neighborhood Council gets the notice too because if you miss the 30 day window, you have lost your rights.

Mr. Burke – How much longer will it take to get a liquor license with this process?

Ms. Rosen – We are appealing every license right now because this process does not exist. This is slowing things down, so to speed it up, the public process should be reinstated.

Mr. Sann – More specifically to your question, for the process to be as we suggest won’t take much more time because they have to go through the process anyway. It is taking longer now because of the appeals.

Mr. Shabsis – If a regular community member wanted to know what is going on with a specific license, they would not know until the very end of the process. Nobody knows the voluntary conditions until the zoning administrator approves the conditions.

Mr. Moss – A voluntary condition, although it is nice, is not enforceable.

Motion by Ms. Broide - Be it Resolved that the Westside NC calls upon the City Council to adopt a policy to: (1.) Authorize the imposition of land use conditions that protect public health, safety and welfare by mitigating potential adverse impacts from the sale or service of alcohol, consistent with the practice of other jurisdictions statewide as well as the City’s decades-long practice prior to 2012; (2.) Maintain and enforce previously-imposed CUB conditions on the sale or service of alcohol; and (3.) Prohibit the removal of previously-imposed conditions outside the public processes mandated under the City Charter and Zoning Code.

Second: Ms Antler

Ms. Burns – Some of this motion is very broad and I am not sure it can be enforced. But by saying “mitigating potential adverse impacts...” is overly broad and I am not sure I get it.

Ms. Broide – How do you do current conditions on upcoming development?

Ms. Burns – It doesn’t say that.

Ms. Broide – But we need to be able to place new conditions on projects.

Ms. Mason-Heller – It does not talk about projects going forward.

Mr. Spector – I think this is simply saying we should allow the imposition of conditions and it seems to me clear.

Ms. Burns proposes amending.

Ms. Tippit – Barbara has to except the friendly amendment.

Ms. Broide – Let’s pass the motion as is and consider the amendment if it does not pass.

Ms. Tippit calls the vote.

12-1-4

Seats in favor: 1,3,4,6,7,8,9,10,12,13,16,17

Seats against: 14

Abstained: 2,5,11,15

Passed

D) David Moss, David Moss and Associates representing Del Taco at 11066 Santa Monica Blvd.

We have been working with land use matters with Mark Raber, the regional service manager, who is also a resident of the community. Del Taco is located at the Southeast corner of Sepulveda and Santa Monica Blvd. Mark’s company is going through a plan approval renewal process for continued after-hours services, which are not by right. This is not a CUB. 22 conditions were given in 2012 that had nothing to do with Del Taco and are stricter than most

establishments that sell alcohol. The LAPD at the time said they were in a crunch. Del Taco had to put in a ton of video cameras and they have three nightly patrols with private security. They work diligently with the LAPD. Terri recommended that I come and see you. We went before the zoning administrator this morning. The administrator surprised us in scheduling us so quickly and this was the first agenda we could get onto, but we had planned to come here first. Nobody said anything bad against us at the administrator meeting. Since we have been in business there is not a worse alcohol, vagrant situation or other ills as a result of us. LAPD says that we have not created problems and kept problems from occurring at any greater rate.

Ms. Morocco recuses herself and leaves the room.

E) 1864 S. Pandora Ave 90025, Ash Reddy, Owner and Anthony Zubick, Architect, 213-700-7101, zubickdesign@aol.com.

Mr. Reddy – We purchased a duplex 1.5 years ago. It is zoned RD1.5-1. We are staying within what is allowed by the zoning. The lot is 5500 sq ft. We are allowed to build three homes, so that is what we are doing. Right now there is a three story duplex that includes two uncovered parking spots in front of the building. With the proposal, we will have two parking spots for each of the three homes in the form of two car garages.

Ms. Tippit – They are doing this by right. It is a courtesy for them to come here.

Mr. Zubick – We will cover 80% of lot, which we are allowed. We are following the frontages of most of the houses along the street. We are abiding by setbacks. Our setback from center of the street is 30 feet. Buildings are six feet apart. There will be a walkway between the buildings. The 1st floor has a small deck for eating and dining. In the back of the development there are 4-5 story condo structures. The 2nd floor is where the bulk of the bedrooms are located. The third floor has a balcony with great views and lot's of activity space. There will be solar collectors to the roof accessible via a hatch.

Ms. Broide – Mr. Zubick came to WSSM and we circulated fliers. The concerns that were raised had to deal with guest parking. The roof top decks were also a concern.

Ms. Tippit – They are building this by right.

Ms. Broide – I am just reporting what happened at the meeting.

Mr. Shabsis – We are in changing times and I think families will be looking how to live and I think we will see more of these types of development coming.

PANDORA RESIDENTIAL PROJECT SUMMARY
 1864 S. Pandora Avenue, Los Angeles, CA. 90025

BRIEF DESCRIPTION:
 A low density development (RD1.5-1 Zone) comprising 3 single family 3 story plus basement dwellings within their own property lines. Each unit comprises 4 Bedrooms and 3.5 Baths, a 2 car garage with private driveway, an elevator, landscaped common area and hidden roof top solar collectors. Large open deck at Third Floor with views.

SUMMARY OF DEVELOPMENT:

	ALLOWABLE CRITERIA	PROPOSED CRITERIA
AREA & DENSITY:	COMBINED PARCEL: 110.0'x 50.02' = 5,502.20SF Total area 5,502.02SF divided by 1,500SF per Unit = 3.66 Max. Units LOT/AREA RATIO: 3:1 MAX. BUILDABLE AREA: FAR 3:1 4,000SFx3 = 12,000SF Lot Depth = 110Ft – 10Ft = 100Ft Less Front Setback = 10Ft Less Rear Setback = 0Ft Lot Width = 50Ft - 10Ft = 40 Ft Less 2 - 5Ft Side yards = 10Ft Total Buildable Area = 12,000SF) (100' x 40' x 3 = 12,000SF)	LOW DENSITY = 3 Units* Gross Floor Area: Units A, B or C Basement: 595SF First Floor: 1,029SF Second Floor 1,106SF Third Floor: 802SF TOTAL FLOOR AREA: 3,532SF (3,532 x 3 = 10,596SF = 88% of Maximum Allowable Area of 12,000SF)
LOT COVERAGE:	Max, Allow. 80% = 4,401.76SF (5, 502.20SFx.80% = 4,401.76SF (3,319.2SF = 75% of 4,401.76SF	LOT COVERAGE: UNIT A = 54.4% (1,106.4SF) UNIT B = 65.7% (1,106.4SF) UNIT C = 59.6% (1,106.4SF) TOTAL: 3,319.2SF
PARKING & DRIVEWAYS	Max. Allow.(7.32) 7 cars Existing: One Driveway on Pandora Avenue. 3.66 Units x 2 = 7 cars Max.	Proposed: 6 cars (in Garage) 2 cars per Unit x 3 = 6 cars. (Using 82% of Allowable Parking) One new driveway on Pandora
OCCUPANCY:	Multi-Family Dwellings up to 3.66 Units *Existing site: 3 rental Units. & 2 surface parking spaces.	Owner-Occupied Single Family Housing

*PROJECT CONFORMS WITH ORDINANCE NO. 176354 PERMITTING DETACHED FOR-SALE SMALL LOT SUBDIVISIONS IN COMMERCIAL AND MULTIFAMILY RESIDENTIAL ZONES (ZONING: RD1.5-1)

Ms. Morocco returns to her seat.

F) Short Term Rentals

Ms. Tippit – The City has not come up with their ordinance yet. I know WRAC came up something. This issue has been here a long time and I think some of the things in the motion are not going to fly and the more aggressive you are with this, the less that will come out of it. Our HOA Board, and Aaron is on the Board, decided to wait until the City ordinance comes out. Phillip when is it coming?

Mr. Bennett – As early as March.

M. Broide – With the court decision, WRAC thinks we should take action now.

Ms. Tippit – Believe me, I am for something happening on this, but when we cannot even get an inspector out, how are they going to have the resources to handle this right now? Before we vote on motions for other groups, maybe we should wait until other motions come out? A couple years ago, we found the addresses in our area on AirBnB and the City said they knocked on the doors and if the owner does not answer their door, they can't ask questions or issue a citation.

Ms. Broide – We are losing affordable housing and when people are kicked out for these types of things and you have operators that have 10-15 short term rental business that have displaced residents, it's a problem. Is there a way to look at it in that light?

Mr. Rosenfield – Phillip, are we likely to see an ordinance this year and where is it at in the process?

Mr. Bennett – Yes, that is what I am hearing, but I don't know where it is currently.

Tabled for further agenda.

G) Trammel Crow discussion carried over to next agenda.

H) Colleen Mason-Heller, Mobility Chair, WLA Transportation Improvement and Mitigation Specific Plan (WLA TIMP) update. More at:

<http://www.ncwpdr.org/sites/default/files/article/westside-ctc-wla-timp-sp-update-flyer.pdf>.

Handout:

CTC/WLA TIMP SPECIFIC PLANS UPDATE



OVERVIEW OF SPECIFIC PLAN UPDATES

Coastal Transportation Corridor Specific Plan (CTCSP) and the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP)

The CTCSP and WLA TIMP are being updated. The CTCSP and WLA TIMP were adopted in 1985 and 1997, respectively, with the purpose of establishing a Transportation Impact Assessment (TIA) Fee program to be assessed on new development and intended to assist with the cost of future transportation improvements on the Westside.

WHAT'S NEW?

- A new list of **multimodal transportation improvements** that aim to improve the existing transportation network, enhance system capacity, reduce vehicle trips and Vehicle Miles Traveled (VMT), and improve transit connectivity.
- An **updated TIA Fee** that considers multiple factors in addition to trip rate, including trip length, when determining a new development's fee obligation.
- TIA Fees will apply to **new residential development**.
- **Affordable housing** units are exempt from TIA Fees. Additionally, when affordable housing units are included in a development (e.g. mixed-use or mixed-income development), they would be eligible for TIA Fee credit.
- **Transit oriented development** is eligible for TIA Fee credit.

UPDATES TO THE TIA FEES

- Ensure that costs for transportation improvements are fairly distributed among future land uses that will contribute to transportation impacts.
- The amount of the TIA Fees to be levied for each type of land use is based on each land use's proportionate use of the transportation facilities in total.
- The proposed new fees are based on multiple factors including average trip length, trip generation rate, and net new trips created. All of these factors are calculated into the TIA Fee tables.
- A study was conducted to establish the nexus between new development and the need for new and expanded transportation facilities and programs.

MULTIMODAL TRANSPORTATION IMPROVEMENTS FOR THE WESTSIDE



- The transportation improvements currently listed in the existing Specific Plans have mostly been completed. Of the few remaining improvements, which include roadway widening, many are infeasible for implementation.
- The goal is to improve the existing transportation network, enhance system capacity, reduce vehicle trips and Vehicle Miles Traveled (VMT), and improve transit connectivity.
- Proposed transportation improvements include **transit, bicycle and pedestrian, roadway and ITS, and trip reduction programs**. These improvements were identified through an analysis of completed transportation projects, assessment of the current transit system, and public outreach (including consultation with neighboring jurisdictions, Metro, and the Caltrans).

Ms. Mason-Heller's talking points:

The WNC does not support tying all development in WLA to proximity to dedicated transit lines. Between the Expo Line and Pico, Sepulveda, Olympic, Santa Monica, Wilshire and Sunset, there is no part of our community that is not within 1/2 mile of a dedicated transit line, thus every project could be build more densely.

The WNC does not support the reduction of parking supply in WLA, nor do we support reduction of traffic lanes. We therefore do not support Alternative 3A or 3B.

The mitigation for cut-through traffic in our already dense and congested WNC neighborhoods is insufficient because the WLA TIMP intends to squeeze vehicular traffic into fewer lanes on arterials when they know that the unavoidable outcome will be cut-through traffic.

The WNC disagrees with the Project's greenhouse gas emission impact analysis because it relies on projected improvements to vehicle emissions which is out of their control and not part of the project. Without those improvements, the Project will likely increase greenhouse gas emissions because it will stall traffic thus producing dirtier tailpipe emissions.

The WNC does not agree that VMT should be used as the standard for mobility in lieu of LOS (intersection delay) and travel time benefits for transit passengers.

The WNC does not agree with the Project's lack of economic impact analysis for the cost of delay to commuters and freight delivery.

The WNC does not agree that the Project adequately addresses transportation improvements to streets which would improve commuter times and freight and service delivery.

The WNC does not support the Project's failure to study impacts to first responders and the general public after the Project implementation has reduced lanes and slowed traffic.

The WNC agrees that there should be no parking or vehicular lanes on Westwood Boulevard taken to implement bike lanes.

The WNC does not agree that the "Primary objectives to "reprioritize" transportation improvements to focus on access to transit and active transportation (bikes) in order to reduce cars, VMT and greenhouse gas emissions," should exclude roadway improvements which would improve travel time. We further, feel that the WLA TIMP should be as focused as much on providing transportation to transit dependent populations as they are on providing incentives to developers.

The WNC believes that development, wherever it is located in WLA should only be built when there is supportive infrastructure such as fire stations, police, parks, libraries, schools, and utilities. The WLA TIMP should not separate their incentives for development from the need for underlying infrastructure. Giving bonuses or encouraging development of any kind simply for proximity to "Dedicated Transit Lines" without that link is irresponsible and degrades quality of life, safety and the environment.

The WNC feels that development bonuses for development in WLA should be linked to jobs creation since the link between increased transit use and jobs centers is greater than increased transit use and mixed-use or residential development.

Ms. Mason-Heller – The WNC does not support tying development in WLA to the close proximity of dedicated transit lines. There is not a place in the WNC that is not a half mile from a transit line, so everyone can get bonuses for everything.

Ms. Broide – There is a Senate Bill that makes it State policy for development near transit lines. On the item that says a half mile from any transit line, that is different than a stop and we should challenge that.

Ms. Mason-Heller – We agreed there should be no taking of vehicular lanes to be made into bike lanes on Westwood Blvd. In this document, which is supposedly compatible with the Mobility 2035 Plan, they are still committed to if not Westwood, then Prosser or Veteran. The gold standard for Federal money is new starts funding, which we don't have Federal approval on Expo Phase II. In order to get Federal funds, you have to show travel time benefits. There is nothing in this document that shows travel time benefits. There is just limited talk of a transit line being efficient. That means they will build it sloppy like the Expo Line and it won't come with benefits. If there are things that you completely don't agree with, people should let me know. This board believes in smart planning and this document is not that.

Mr. Shabsis – Are we legally allowed to send Colleen comments?

Ms. Tippit – Last month this was on the agenda. Colleen is going to write the comments. If people have comments, they can be submitted on behalf of your individual groups.

Mr. Shabsis – Somebody has to make a motion to support a letter of the points handed out.

Motion by Ms. Mason-Heller that the WNC submit a letter of comments to the WLA TIMP to address the concerns based on the items enumerated in the handout.

Second: Beale-Rosano

Ms. Broide – I understand the law is you cannot use LOS.

Ms. Mason-Heller – I believe LOS is optional and they are going in the direction of VMT.

Ms. Broide – The Vity has no process for gathering data and establishing standards, that should be included in the letter.

Ms. Broide – Its in the bullets specified in a different way, but okay we can include that.

Ms. Broide – The TIMP should provide counts.

Ms. Mason-Heller – I will add that too.

Ms. Burns – Thank you for taking the time to do this Colleen (echoed by the board).

Ms. Tippit calls the vote.

17-0-0 unanimous

**Seats in favor: 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17
passed**

I) Norm Bernier, West LA Chamber of Commerce, normanbernier@hotmail.com, 310-441-2900 – Sebsastain Ridley Thomas came to our Feb 3rd event to talk about the pros and cons of changing the California primary date and also discussed the Exide Battery Factory. For the WNC Board, it is \$20 to come to our breakfast event; we might have the Mayor. More info: <https://westlchamber.org>.

J) CD-5 Field Deputy Phillip Bennett – The LA Marathon is on Sunday.

Homeless – On a lot north of Pico, there is an encampment and another encampment at Exposition under 405. There are a lot more people getting together throughout the City to work on the issue; several City Departments. Lot's of businesses are interested in making this a better area for themselves and the City. The towing company moved in under the 405 and they erected a fence that some businesses have issues with.

Ms. Wu – The lady from Radio Shack has now moved by Pitfire and she has a lot of obstructive shopping carts tied together. I don't know if she has mental issues. Concerned there are issues with people and kids passing by.

Mr. Bennett – We struck up a relationship with PATH recently. They have been beefing up their outreach as much as they can do. I did want to applaud Sean for his efforts with the homeless count.

Mr. McMillan – Phillip was the super hero who collected the most data out of anyone. Barbara and Francesca helped out too.

Ms. Wu – It's a lot of work. The areas to drive were very large.

Mr. Shabsis – The motor homes are the last place people have a house before they go on the street. They are a vulnerable population. We have a Caltrans lot on Sepulveda and there are remnant spaces that don't work for a lot of stuff; the folks in the RVs are here in our neighborhood and are pushed around. Is there a way to work with government to allow the RVs to park overnight?

Mr. McMillan – That is one issue and there is what is called the more standard homelessness issue. I will be sending you materials that include the City Planning recommendations on how to deal with this. They can use public land and private land to deal with this. 18,000 people seems to be the number outside a shelter and another 20,000 people are in a shelter. As neighborhoods gentrify, this is going to be a bigger issue. When taking care of the population, there needs to be infrastructure. So the scale of the problem is astronomical. The homeless count is designed to quantify what we are dealing with. I don't think we are counting at the best time of day. We counted 50 people in WNC borders; not including Cotner. Kelton and Coventry the person is camping with a live fire every night under the freeway. You can't do that. There is an issue with campers near schools. I want to gather this data so that we can get it to the people who can help with the issue.

Mr. McMillan on Veteran's Affairs - WLA VA Permanent Housing – There is more hope in the veteran's area because there are allocated monies. There is going to be 1200 housing units built on the VA campus. UCLA is going to help with mental health. The master plan can be found at: www.helpouselavets.org.

Mr. Rosenfield – That link has not been working. *Alternative link:* <http://www.losangeles.va.gov/MasterPlan/>.

Mr. McMillan – I will send the information along. The infrastructure is being addressed. A lot of watchdog organizations are helping with rehabilitation.

Motion by Mr. McMillan – The Westside NC supports the draft Master Plan for the Dept of Veteran Affairs WLA campus.

Second: Ms. Broide

17-0-0 unanimous

**Seats in favor: 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17
passed**

Motion by Mr. McMillan – The Westside NC supports Senator Diane Feinstein SB2013, the Los Angeles Homeless Veterans Leasing Act of 2015, to place permanent supportive housing on the Dept of Veterans Affairs Greater Los Angeles campus, West Los Angeles, CA.

Second: Ms. Antler

17-0-0 unanimous

**Seats in favor: 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17
passed**

Mr. Shabsis – The average time a Vietnam Veteran took to become homeless was 10 years. Iraq/Afghanistan homelessness occurred on average less than 1 year. So these men and women are coming out of the military and don't have services, families and they go right into homelessness.

K) Ms. Morocco and Ms. Wu - Discussion on how to proceed for Pick Pico funding, FOWLA support.

Ms. Morocco – The committee met at Heyler in January. The number one big issue was whether to partner with FOWLA to make the finance part of this much easier. It's easier because everything has to be voted on and invoiced submitted individually as is. With FOWLA, we would still vote, but it can happen all at once. With FOWLA, the money goes into account and then it is spent on what it is itemized for. The money has to go what we vote on, so there won't be abuse. FOWLA does not have an agenda to be on stage, they just want a booth and to be able to advertise themselves as a sponsor to groups they work with. Per DONE, we will have to put their name somewhere, but they are not asking for anything sizeable or to speak on stage, or anything like that. FOWLA stands for Friends of West LA and they were formed to do just that and they think Pick Pico does exactly what their purpose is. SORO uses a 501c(3) to do their event. This will be a contract that goes through the City Attorney's Office. Does anyone have concerns?

Ms. Broide – Can the WNC maintain prior approval to the use of the name? So if they are issuing a press releases or public statement regarding our event, we have to give approval before it is sent out.

Ms. Morocco – I do not see why not.

Mr. Spector – FOWLA raises money and uses the money for public benefits. It sounds like a good organization. The only question I have is how do they get their money?

Mr. Rosenfield – Is it developers?

Mr. Spector – We are not an organization that asks for money.

Ms. Broide – So there is potentially some baggage attached with the name.

Mr. Spector – Jae and Lisa have done a great a job. But I wanted to point out that while this group does great things, we should be aware that there could be taint with an association.

Mr. Shabsis – We have to do things in a transparent way and make sure there is not a comingling of funds. When we gave money for a palms garden, a separate account was created.

Ms. Tippit – That is what this is. We would have our own account.

Ms. Morocco – I am asking if we want to work with FOWLA to do Pick Pico?

Mr. Spector – I see we are not in fact partnering. They are just allowing us to use the 501c3 to facilitate the event.

Ms. Morocco – The benefits are: It is easier. We save a lot of money on permits because it is a 501c3; it is a couple thousand in savings.

Mr. Spector – How do we get permits cheaper?

Ms. Morocco – Some permits are exempted because they are the one holding the event.

Mr. Spector - That is why we have to enter a contract through the City Attorney. I see.

Ms. Morocco – We spend a lot of money, especially on food vendors. Since we cannot collect money as the WNC, FOWLA can take money to offset the costs. We are not doing vertical banners this year. We are still going to do a big horizontal banner across Westwood and we can reserve a year ahead for next year. A save the date was sent out today. Aaron did an amazing registration form on Survey Monkey. We hope for signups to close April 1. We are having it earlier this year, so it is not at the same time as SORO. FD 59 and 92 can't have an event at the same time, so FD 92 will be with us this year because the event is on a different date. Mark your calendars - May 22nd from 11-3.

Ms. Wu – Pick Pico is about an event spotlighting our community.

Ms. Morocco – We have 200 people on our emails this year from last year. We are adding space this year behind Chase, and CD5 is picking up those fees.

Handout of the Pick Pico 2016 Budget:

Street Banners: \$1,400 Horizontal banner/ decals w/ permits waived via council motion (2015 4,558.25)

Shelter/Bus Benches: \$500

Small Posters: \$200 (\$500 last year, \$250 this year)

Tote Bags: reuse 4 boxes from last year

T shirts: \$400.00 Left over from last year 55@ \$6.99

Water Bottles: \$1,000.00

Rentals Hillcrest: \$7,000

Health Permits: \$1,500

Fire Permit: \$300

Porta Potties: \$500

Fire Safety officer: \$250

Parking Lot rental: \$300

Plastic Tablecloths: \$200

Street Closure Selby: \$300

City Lot Use Council Motion (\$114.75 LAST YEAR, FULL CLOSURE THIS YEAR)

Event Fee: \$750

Food Meetings/Set up: \$900

Banners: \$500

Design Fee: \$1,000

Printing/Publicity: \$1,000

Security: \$500

Clean/dumpster/trash: \$1,000.00

Est Total: \$19,500.00 (WNC Cost Last year: 24,248.72)

Ms. Morocco makes a motion to approve a Neighborhood Purposes Grant to FOWLA for a budget of \$19,500 as itemized on the presented handout.

Second: Ms. Burns

17-0-0 unanimous

**Seats in favor: 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17
passed**

L) Ms. Tippit, Selection Chair

No Selection Chair has been found. So, we are drawing out of an envelope for the Board Person responsible for finding someone to fill the roll. Seats 2,7,8,12 are not included in this because they have had previous chairs. Brandon (*not present*) is drawn as the person responsible for finding a Selection Chair.

Ms. Tippit – Brandon is not here because he has resigned and Eric is resigning. The City Attorney and DONE have said that nobody can sit on the Board if we have a child in a school that we fund. We have a school and Riddick funding on the agenda.

Mr. Shabsis – Effective now, I am resigning as representative of the school seat. My alternate has also resigned. The City Attorney has changed course despite me calling Carmen Hawkins several months ago. Previously, she said I needed to recuse myself from the vote and to leave. Since that time, they have changed their position and now are saying that if anybody on the board has a child attending a school, that Board cannot give to the school. As such I am resigning. I want to make known that this NC has had a long commitment to the schools, long before I took on the seat, and has always provided grant funding to those schools. If you take what the City Attorney has said to its fullest extent, we all have conflicts, yet we have the challenge of representing our stake holders. I am doing this for the good of our community. I want the record to reflect I am doing this out of protest.

Ms. Burns – One of the requirements of our by-laws is for the seat to have a connection to the school, such as having a child in the school.

Ms. Broide – This is another example of the City Attorney not doing things via a public process. We should pass a motion opposing this.

Ms. Morocco – Carmen Hawkins and DONE have heard from me. The work around is for any funding to go through BONC. They have changed the rules and not given us a path.

Mr. Shabsis – We deem our schools important enough to have someone on this Council and this policy ineffectuates our ability to do that. We should have never spent money on things like ring, because while laughable spending the money means cheaper doorbells.

Ms. Tippit – I am going to have these seats open on next month’s agenda.

Mr. Shabsis and Ms. Vannatim leave the meeting.

M) Ms. Burns, Treasurer – Treasurer’s Report

We spent \$5,485.53 in January. Expenditures included \$138.14 for telephones, \$50.00 for a computer backup, \$97.39 for Pick Pico, \$4,800 for Palms Park plants and related items, and \$400 for outreach activities.

Motion by Ms. Burns to approve the MER for January 2016.

Second: Ms. Kusnic

15-0-0 unanimous

Seats in favor: 1,2,3,4,5,7,8,9,10,11,12,13,14,16,17

Not present: 6,15

passed

Motion by Ms. Morocco for funding approval of \$500 to Friend of Overland (FOO) for Math and Science Night 2014.

Second: Mr. Spector

15-0-0 unanimous

Seats in favor: 1,2,3,4,5,7,8,9,10,11,12,13,14,16,17

Not present: 6,15

passed

Motion by Ms. Morocco for funding for \$1,994.91 for Overland Elementary School for new chairs.

Second: Ms. Antler

15-0-0 unanimous

Seats in favor: 1,2,3,4,5,7,8,9,10,11,12,13,14,16,17
Not present: 6,15
passed

Motion by Ms. Morocco for a Neighborhood Purpose Grant for \$2,500 for new chairs for the Marshall P. Riddick Youth House.

Second: Mr. Rosenfield

15-0-0 unanimous

Seats in favor: 1,2,3,4,5,7,8,9,10,11,12,13,14,16,17

Not present: 6,15

passed

Item tabled to next month - Neighborhood Purpose Grant for up to \$1500 for LAPD Sweat Shirts with WNC Logo on sleeve for station activity--Baker to Vegas Event

Item tabled to next month -Neighborhood Purpose Grant to FOWLA for \$ for RING Device.

N) Ms. Broide makes an emergency motion to consider the street vendors issue since we found out about in on Saturday.

Second: Ms. Mason-Heller.

15-0-0 unanimous

Seats in favor: 1,2,3,4,5,7,8,9,10,11,12,13,14,16,17

Not present: 6,15

passed

Motion by Ms. Broide - The Westside Neighborhood Council supports the CF: 13-1493 with the following conditions:

- 1. That all communities must opt-in to have street vending participate in their area. Opt-in public meetings shall be held at the Neighborhood Council for the boundaries of their Neighborhood Council. Once it is determined that the Neighborhood Council area will opt-in, the Department of Street Services will determine the site locations and hold public meetings in the affected communities.**
- 2. There shall be a maximum of two street vendors per block with no merchandise displayed on public sidewalks, driveways, poles, fences, curbs or any other public right-of-way. These vendors will be selected by a lottery for the designated locations in the opt-in Neighborhood Council locations.**
- 3. All authorized vendors must file an application for a revocable placard, pay a**

predetermined, cost recovery application fee, obtain a Food Handling Certification, BTRC, FTB Resale License, Los Angeles County Health permit, and comply with any and all required local, state, and federal regulations. The authorized vendor will be required to pay an annual, predetermined cost recovery fee that includes an annual cart inspection and complaint review.

4. If the City Council is unable to include these minimum conditions as part of the comprehensive legal framework, the Westside Neighborhood Council will withdraw its support and demand that the City Council immediately instruct the Department of Street Services to implement an ACE citation program to enforce the current municipal law of the City of Los Angeles.

Second: Ms. Beale-Rosano

15-0-0 unanimous

Seats in favor: 1,2,3,4,5,7,8,9,10,11,12,13,14,16,17

Not present: 6,15

passed

O) Ms. Broide - Above Ground Facilities (AGF) Ordinance (CF09-2645/L.A.M.C. Sec 62.08)

Ms. Broide – After seven years, the public’s right to comment on cell phone towers has come.

Ms. Tippit – Does this motion need to be done tonight?

Ms. Broide – I do not know when it is coming up in the Council. It could come up before our next meeting.

Ms. Broide made an emergency motion regarding the consideration of cell towers.

Second: Ms. Burns

11-0-4

Not present: 6,15

passed

Ms. Broide made a motion to support and file CIS on Above Ground Facilities (AGF) Ordinance (CF09-2645/L.A.M.C. Sec 62.08).

Second: Mr. McMillan

11-0-4

Not present: 6,15

passed

**Ms. Burns made a motion to adjourn at 10:02 pm.
Unanimous**

Submitted: By Aaron Rosenfield, Secretary