

**SCNC BOARD**

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 Ben Neumann  
 Richard Niederberg  
 Todd Royal  
 Lisa Sarkin  
 Jeremy Schwarz  
 Gail Steinberg  
 Ron Taylor  
 Rita Villa  
 John T. Walker



# BOARD MEETING AGENDA

**Wednesday, Sep 23, 2009, 7:00pm**  
**at**  
**CBS Studio Center, Building 8, MPR-1,**  
**4024 Radford, Studio City CA, 91604**

**PRESIDENT**

Ben Neumann

**VICE PRESIDENT**

John T. Walker

**TREASURER**

Remy Kessler

**SECRETARY**

Gail Steinberg

**CORRESPONDING SECRETARY**

Lisa Sarkin

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The public is requested to fill out a "Speaker 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 three 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.scnc.info](http://www.scnc.info)); as well as CBS Studio Center, Radford and Colfax gates; the Studio City Library, 12511 Moorpark St.; the Studio City Recreation Center, 12621 Rye Ave. and at Carpenter Avenue Elementary School, 3909 Carpenter Avenue, Studio City, CA 91604. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least three (3) business days (72 hours) prior to the meeting you wish to attend by contacting the Neighborhood Council Project Coordinator (213) 473-5391 or by e-mail to [Thomas.Soong@lacity.org](mailto:Thomas.Soong@lacity.org). In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the Board in advance of a meeting, may be viewed at our website by clicking on the following link: [www.scnc.info](http://www.scnc.info) or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact [office@scnc.info](mailto:office@scnc.info).

**Agenda**

1. Call to Order & Roll Call (2 min).
2. Approval of Jul 15, 2009 SCNC Board meeting minutes (3 min).
3. Comments by President (3 min).
4. Public Comments on non-agenda items within the Board's jurisdiction (20 min).
5. Response(s) to public comments by Board Members (15 min).
6. President's appointment of Jeffrey Steinberg to fill vacant Youth Board Seat (5 min).
7. Discussion and possible motion with respect to moving Public Testimony on Non-Agenda Items at Los Angeles City Council meetings toward the end of the council meetings.

**Proposed Motion: The Board of the Studio City Neighborhood Council issues the following Community Impact Statement regarding CF #09-2171 to be delivered to the Rules and Elections Committee and to each City Council member:**

Councilman Alarcon proposed a motion revising the order of business of regular City Council meetings, as listed in Council Rule 22, be amended to move "Public Testimony on Non-Agenda Items" toward the end of the Council meetings just prior to "Adjourning Motions." The SCNC objects to this proposed change in the order of Council meetings as it will have an adverse impact on transparency and on the ability of stakeholders to present their views to the City Council. By the end of the Council meetings council members may have left and will therefore not hear the comments of the stakeholders.

8. Report Valley Alliance of neighborhood Councils (Arlene Samek/Barbara Monahan Burke)
9. Discussion and possible motion with respect to supporting the Sunland Tujunga NC's letter to City Council with respect to the recent Station Fire.  
**Proposed Motion: The Board of the Studio City Neighborhood Council supports the Sunland Tujunga Neighborhood Council's letter to the Los Angeles City Council and other concerned parties with respect to the recent Station Fire dated 9/9/09.**
10. Report Treasurer: Remy Kessler (5 min).

11. Report Budget Committee: John T. Walker (5 min).

- a) **Motion: The Board of the Studio City Neighborhood Council approves a funding request from the Village Gardeners to fund up to \$1,350 towards their Fall Planting Event at the Richard Lillard Outdoor Classroom. The funds to be used for the site preparation by Landsco Commercial Landscape and the purchase of native shrubs, groundcover and other plantings with the condition that the SCNC receives appropriate credit along with other participating organizations.**
- b) **Motion: The Board of the Studio City Neighborhood Council supports the community improvement and beautification project of the blacktop median (side panels) on the south side of Moorpark Street from Agnes to Gentry Avenues (east of Laurel Canyon and opposite Moorpark Park) undertaken by the Studio City Beautification Association by approving a funding request for up to \$1,500 to be paid to Northeast Trees for site preparation including blacktop removal with the condition that the SCNC receives appropriate credit along with other participating organizations.**

12. Report Environmental Affairs Committee: Michael McCue (5 min).

13. Report Cultural Affairs Committee: Christine From (5 min).

14. Report Crime & Safety Committee: Josh Rubenstein (5 min).

15. Report Outreach Committee: Suzanne Ekerling (5 min).

16. Report Bylaws & Procedures Committee: Ron Taylor (5 min).

17. Report Land Use Committee: Lisa Sarkin (30 min).

- a) **Motion: The Board of the Studio City Neighborhood Council submits the following Community Impact Statement related to the performance audit of the Department of Building & Safety-Inspection and Code Enforcement Activities-July 10, 2006, as submitted by the Studio City Neighborhood Council Land Use Committee attached herewith.**

Studio City Neighborhood Council  
Community Impact Statement  
Council File Numbers 06-1590, 09-0611

The Studio City Neighborhood Council has reviewed the Performance Audit of the Department of Building & Safety - Inspection and Code Enforcement Activities - July 10, 2006 and notes that this file was not acted upon by the Los Angeles City Council. We request the file be reopened and measures are implemented as suggested in the report.

Additional Information: The following are issues the Studio City Neighborhood Council suggests must be adopted:

1. Decision makers need to have independent inspections of sites.
2. A violation of obvious rules must have real consequences.
3. There is no clarity in the discretionary judgment process.
4. Property Profiles must contain square footage of proposed development.
5. There is no consequence for staff errors. We suggest a legal liability to perform correctly.
6. Management must take responsibility for the lack of enforcement of conditions set by City Planning Department.
7. Staff must be better trained to follow deviations set by the City Council and other departments.
8. By right development must be defined and the definition followed by staff.

The mission of the Department of Building and Safety (DBS) is to protect the lives and safety of the residents and visitors of Los Angeles, preserve the City's quality of life, and contribute to the City's economic development. This is accomplished through implementation of the Zoning, Building, Plumbing, Mechanical, and Electrical Codes, as well as Engineering, Energy, and Disabled Access regulations, and local and State laws for construction and maintenance of commercial, industrial, and residential buildings. The DBS works mainly on the complaint basis so more control and manpower must be given to the staff responsible for the day to day

inspections. More aggressive measures, such as larger fines, must be adopted by the Los Angeles City Council as suggested in the Performance Audit conducted by Controller Chick.

- b) **Motion: The Board of the Studio City Neighborhood Council supports, as modified, the CUP ZA-2009-1932 for the Loteria Grill located at 12050 Ventura Blvd. Studio City with the amended "Applicant Volunteered Conditions" as set forth in attachment A incorporated herein by reference.**

18. Report Transportation Committee: Todd Royal (10 min).

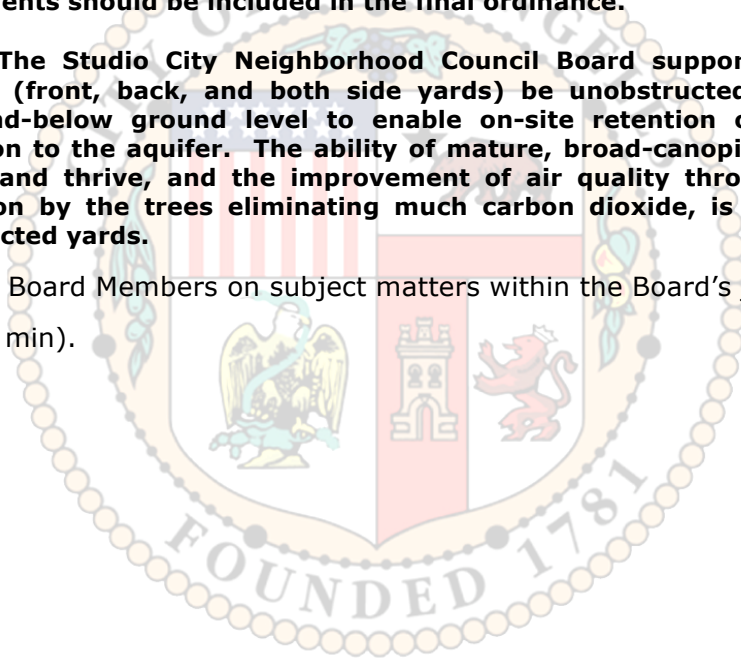
**Motion: The Board of the Studio City Neighborhood Council opposes any proposal to sell taxpayer-owned, revenue-producing City assets, such as parking meters, parking garages, and city-owned parking lots. While this may close a budget gap temporarily, it exposes the City to future budget shortfalls, legal action and permanent diminished revenue. These outcomes are not in the best interest of Los Angeles taxpayers.**

19. Report Government Affairs Committee: Barbara Monahan Burke / Rita Villa (20 min).

- a) **Motion: The board of the SCNC opposes the lobbyist reform ordinance in its current form. It is lacking two requirements (i) the requirement that committee treasurers and fundraisers keep records of fundraising activity conducted by lobbyists and (ii) that badges be worn by all paid lobbyists whenever they are conducting business at the City Council or with any other city department, commission or agency of the City of Los Angeles, on any city property or at any city sponsored event. These two requirements should be included in the final ordinance.**
- b) **Motion: The Studio City Neighborhood Council Board supports that required yard setbacks (front, back, and both side yards) be unobstructed and permeable both above-and-below ground level to enable on-site retention of water with natural infiltration to the aquifer. The ability of mature, broad-canopied, evergreen trees to develop and thrive, and the improvement of air quality through increased oxygen production by the trees eliminating much carbon dioxide, is dependent upon such unobstructed yards.**

20. Comments from Board Members on subject matters within the Board's jurisdiction (5 min).

21. Adjournment (1 min).



## Attachment A

### Studio City Neighborhood Council Recommended Conditions

Case: ZA-2009-1932-CUB

12050 W. Ventura Blvd.

Applicant: Jimmy Shaw & Loteria Grill

1. Hours of operation shall be permitted from 9:00 a.m. to 12:00 a.m. only.
2. Petitioner(s) shall not require an admission charge or cover charge, nor a requirement to purchase a minimum number of drinks.
3. The quarterly gross sale of alcoholic beverages shall not exceed the gross sales of food during the same period. The Petitioner(s) shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the police department upon demand.
4. The subject alcoholic beverage license shall not be exchanged for a public premise type license.
5. The premises shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during normal operating hours.
6. No pay phone will be maintained on the exterior of the premise.
7. There shall be no Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70.
8. Live entertainment shall be limited to a non-amplified strolling mariachi quartet during regular business hours. During special events such as private parties, a non-amplified 4 piece band can be permitted but such events shall not exceed 10% of total gross sales and shall be conducted behind closed doors only.
9. No dancing shall be allowed at the location.
10. No pool or billiard tables may be maintained on the premises.
11. There shall be no coin-operated games or video machines maintained upon the premises at any time.
12. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied.
13. The Petitioner(s) shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.



14. Any music, sound or noise emitted that is under the control of the petitioner(s) shall not violate Section 116.1 of the Los Angeles Municipal Code.

15. The Petitioner(s) shall provide off-street parking spaces for vehicles used by patrons of the premises as per the City of Los Angeles Zoning Regulations.

16. Petitioner(s) shall install and maintain security cameras and a one-month video library that covers all common areas of the business, high-risk areas and entrances or exits. The videotapes shall be made available to police upon request.

17. Electronic age verifications device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premise an each point-of-sale location. This device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.

18. Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premise and all personnel who serve alcoholic beverages shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months.

19. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid 24 hour emergency contact phone number at all times.

20. In order to provide for reexamination of the matter one (1) year after the start of utilization of this authorization, an "Approval of Plans" shall be filed. The application shall be accompanied by the payment of appropriate fees, as governed by Section 19.01 -1 of the Los Angeles Municipal Code, and must be accepted as complete by the Planning Department public counter. The completed application shall be accompanied by owner notice labels for abutting properties include the Council District, Department of Alcohol and Beverage Control district office, A Los Angeles Police Department vice unit in the local district office, and individuals on the interested parties list related to the subject authorization. The applicant/owner shall provide appropriate documentation to substantiate ongoing compliance with each of the conditions contained herein at the time of filing the Approval of Plans review application. An application without such documentation shall be accompanied by a fee payment governed by Section 19.01-C of the Los Angeles Municipal Code. Further, any requested modification to the discretionary action shall also result in the increased fee. To assist the Planning Department in determining if a public hearing shall be held, interested parties should contact the Planning Department within two weeks." The Zoning Administration may elect to waive the public hearing if the applicant has fully complied with the conditions of approval, along with the written consent of the Planning Department, Council Office 5, LAPD, and the Neighborhood Council.

21. Any future operator or owner for this site must file a new Plan Approval Application to allow the City of Los Angeles to review the mode and character of the usage. Petitioner, (s) operator(s), of licensee(s), shall maintain on the premises and present upon request to any neighborhood council and/or immediate neighbor the valid, current, name, phone number, and any other contact information needed to facilitate timely communication with the representative responsible for the establishment.

22. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require The Petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing to review The Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.

23. Petitioner(s) agrees that the location shall be open in some capacity for lunch.

24. Petitioner(s) agrees that a hot line available, posted on the premises with a name and phone number in case of emergency.

