

SCNC BOARD

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



BOARD MEETING AGENDA

Wednesday, March 16, 2011, 7:00pm
at
**CBS Studio Center, Building 8, MPR-3,
4024 Radford, Studio City CA, 91604**

PRESIDENT
John T. Walker

VICE PRESIDENT
TODD ROYAL

TREASURER
Remy Kessler

SECRETARY
Rita C. Villa

CORRESPONDING SECRETARY
Lana Shackelford

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Edit. Bldg. 2, Suite 6
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The public is requested to fill out a "Comment Card" to address the Board on any item of the agenda prior to the Board taking action on an item. Comments from the public on Agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the Agenda that is within the Board's subject matter jurisdiction will be heard during the Public Comment period. **Public comment is limited to two minutes per speaker, unless directed otherwise by the presiding officer of the Board.** The agenda is posted for public review at: Studio City Neighborhood Council website (www.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. 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 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.

Agenda

1. Call to Order & Roll Call (2 min).
2. Approval of February 2011 Minutes (2 min).
3. Comments by the President (10 min).
4. Introduction of City Councilman Tom LaBonge (30 min).
5. Public Comments on non-agenda items within the Boards jurisdiction (2 min. each speaker).
6. Responses to comments from the Board (10 min).
7. Treasurer's report by **Remy Kessler** (5 min).

MOTION: The Board of the Studio City Neighborhood Council has reviewed the March 2011 financial statements and the January, 2011 bank statements and hereby accepts and approves them.

8. Budget Committee Report by **Remy Kessler** for **Mark Batterman** (10 min).
9. VANC Report by **Arlene Samek** (10 min).
10. Outreach Committee Report by **Lisa Cahan-Davis** (10 min).
11. Transportation Committee Report by **Ben Di Benedetto** (10 min.)

12. Land Use Committee Report by **Lisa Sarkin** (20min).

- A. **MOTION:** The Board of the Studio City Neighborhood Council supports the application for 4540 Simpson Avenue (ZA-2010-3030-ZV-ZAA) for a Zone variance and a lot line adjustment as long as the garage is conforming to the LAMC.
- B. **MOTION:** The Board of the Studio City Neighborhood Council requests a scoping study by the Los Angeles Street Services Engineering Department to determine the viability of a safe pedestrian route along Laurel Canyon Blvd. from Canton Drive to Carpenter Community Charter School.
- C. **MOTION:** The Board of the Studio City Neighborhood Council supports the application for Little Dom's Restaurant, 11422 Moorpark Street (ZA-2011-558-CUB-ZV) including the Applicants Volunteered Conditions (ATTACHED), for a CUP allowing on-site full-line alcohol and off-site sales of beer and wine only (deli) at 96 seat restaurant with hours of operation daily 8AM to midnight. Variance from LAMC 12.21-A4(g) to allow required parking spaces to be provided off-site within 750 feet of the restaurant. Variance from LAMC 12.21-A4(g) to allow required parking spaces to be provided off-site beyond 750 feet of the restaurant.
- D. **MOTION:** The Board of the Studio City Neighborhood Council supports the efforts led by Councilman Paul Koretz and the Los Angeles City Attorney (Report R 10-0264) to allow an alternative method of code enforcement known as Administrative Code Enforcement (ACE). The Los Angeles City Council Motions 10-0085 and 10-0600 have been held in the Budget & Finance Committee since July 30, 2010. We support the immediate release of this report and ordinance to the Los Angeles City Council for a vote.

13. Bylaws Committee report by **Ron Taylor** (10 min).

- A. **MOTION:** The Board of the Studio City Neighborhood Council approves the following revisions and amendments, which are identified in italics and red text, to the SCNC Bylaws, Article IX, Section I: (ATTACHED –REMOVAL OF A BOARD MEMBER).
- B. **MOTION:** The Board of the Studio City Neighborhood Council approves the removal of Article XIV – Grievance Procedure from its Bylaws.

14. Crime & Safety Committee report by **Wayne Kartin** (10 min).

15. Cultural Affairs Committee report by **Richard Niederberg** (10 min).

16. Comments from Board Members on subject matters within the Board's jurisdiction (10 min).

17. Adjournment (1 min).

Applicant's Volunteered Conditions

Applicant

City Fish, Inc.
DBA Little Dom's 2 [ZA-2011-558-CUB-ZV]

Project Address

11422 Moorpark
Studio City, CA 91602

Request

Conditional Use Permit for the sale of a full-line of alcohol for on-site consumption in conjunction with the operation of a new restaurant.

1. Hours of operation and alcoholic beverage sales shall be permitted from 8am to midnight daily.
2. Petitioner(s) shall not require an admission charge or cover charge, nor will there be 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 and the Department of Alcoholic Beverage Control 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 phones 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. No dancing or entertainment shall be allowed at the location at any time.
9. No pool or billiard tables may be maintained on the premises.
10. There shall be no coin-operated games or video machines maintained upon the premises at any time.
11. Any graffiti painted or marked upon the premises or any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied.
12. The Petitioner(s) shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control. Cigarette urns shall be strategically placed outside to ensure no cigarette butts are left on the sidewalk.
13. 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.
14. 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.
15. 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.
16. Within six months of the date of this determination and within six-months of hire, all personnel acting in the capacity of manager of the premise and all personnel who serve alcoholic beverages shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months.
17. 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 emergency contact phone number for the Valet service(s) used by Petitioner(s).

18. 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 emergency contact phone number for the Security Company service(s) used by Petitioner(s).
19. No person under the age of 21 shall serve alcoholic beverages except in conjunction with food service.
20. 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), operators(s) of licenses 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.
21. If at any time during the period of this grant, should documented evidence be submitted showing continued violations(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining 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.
22. The licensee shall comply with the provisions of Section 23038 of the Business and Professions Code and acknowledges that incidental, sporadic or infrequent sale of meals or mere offering of meals without actual sales shall not be deemed sufficient to consider the premise in compliance with the aforementioned code section.
23. 96 seats in the restaurant and patio limited as to permitted.
24. Should any of the required parking spaces be no longer legally bound to the applicant under a valid parking lease approved by the City of Los Angeles, the Conditional Use Permit (CUB) shall expire simultaneously with the lapse of said lease.
25. Valet will be available during all hours of operation.
26. Applicant agrees to submit a valet route not using residential streets.
27. Employees must park in leased parking spaces.

(I). REMOVAL OF A BOARD MEMBER

- (1.) A Board member shall be automatically removed from the Board upon two (2) unexcused absences from regularly scheduled Board meetings or upon two (2) unexcused absences from regularly scheduled meetings of committees of which the Board member is a member.
- (2.) A Board member may be removed from the Board for a violation of the Bylaws, Operating Procedures or Code of Conduct following a Board member's or Stakeholder's submission to the Board of a petition which:
 - i. Identifies the Board member to be removed;
 - ~~ii. States the reason for removal in reasonable detail~~ ii. Identifies each Bylaw, Operating Procedure and/or provision of the Code of Conduct which the Board Member has allegedly violated;
 - ~~iii.~~ iii. Specifies the facts demonstrating the alleged violation(s) which MUST HAVE OCCURRED during the 90 days prior to submission of the petition. Petitions involving incidents that took place more than 90 days prior to the date of the submission will NOT be considered by the Neighborhood Council.
 - ~~iv. Contains the signatures of at least three (3) Board members or fifty (50) Stakeholders~~ iv. Specifies the facts demonstrating the alleged violation(s);
 - iv. Attaches any documents or other material which support the alleged violation(s);
 - v. Contains the signatures of at least three (3) Board Members or at least seventy-five (75) Stakeholders, as well as those stakeholder printed names, street addresses, stakeholder category and email addresses, if any and phone numbers, if any.
 - ~~vi. Provides a proposed motion of "No Confidence" for the Board's consideration.~~

The petition shall be delivered to the Board Secretary at a regular board meeting or at the SCNC Board office by appointment. The Secretary shall make copies and deliver them to the Chair of the Bylaws Committee. The Bylaws Committee Chair shall place the matter on the committee's agenda in compliance with the Brown Act at the next regularly scheduled Bylaws Committee meeting.

The Bylaws Committee shall make two determinations: a) that the petition satisfies the requirements of Article IX, Section (I) (2) and b) that the petition forms required in Article IX, Section (I) (2) (v) are legible and appear to contain valid information and signatures.

If the committee determines that the petitions are satisfactory, the petitions shall be forwarded to the Board President who will distribute them simultaneously to all Board members. The identified Board member shall then be granted 30 days to make his/her own determination about the facts alleged in the petition and the validity of the petition information and signatures.

The President shall place the item on the Board agenda at the next regularly scheduled Board meeting following the 30 day period provided to the identified Board member.

A vote *for removal of an identified Board member shall require* a two thirds (2/3) majority of the attending Board members shall be necessary to remove the identified Board member forthwith. The Board member who is the subject of the removal action shall have the right to deliver to Board members a written statement about the matter and/or speak at the Board meeting prior to the vote, but shall not be counted as part of the quorum, nor allowed to vote on the matter. If a quorum of the Board is not present, the matter shall be placed on the agenda of the next regular Board meeting and every meeting thereafter, until such time as a vote is taken.

Enforcement of this Board member removal process is subject to legal advice from the office of the City Attorney of Los Angeles.

(3.) Any Board member who is removed pursuant to Article IX (1) (2) shall not be eligible or qualified to run for a seat on the Board in the Neighborhood Council election which follows that Board member's removal.