



Draft Minutes of the Board

May 16, 2007

Meeting Location: CBS Studio Center, Annex 1, Meeting Room

Recording Secretary: Michael McCue

Meeting called to order by board President, Rafi Kuyumjian at 7:00pm

There are approximately 45 stakeholders in attendance.

1. Call to Order & Roll Call

Present: Officers and Board Members Present: Rafi Kuyumjian (President), Barbara Monahan –Burke (Vice President), Michael Klausman (Treasurer), Michael McCue (Recording Secretary), Remy Kessler, Richard Niederberg, Ben Neumann, Lisa Sarkin, Gail Steinberg, Ron Taylor & John T. Walker. Quorum is present. 6 of 11 votes needed to pass a motion.

Absent Excused: Jane Drucker, Art Ginsberg

Absent Unexcused: Melody Dosch

Tardy Unexcused: David Burg

2. Approval of Minutes

Motion 4.18.07.01 to approve the April 18, 2007 SCNC Board meeting minutes made by Sarkin, seconded by Burke **Yes-11, NO-0, Abstain-0 Motion passes.**

President advised that the March minutes needed to be approved by the quorum for the March meeting motions and actions to be made official.

Motion 4.18.07-2 to approve the March 21, 2007 SCNC Board meeting minutes made by Kessler, seconded by Sarkin **Yes-10, No-0, Abstain-1 motion passes.**

3. Public Comments on non-agenda items within the Board's jurisdiction

Rita Villa – Thanked the Land Use Committee, **Elaine Flans** – Thanked the Board for their help in fixing the broken traffic device at Vantage and Ventura Blvd. **Paul Samek** – Requested Board input re: the definition of the term “Stakeholder” **Marilyn White-Sedel** – Stated she attended a hearing for the development at 4318-4322 Whitsett Ave. Committee Chair **George Shea** – Requested review of variances allowed to “Ciao Bella”--Reported that the “spay and neuter” bill was passed by the City Council. L.A. Animal Services is sponsoring pet adoptions at Laurel Canyon and Ventura Blvds. regularly. **Arlene Samek** – Thanked, Barbara, Jane, Michael and John for attending the Valley Alliance of Neighborhood Councils meeting. She submitted a written report of the meeting to the Board by e-mail. Reminded all that the motion for NC’s to have power of appeal is coming before City Council in June.

4. Responses to Public comments from Board Members

Ron Taylor – Thanked those Board members who attended VANC meeting. He urged Paul Samek to focus on the By-laws for any modification of definitions. **Barbara Monahan**

Burke – Thanked Marilyn for attending a hearing about the Whitsett development and how pleased she was with that hearing officer’s ruling. **David Burg** – Had a discussion with Paul and Arlene Samek and advised Paul to agendize his concerns for the next Board meeting.

5. Presentation by Rev. Julian Bull from Campbell Hall

Rev. Bull announced that the plans for the new Community Arts building and a Master Plan for Campbell Hall that will be coming before the Land Use committee in June.

6. Treasurer’s report by Michael Klausman

Treasurer Klausman reviewed his three page report with the Board and pointed out outgoing check amounts paid, and the remaining balance of \$27,000.

7. Budget Committee report by Richard Niederberg

Niederberg announced upcoming budget committee meeting, to be held the same day as the Land Use committee (but earlier) and asked all stakeholders to come forward with any budget requests at that time.

8. Presentation by Michael McCue -- "Clean Money" elections

McCue made a power point presentation of the basic concepts behind the "Clean Money" or "Voter Owned" election proposals. He reviewed the differences between publicly funded versus privately funded elections. McCue answered a few stakeholder questions and offered to present a longer report to any interested stakeholders.

9. Election Committee Report by Bonnie Goodman & Tiffany Petroc

Neither **Tiffany Petroc** nor **Bonnie Goodman** were present to report. Stakeholder, **Alan Dymond** was recognized to speak for the Election Committee and offered his recommendation that it should be made a standing committee. **Dymond** took questions. Item tabled until next meeting.

10. Presentation by Stephen Naczinski from Los Angeles Communications Foundation re: Website

Stephen Naczinski, a visiting Board member of the Woodland Hills Neighborhood Council, made a power point presentation of the new website constructions and designs that he developed for the Woodland Hills Neighborhood Council. He has formed an organization that will, for a fee, make their website program available to other NC's and provide training for the proper usage. The program insures open on a password/access basis to the website for Executive and Board members of the SCNC and enhances functionality and capability of the website.

11. Outreach Committee Report by Ben Neumann

Pres. Kuyumjian included discussion of this subject with the website presentation. A discussion of website problems and capabilities ensued with **Berg, McCue, Niederberg** and **Sarkin**, participating.

Ben Neumann, who has been handling the website, acknowledged problems with the servers of different organizations handling our site. He wants to simplify the website protocol by consolidating the design and handling the transition through his company Globat.com. He offered to do this for SCNC free of charge. **Berg** thanked **Neumann** for his generosity.

Neumann told **President Kuyumjian** that everything needed to be fixed on the website would be done within six weeks.

Motion 5.16.07.11-*The Studio City Neighborhood Council Outreach Committee moves that the Board of the SCNC approves the re-design, update and defragmentation of the council's current website and content management system at www.scnc.info by Globat.com at no cost to the SCNC, to enhance usability, perform necessary updates, create proper file backups, and to unify the current file structures onto Globat.com's hosting platform to allow a potential transfer of the entire site to another provider whenever the SCNC elects to.*

Pres. Kuyumjian put the question.

Vote: Yes – 10, No – 0, Abstain – 1 Motion passed.

12.Land Use Committee Report / Rafi Kuyumjian (for Jane Drucker)

Stakeholder, **Rita Villa**, spoke in support of the Land use motion as amended. **Board members, Berg, Steinberg, Niederberg, Sarkin, Kessler, Kuyumjian, and Walker** discussed the physical layout of the business in question, spoke to a sunset clause in the motion and clarified the intent of the Land Use committee with this motion.

12.A Motion 5.16.07.12A *The LUC recommends that the Board of SCNC support the application for extension of the beer and wine license to the outside seating area of 11334 Moorpark, with the conditions that alcohol not be served later than 9pm and that the extension run for 12 months with notice given to 11306 Moorpark HOA and neighborhood signatories attached to the application.*

Vote: Yes – 11, No – 0, Abstain – 0 Motion passed.

Pres. Kuyumjian determined that the applicant for this motion was not present. He noted that the neighbors had not been notified of her intention to apply for liquor license. He recommended removing the item from the agenda for the applicant to be heard. **Todd Peart** testified that the business is a nuisance to the neighborhood. They create parking problems and residents have witnessed violence against women. **Patricia Knatz** lives behind the café in question and complained that the clientele is always hanging out late at night, blocking driveways, causing parking problems, littering, vandalism, etc...and all these activities are taking place without alcohol being served. Ms. Knatz provided photographic exhibits of the parking problems as evidence of her statements. The photos were shared by the Board. **Dahlia Forotzkin** testified that a young man was murdered with his throat cut and that the owner has threatened her personally. She testified that the owner has retaliated against a competitor nearby by putting glue in his locks. **Prisca Kirk** complained about loud music which is waking her children late at night. She opposes this motion. **Stephan Ruiz** testified that this business property was never intended for a nightclub. He joined the other stakeholders in opposing this motion. **Ann-Marie Whitman** also has complained about loud music from a live band and reminds everyone what happened with "Platinum Live." **Marilyn White-Sedel** told the Board that she believes there is a room in the business that is wall-to-wall mattresses.recommended. She urged the Board to contact Wendy Greuel, the LAPD and any other city official who can help us with this nuisance. **Peter Johnson** said that the alley behind the business has been used for dumping autos. He contacted police and discovered that the dumped auto was stolen. He said that parking was always a problem.End of public comments.

Board discussion included **Lisa Sarkin** who noted the applicant said she had approval for the live entertainment which **Sarkin** discovered was untrue, **Remy Kessler** recommended that the Board deny this applicant's request before the public hearing and **President Kuyumjian** who supported denial of this request and was supported by **Berg**, who asked if the applicant is in violation of the current licenses they hold.

12B. Motion 12B.5.18.07.12b -Board Discussion and possible motion *re: 11282 Ventura Blvd. Birdcage Restaurant conditional use alcoholic beverage permit upgrade to serve liquor as well as beer and wine with live entertainment and extension of hours until 2am.*

After Board discussion, the motion was modified as follows....

12B. Motion 12B.5.18.07.12b *The SCNC opposes any modification or expansion of any provision of the existing conditional use permit at 11282 Ventura Blvd., including but not limited to any pending application or any portion of the application for upgraded alcoholic beverage permit upgrade, full line liquor,*

live entertainment or the expansion of operating 2am operating hours. Applicant had requested that request be agendized with the SCNC Board but did not appear.

VOTE: YES – 12, NO – 0, ABSTAIN – 0 Motion passed.

13. Neighborhood Council Appeal Rights/Board discussion & possible Motion for action. (Eventually becoming three actions supporting – **A.-Valley Alliance motion, C.-Community Impact Statement, B.-Greuel/Weiss motion before City Council.**)

Arlene Samek gave a brief recap of the Valley Alliance of Neighborhood Council's request that all NC's in the Valley pass a motion re: Appeal rights and strongly urged passage of same. She referred the Board to her written report submitted by e-mail earlier in the week.

Kuyumjian stated that this motion might need to be removed from the agenda as there had been emails sent to the Board members regarding the motion that could be considered "serial" e-mails. Suggested postponement. **Thomas Soong** from D.O.N.E. advised Rafi that this was not the case when stakeholders or Board members submit written reports via e-mail including a request for agendizing a motion from the Valley alliance of Neighborhood Councils or for other agenda requests via e-mail. **Arlene Samek** explained again that her e-mail was informational, not part of a serial action asking support, but a request for agendizing the action. Kuyumjian finds no objection from Board and asks for the next motion due to time-sensitivity of action.

Motion 13.5.16.07.13B

Motion that the SCNC support the motion put forth by Jack Weiss and Wendy Greuel on April 25th 2007 to allow NC's to appeal Planning Department decisions (by endorsing the community impact statements). Moved by **Sarkin**. Seconded. Motion pending...

Kessler referred to a drafted motion before him asking for clarification. Open discussion ensues between **Kessler** and **Sarkin**. **Pres. Kuyumjian** determines that two actions are required. **Motion 13B re-read by Secretary McCue with amendment.** More open discussion. **Pres. Kuyumjian** asks if all members have the Valley Alliance (13A) motion before them and if they have read it and know it. President refers to wording but doesn't read complete motion. **Kessler** and **Kuyumjian** disagree on action to move.

President calls the question.

Motion 13.5.16.07.13A(unread)

Vote: Yes – 12, No- 0, Abstain – 0 motion passes.

(MOTION NOT READ –MOTION VOIDED FROM ACTION)

President Kuyumjian calls for end of discussion on Item 13. **Sarkin** explains importance of C.I.S. (Community Impact Statement). Open discussion ensues. More open discussion. **Sarkin** reads motion. President asks if motion was passed several years ago? Advised that motion pending is different by **Burg**. More open discussion. **Sarkin** reads motion 13-C.

Motion 13.5.16.07.13-C -Community Impact Statements - Neighborhood Councils are taking active roles in planning and land use decisions in the communities they represent. Currently, the City of Los Angeles does not allow Neighborhood Councils the same

right to appeal the same entitlements afforded to other City agencies. The ability to appeal is a right established by the LAMC and must extend to Neighborhood Councils. Therefore, the SCNC requests the Los Angeles City Council amend the LAMC to allow Neighborhood Councils the right to appeal (tentative tract maps, parcel maps, specific plan exceptions, conditional use permits and variances).

Pres. Kuyumjian permits more open discussion. **Burg** suggest insertion wording to motion. Discussion ensues. Wording change approved in absence of objection. **Pres. Kuyumjian** calls the question. Motion is read with amendment. Moved by **Sarkin**.

Pres. Kuyumjian polled the public speakers **Rita Villa, Patricia Knatz, Betty Schmalhausen, Marilyn White-Sedel, Alan Dymond, Laurie Cohn, Kristina Hope, and Stu Miller**. Determines there were no speaker cards in opposition to motion. No public speakers are given the floor.

President opens floor for more discussion. **Niederberg** suggests amendment to wording of 13-C, President refuses amendment. President notes time as 9:30pm. Discussion continues. **Pres. Kuyumjian calls the question**, (motion not read).

Vote: YES – 12, NO – 0, ABSTAIN – 0
(MOTION 13-C NOT READ – MOTION VOIDED FROM ACTION)

Discussion among members re: confusion of which motion is before the Board. Berg asks for re-read of 13-C (meaning 13-B) **Secretary McCue** reads Motion 13-B.

Motion 13.5.16.07.13B - *Motion that the SCNC support the motion put forth by Jack Weiss and Wendy Greuel on April 25th 2007 to allow NC's to appeal Planning Department decisions (by endorsing the community impact statements).*

Pres. Kuyumjian calls the question.

Vote: Yes – 12, No – 0, Abstain – 0 motion passed.

14. Discussion and possible motion re: disposition of perceived/possible Brown act violation complaint from stakeholder, Joe Goodman.

Pres. Kuyumjian discovered that the stakeholder complaining was not present. He informed the board that the City Attorney found there no violation of the Brown Act in the complaint from Mr. Goodman. He also informed the Board that the City Attorney's office returned to him e-mails that had been presented as evidence in the complaint. The e-mails were then made public record and could be viewed by any stakeholder at the SCNC office with an Executive Board member present and stakeholders could keep copies of these e-mails for a small fee made payable to the City.

Pres. Kuyumjian opened the floor to discussion. **Kessler** and **Neumann** suggested posting the e-mails on the SCNC website. President advised he would need clearance from City Attorney. Board members **Taylor, Burke** and stakeholder **Alan Dymond**, participated in the discussion.

Pres. Kuyumjian opened public speaker section. **Stu Miller** ask for a clarification of procedure with viewing the e-mails, **Jody**, questioned the intention of the original complaint and **Andrea Neumann** asked the lawyers on the Board to develop a written policy for everyone's benefit.

Discussion continued w/Niederberg who pointed out inadvertent violations of the Brown Act that are made possible by elected officials carrying out their required duties. **Pres. Kuyumjian restated that no violation of the Brown Act was found** and suggested that people should view the e-mails to discover how people operate.

Kessler explained Joe Goodman's intention in the original complaint, referring to a meeting of newly-elected Board members as a clear violation of the Brown Act.

Thomas Soong from D.O.N.E. explained that any possible violation of the Brown Act was already cured.

Pres. Kuyumjian stated that was personally bothered by the content of the e-mails he read and how people think about each other. He predicted no progress or unity for the SCNC Board if members do not stop this. He stressed that no Board member will ever address each other as "traitor" or "somebody who doesn't know what he's doing." He repeated there was no violation of the Brown Act. He called the e-mails "poison." **No action taken.**

15. Comments by President- RE: Current Disposition of perceived/possible Brown Act violation complaint from stakeholder, Joe Goodman.

Pres. Kuyumjian mentioned that he will be gone for a few weeks for a vacation. He assigned **Vice President, Barbara Monahan Burke** to be acting President while he is gone. **Kuyumjian** stated he has an e-mail from the City Attorney's office that requests to have one representative to speak for the Board to the City Attorney's office. He will be that contact person and will not allow other Board members to contact the City Attorney. He requested that any attorney questions go through the President only. No questions will be communicated to the attorney by Board members.

Walker questioned **Kuyumjian** about the meaning of his instructions re: the City attorney. **Pres. Kuyumjian** advised that this instruction is according to the By-Laws.

16. BOARD COMMENTS -Comments from Board Members on subject matter within the Board's jurisdiction.

Burke requested that Board members attending City or civic meetings or hearings to file a brief report with the Secretary stating their participation and actions taken at those meetings. **Secretary McCue** asked the president to appoint two new SCNC representatives to the Valley Alliance of Neighborhood Councils. **McCue** asked the stakeholders to also submit briefs to him re: the meetings and hearings they are attending.

17. Adjournment - Motion to adjourn passed unanimously.

Meeting adjourned at 10:50pm.