

**MINUTES OF THE MEETING OF THE
BRENTWOOD COMMUNITY COUNCIL
Held at Brentwood Kaufman Library, 11820 San Vicente Blvd.
Tuesday, June 1, 2010**

CALL TO ORDER AND INTRODUCTIONS

Chairman Raymond Klein called the meeting to order at 7:05 p.m. Members of the Council introduced themselves and identified their representative capacity.

Present:

Representatives

Said Jabbari

Bryan Gordon

Loretta Ditlow

Jackie Raymond

Sue Casamassima

Rabbi Morley Feinstein

Cory Buckner

Roz Gamble

Leonard Blum

Gene Heller

Ike Cohen

Howard Jaskol

Nancy Freedman

Ray Klein

Linda Taheripour

Jennifer Wenger-Turchen

Christina McIntosh (Alternate serving as Rep)

Naomi Kageyama (Alternate serving as Rep)

Alternates

Marylin Krell

Tony Diamond

Victoria Talbot

Larry Watts

Keith Allen-Niesen

Flo Chapgier

Legal Counsel

Larry Watts

Absent:

Representatives

Mary Sidell

Wendy-Sue Rosen

Larry Miller

Chuck Kahn

Nancy Babcock

Alternates

Erica Broido

Tom Kalette

Mitch Feinman

Flora Gil Krisiloff

Jenna Abouzeid

Emese Wood

Dennis Hinman

Judith Nesburn

Barbara Goldenberg

Tom Freeman

Eva Satori-McClane

APPROVAL OF MINUTES

The minutes of the May 4, 2010 meeting were previously distributed and the Chair noted an edit would be made to reflect that an audience member spoke *in opposition* to the Fig & Olive development due to the impact on traffic and parking. The minutes were unanimously approved as distributed with this edit.

PUBLIC SAFETY REPORT

Officer Philip Enbody, Senior Lead Officer

Raymond Klein, BCC Public Safety Representative

Officer Enbody reported that crime in Brentwood continued to decrease. Last week was very low although he is anticipating a spike when school is out. They are still seeing bicycles being stolen and advised bike owners to record the serial number because when LAPD recovers a bicycle, the serial number is entered in the system and if there is a match, you will be able to claim your bicycle.

On June 16, 2010 at 7:00 p.m., there is a Senior Lead Officer Summit at the Fire Station 59 at Olympic and Barry Community Room. Officer Enbody invited representatives from the BCC to attend. There will be a presentation by a terrorist expert. An email will be sent to the Chair with more information. Loretta Ditlow commented on a fire station that looked as though it was closed but Officer Enbody assured her it was not and, in fact, it was used for training.

Officer Enbody also discussed solicitations for donations from callers posing as law enforcement officers. The LAPD solicits only for the annual golf tournament; he distributed a card with information.

Officer Enbody addressed concerns from residents regarding aggressive census representatives. He confirmed they are still collecting census reports and they are paid by the number they collect so this might explain their overly zealous attitude. An example was discussed of how some census takers enter the back yard and ask for a specific person. Officer Enbody warned everyone to be on the look out for potential burglars. There was discussion of the non-response to a 911, 311 and call to local police station. Officer Enbody recommended not hanging up as you will lose your place in the queue. This concluded Officer Enbody's report.

The Chair reported on the recent CPAB meeting. He had scanned in the IWatch Community Terrorist Alert pamphlet and emailed it through the Crime Alert email list on the BCC's website. Please contact the Chair for a copy. The program is being run in conjunction with the LAPD and community to report suspicious events by email or phone. The Chair gave an example of two weeks ago where a briefcase was found in a trash bin on Wilshire Boulevard near the VA. The community reported it and appropriate action was taken. Fortunately, it was simply a discarded briefcase. However, suspicious items that have been reported in other parts of the country turned out to be serious; remain alert and report such items.

REPRESENTATION COMMITTEE REPORT

Bette Harris, Chair, Representation Committee.

Bette Harris was absent and the Chair reported on her behalf that there were two openings remaining on the council: Public Safety Alternate and San Vicente Business District Alternate. Please contact Bette Harris or Ray Klein if you have a referral. Bette has the application forms.

TREASURER'S REPORT

Bryan Gordon presented the following report:

- We received a further \$200 in Dues in May. Total Dues received for the year to date are \$3,800.
- Disbursements for May were \$322.00
- Net deficit for the year to date is \$314.85
- We transferred the Street Furniture Funds in the amount of \$14,250.00 from the checking account to its own account - the "BCC Street Furniture Trust Account".
- Our Checking Account balance as of the end of May is \$5,184.15

There are still a few Members who have not paid their Dues. The Treasurer urged them to submit their Dues as soon as possible.

PROPOSED BYLAWS AMENDMENTS

Larry Watts, Chair, Bylaws Committee

This was the second distribution of the bylaw amendment; a copy was attached to the Agenda. The Chair reviewed the reasons for the proposed bylaw amendment. BCC has been a non-profit for ten years without obtaining a tax exemption from IRS or Franchise Tax Board. Over the past couple of years, revenue and expenses have increased due to the member dues and insurance premium and we need to file for a tax exemption. Certain nonprofit provisions have to be in the bylaws submitted with the application. The Chair directed everyone to the copy of the revised bylaws and asked for questions or comments.

There was discussion regarding Article 13 and the difference between a 501c4 and 501c3 organization. The Chair stated that an attorney who is an expert in this area had been consulted. A 501c3 is a charity type where donors get a tax deduction for money donated to the organization. A 501c4 (BCC) does not provide for a tax deduction for dues paid by members. There was also discussion about the distribution of assets to another organization in Brentwood in the event the BCC ceased to operate; however, it was decided this could be too limiting and that the wording in the amendment about distribution to another nonprofit should be left as presented.

A motion was made and seconded to approve the amended bylaws. The vote was unanimous with zero abstentions.

GOVERNMENT REPORTS

Ellen Isaacs for Assembly Member Mike Feuer

Callie Hurd, Field Representative, Senator Fran Pavley

Jessya Avalos, Field Deputy Councilman Rosendahl

Ellen Isaacs for Assembly Member Mike Feuer

Ellen Isaacs was absent and the Chair presented her report. The main focus has been: 405/Sunset preparations for demolition in the next few weeks; a reform package is in Assembly Budget Committee for government reform; domestic partners tax equity bill appears to have resulted in a change in federal tax treatment of domestic partners, allowing them to claim a community property interest in their income just like all other married Californians. The Gas Company has begun several weeks of work in Sullivan Canyon and it will be closed periodically with notice to the community; Assembly Member Mike Feuer held a community workshop with a variety of state utility agencies who spoke about discount programs and services available to income-qualified seniors and others. Information is available to anyone who is interested through the Assembly Member's office.

Jennifer Wenger-Turchen commented that many people think the 405 at Sunset is closed due to the demolition work. This is affecting business in the village. The Chair responded that the bridge will be demolished in sections and any closure will be at night for six days. Watch for the BCC Email Alerts for more information. Sue Casamassima confirmed this and added that the closures will be in late June. There will be an additional three nights to take out the supporting posts when the shoring up has been completed. They will try to work around the evening schedules for the Luxe Hotel and Angeleno Hotel.

Jennifer Badger, West Area Director, Mayor's Office

Jennifer Badger was absent so the Chair presented her report. There has been a push to get applications to Building & Safety & Planning digitized in order to be more accessible to the examiners and the community; this includes records about properties and what the developer is requesting. Jennifer has a meeting with Building & Safety at 7:00 p.m. on June 2 at the municipal offices at Corinth Avenue, first floor. If anyone is interested, please contact the Chair for more information. The Chair continued that he would be attending the meeting and anticipated there would be a small working group at the meeting (6-8); it would be informational with a goal to work with Building & Safety's IT contact to explain what we believe is important. This meeting is to discuss the planning stages and to get our feedback. As far as timeline, it was anticipated it would be introduced in 2011. It should not cost the city any money as it would be the applicant's responsibility to digitize and scan the documents and property history.

Callie Hurd, Field Representative, Senator Fran Pavley

Callie Hurd was absent and there was no report

Jessya Avalos, Field Deputy Councilman Rosendahl

City Planning Commission approved the proposed baseline hillside ordinance last week and expect to have a determination by the end of the week and Jessya will forward it to the Chair.

Jessya reported on CF 09-0969 which is a motion to end developer subsidies. Councilman Rosendahl voted no. The legislative staff will recommend he support it on Friday. The confusion was due to the three council members who thought it might hurt small business owners so it was a miscommunication. Jessya did not think it was necessary to send letters but to do so if we wished. She responded to a question regarding how Councilman Rosendahl voted

on the Arizona boycott. He supported it. Sue Casamassima said he changed his vote on the rent control moratorium and Jessyca said he supported the concept and still did but had questions. He requested a report as he was not sure of the specifics and how it would affect renters. This concluded Jessyca Avalos' report.

Jeanne Bonfilio, Public Information Officer, State Veteran's Home

Jeanne Bonfilio reminded everyone of the Dedication Ceremony for the State Veterans Home on June 14 (Flag Day) at 10:00 a.m. on Nimitz in the VA grounds. The event is open to the public and the ribbon cutting will be around 11:15 a.m. The Marine Band and the Salvation Army Band plus bag pipers will be attending and there will be a fly over by vintage World War II airplanes. You will also be able to tour the facility. Jeanne reported that they missed the first round of trees; however, they are working on the next round.

ANNOUNCEMENTS

- Jackie Raymond reminded everyone of the June 6 Brentwood Science Magnet School Annual Fair and Silent Auction 11:00 a.m. – 4:00 p.m. Silent Auction with wide appeal of items ends at 3:00 p.m. Entrance is free. Naomi Kageyama introduced the new president of the BSMS Parent Teacher Organization and they both asked for support from the community. They distributed flyers and catalogs of the Silent Auction items.
- Jennifer Wenger-Turchen announced the Brentwood Village Summer Kick Off on June 12, from 11:00 a.m. – 4:00 p.m. Pony rides, petting zoo, food, artisans, art work & music. Stores will be having sales. All welcome. See www.BrentwoodVillage.org for more information.
- Linda Taheripour announced the Annual Homeowners Meeting at 7:00 pm on June 10, 2010 at the Merman School, 16180 Mulholland Drive. Metro will be presenting on Skirball and Mulholland Bridge, and there will be an emergency evacuation plan presentation by the Fire Department. All invited.
- Sue Casamassima announced the Brentwood Glen June 14 annual meeting at the Luxe Hotel, the speaker will be the principal of Kenter Canyon School and there will be a presentation on Metro.
- The Chair announced that Ron Marcias asked to make a presentation at the BCC's July meeting to report on the Skirball Bridge and Mulholland segment.
<http://www.metro.net/projects/l-405/construction-info/>

BRENTWOOD TOWN GREEN PRESENTATION

Project location: 11973 San Vicente Boulevard, Ray Keller and Larry Schlossberg Bryan Gordon, Chair of BCC's Land Use Committee explained that the EIR (Environmental Impact Report) is being prepared. The public Scoping Meeting was held on April 26 and testimony was given as to what the community wanted to be studied. As a result of that information, they are preparing the EIR. The public comment period has been held over until May 17, 2010. The Board was not being asked to take a vote on it this evening; this presentation was for informational purposes only. Ray Keller and his colleagues had presented to BHA, SBRA and BCC Land Use Committee. Bryan introduced Ray Keller of Ray Keller & Associates and Larry Schlossberg, Gruen Associates. Also present were Joel Miller and Maria Comacho.

Ray Keller gave a slide show and presented an overview of the project describing how its architectural character would be neighborhood-oriented, low-key, modern two-level shopping plaza with smooth stucco, teak trim, and generous landscaping. It will have patios, rambling pathways, outdoor dining and will be a welcome and inviting neighborhood gathering place with interesting tenants. They have worked hard to incorporate the community's input and the new model reflected the new concept. Ray noted the draft EIR would be available in a few months. He distributed detailed color books of the project. Larry Schlossberg went on to explain there would be generous parking of 427 spaces (and valet parking) with ingress on the west and egress on the east of the building. There is easy fire access. There will be no access to Saltair. Two homes on Saltair are being removed and replaced with a single-story house.

Joel Miller discussed the Entitlement Process. The EIR timeline was attached to the Agenda. He referenced the Scoping Meeting of April 26 and the comment period that ended May 17, 2010. They are drafting the EIR and that should be completed by early September for public review and comment through early October (45-day review period). Hearing process will commence early next year with a hearing by the hearing officer and the Zoning Administrator, followed by the Design Review Board, City Planning Commission, Planning and Land Use Management Committee and City Council by early August 2011, so about 14-15 months from now. There is a general plan amendment to change the back part of the residential property on Saltair to incorporate the parking. There is a zone change to accommodate the parking and a San Vicente Scenic Plan Amendment. There will also be an application for a CUP (Conditional Use Permit for alcohol sales) for the four restaurants planned for the project, three of which will serve alcohol. Also a zoning variance was required for the outdoor eating areas.

The Chair then discussed the historical aspect of the Barry Building based on it having architectural value and significance so that will also be studied in the EIR. The restaurants are an issue for the council as is any new restaurant specifically the hours of operation and happy hours, etc. A master list of conditions has been included in the BCC scoping letter and their applicability will depend on the type of restaurants to be in this project.

The Chair referenced the traffic impact and asked how many intersections would be impacted and mitigated or unmitigated, and would there be time delay studies. Joel responded there were 12 intersections, 4 were impacted none of which could be mitigated due to physical limitations and signal timings. They were all during the afternoon and were at: San Vicente/Bundy, Montana/Bundy, Montana/San Vicente, San Vicente/Barrington. Installing a signal at Saltair and San Vicente would not make a significant difference; however, having a U-turn through the median from the Brentwood Town Green exit would help. Joel reminded everyone he was not the traffic consultant. Ray Keller assured everyone present that the information would be distributed in the DEIR in 6-8 weeks which would then go to the DOT (Department of Transportation). Joel also noted the potential impact on coral trees in the median.

A question of noise was raised and Ray Keller responded that a strong landscaping barrier on the north and west property line of 8 feet wide would help. He reiterated the changes made to accommodate the community's concerns. The building will be 40 feet high. There was concern regarding the restaurant hours. Ray responded that restaurants typically apply for the maximum hours but those are not necessarily granted. There was also discussion regarding the building's

sustainability and Larry responded the building will not have solar panels. The construction will take approximately 1 ½ years. Managing traffic during construction was a concern. As far as preserving the character of the former Barry Building, Ray responded that there was an attempt to echo the Barry Building.

Sol Liebster was concerned there would be queuing on San Vicente to enter the parking. The Chair explained that the long driveway into the parking on the west side of the project should avoid that.

The Chair confirmed the BCC will be making comments on the draft EIR in the next couple of months and those comments will be part of the final report; it will then go to public hearing. There was a possibility that Ray Keller and his colleagues could make another presentation to the BCC to update the community as necessary. Currently, we were 40% of the way through the process.

COMMITTEE REPORTS

Sunset Safety Committee

Said Jabbari said he had nothing substantial to report. They are appointing Project Captains for various aspects such as “Adopt a Sign Campaign.” The City said each sign cost between \$50,000 to \$100,000, which was a gross exaggeration. They are planning a second meeting and will have a report at that time.

Bundy Village

Lauren Cole, Chair of the Transportation and Traffic Committee

Lauren Cole reported that the developer is still moving forward and not downsizing the development. The developer continues to refuse to meet with the community. Councilman Rosendahl’s position is not clear; six weeks ago he stated the development must be downsized. Norman Kulla stated he cannot get a firm answer from Councilman Rosendahl. The medical facility is staying the same size and this is the section that will generate the most traffic. They are now waiting for the PLUM Committee meeting. There has been much community outreach. There is potential for a town hall meeting that will include Councilman Rosendahl. It is important to hold the councilman to his election statements where he said he would not support development that did not have the infrastructure to support it. He sympathized with the traffic problem. There has been discussion regarding the 22 unmitigated intersections; this has now been “magically” reduced to 7 by “credits” although nothing has actually been done to resolve the traffic problem. Community needs to continue to oppose; order lawn signs through www.FIGHTBUNDYVILLAGE.com

VA

Chuck Kahn was absent. The Chair reported on the VA quarterly stakeholder meeting that he and Chuck attended. They will have a master land use plan for the VA facilities that will be reviewed by Washington and a draft should be released to the public by August. The golf course and VA garden will be reopened in August. The Barrington Park study regarding

radioactive material supposedly buried there is complete and being reviewed in Washington. It will not be released publicly; you will have to request a copy under the Freedom of Information Act. Michael Collins will request that.

Land Use Committee

Bryan Gordon, Co-Chair Land Use Committee

Bryan Gordon presented the following report.

Stuzzichini

There will be a public hearing for the shared parking variance they have requested. The date has not yet been set as they are still waiting for results of the traffic study.

Fig & Olive

The appeal of the Zoning Administrator's CUB determination will be heard by the APC on June 16, 2010. The BCC previously submitted conditions to the ZA for her consideration in approving the CUB (Conditional Use Beverage) and confirmed with the ZA that they had all been adopted.

We are still researching: Is the covenanted parking within 750 feet; and is it permitted by right in the condo building. Our position is to uphold whatever is legal and to enforce the requirements of the code..

Although Fig & Olive has proposed to use the public parking garage housed within the condo building as code-required parking, on nights, weekends and holidays, they have agreed to use the commercial parking in office buildings on San Vicente in order to minimize the impact to the South Brentwood community and the condo residents. This would need to be formalized. Either it becomes a condition of the approval by the APC or it would be a private agreement between the applicant and the BCC. Enforceability becomes an issue.

Ray Klein added that if it is legally determined the parking in the condo building is within 750 feet and if the covenanted condo parking can be legally counted as code-required parking, he suggested the BCC say that our suggested conditions had been adopted by the ZA and ask the APC to make it a condition that the night and weekend parking be in the office buildings without residents and that are a lot closer to the restaurant, and then the City would have to enforce it. Sue Casamassima asked what would happen if Douglas Emmett, the landlord, sold the building with night parking. Bryan Gordon responded that if the office building parking becomes a condition, then it would be incumbent on the applicant to find alternative parking for nights and weekends that did not impact the residential community. Bryan responded to another question regarding the condo residents' position on the parking; he said he believed they are opposed to parking at nights and weekends in the condo building but the majority was satisfied if the applicant were to park in the other commercial buildings on San Vicente nights and weekends.

PUBLIC COMMENT

Patrick Kelly spoke about the City Heroes Program and the high school drop out crisis. They are running a program for high school students to talk about some of the issues. They have a similar program for middle school students. The reason he was here was to get the Council's support for their program next year. Patrick introduced his colleague, Kevin, and distributed flyers. Kevin

said he has lived in Brentwood Glen for 14 years and added more detail about the program that Patrick described. He spoke about one of their recent retreats where the subject was Healthy Choices, Healthy Eating. They went to Crenshaw High and cleaned out the gardens. There used to be a program called "Grow Food for the Hood" where the food would be distributed to the under privileged; he hoped to restart it. They have gone to lots of schools and painted murals and cleaned up the area. Most efforts have not been in our area but by getting the Council's attention, they could arrange community services in our area too. The Chair asked for a flyer and thanked Patrick and Kevin.

Sol Liebster spoke about people driving fast on Montana. The Chair suggested he talk to Senior Lead Officer Phil Enbody. Sol said he would.

ADJOURNMENT

There being no further business to discuss, there was a motion to adjourn, which was seconded, and the meeting was adjourned at 9:10 p.m.

NEXT BCC MEETING: July 6, 2010