



MID CITY WEST COMMUNITY COUNCIL

543 N. Fairfax Avenue, Suite 106 Los Angeles CA 90036
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Beverly Center • Beverly Grove • Burton Way • Carthay Circle • Fairfax District • Melrose • Miracle Mile • Park La Brea

Board of Directors Agenda

August 10, 2010 (7:00 p.m.)

MCW Headquarters-Main Auditorium
543 N. Fairfax Avenue

The public is requested to fill out a **“Speaker Card”** to address Mid City West on any item on the agenda. Comments from the public on agenda items will be heard only when that item is being considered. Comments from the public on other matters, not appearing on the agenda but within the Board’s subject matter jurisdiction, will be heard during the Public Comment period. Public comment is limited to 3 minutes per speaker, unless waived by the presiding officer of the Board or committee chair.

As covered 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, assisted listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request 3 business days prior to the meeting you wish to attend by contacting the Department of Neighborhood Empowerment at 213.485.1360 or e-mail NCsupport@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 by appointment at 543 North Fairfax Avenue, Los Angeles, CA, at our website www.midcitywest.org, or at the scheduled meeting. In addition, if you would like a copy of any record relating to an item on the agenda, please call 323.651.3512 or send an e-mail to admin@midcitywest.org.

OPENING ITEMS

1. Call to Order; Roll Call
2. Opening Remarks from the Chair (2 min)
3. Approval of July 13, 2010 Minutes (2 min)
4. Public Comment Period (10 min)
Comments from the Public on matters within Board jurisdiction.
Under Mid City West Bylaws, comments are limited to 3 minutes per speaker.
5. Report from LAPD Wilshire Division (5 min)
6. Announcements from City Representatives (10 min)
 - a. Department of Neighborhood Empowerment; Mayor; Council Offices; Assemblymembers; other elected officials
7. Motion to Remove 2nd Vice-Chair from Executive Council (15 min)
 - a. Board member Yuval Kremer has provided written notice seeking removal of the 2nd Vice-Chair, Tom Eisenhauer, from the Executive Council.

- b. Mid City West Bylaws Article V, section 8, require Mid City West to “place the matter on the agenda for discussion and vote at the next regular meeting of the Board.”

CONSENT CALENDAR

The consent calendar includes items that are expected to be routine or noncontroversial, as determined by the Chair, Executive Council and/or committee chair. They will be voted on as a whole unless a stakeholder submits a speaker card on an item, or a Board Member requests that an item be pulled from the consent calendar. Any stakeholder or Board Member should feel free to request that an item be pulled. Our intent is not to stifle debate or discussion on any item, but rather to allow the Mid City West Community Council to focus its time and attention on matters of greater importance to the community.

- 8. **Public Safety Committee: Motion to Support Drafting of “Party House” Ordinance (Council File 10-1134):**
 - a. Councilmembers Koretz and LaBonge have proposed that the City adopt an ordinance to impose fines against property owners or occupants due to excessive LAPD nuisance-related calls. http://clkrep.lacity.org/onlinedocs/2010/10-1134_mot_6-25-10.pdf
 - b. **Motion:** To support in concept the “Show for Cause” ordinance recently proposed by Los Angeles City Council members Paul Koretz and Tom LaBonge, with the intention of addressing the problem of “party houses” that create excessive noise and late-night problems for neighbors. We support attempts to crack down on these party houses through the use of fines, as long as there is an appeals process for those cited, and steps are taken to prevent neighbors from exploiting the ordinance in a malicious manner.
- 9. **Executive Council: Committee Name Change**
 - a. Motion: The name of the Land Use Committee is hereby changed to the Planning and Land Use Committee.
 - b. Mid City West’s bylaws require the Board to designate committees. The members of the Land Use Committee voted to recommend changing the name to Planning and Land Use, and the Executive Council concurs. The intent is to make clear that the committee’s focus includes general planning issues, and not solely individual projects.

ITEMS OF GENERAL PUBLIC INTEREST

- 10. **Planning and Land Use:** (40 min)
 - a. **Case No. ZA 2010-1787(CUB): 5779 Wilshire Boulevard: The Counter**
 - i. Applicant seeks a Conditional Use Permit for the on-site sale and consumption of a full line of alcoholic beverages in conjunction with a new 4,075 square-foot restaurant and 500 square-foot adjacent patio (126 seats indoors and 50 seats on the patio). The proposed hours of operation are 11 AM to 12 Midnight seven days a week. The applicant seeks approval of a DJ.
 - ii. **MOTION:** Support the application as submitted with the following conditions: free parking for all employees, D.J. on Wednesday and Thursday nights only between 7:00pm and 11:00pm only.
 - b. **Case No. ZA-2010-2102/03: 351 North Fairfax: Club Vodvil**
 - i. Applicant seeks a Conditional Use Permit (CUB) for a full-line of alcohol in conjunction with a full service restaurant seating 113; a Conditional Use Permit

(CUX) to allow entertainment including karaoke and other interactive entertainment (trivia games, etc.) within a restaurant; and a Zone Variance to allow off-site parking via Lease Agreement in lieu of Covenant (36 additional spaces will be provided at 333 N. Farifax Ave.).

- ii. **MOTION:** The Mid City West Community Council supports the application as submitted with the following conditions: (1) Applicant to install a bicycle rack on the sidewalk in front of 351 N. Fairfax Ave. if possible; if not, to install one in the provided on-site parking at 351 N. Fairfax Ave.; (2) Parking behind 351 N. Fairfax Ave. to be for employees only; and (3) Entertainment to include comedy improv, interactive games (similar to game shows) including audio/visual cues only.
- c. **Report re Recent Decisions on MCW Land Use Matters and Upcoming Hearings,** including Magnolia Bakery, 817 North Alfred, BluJam Café, Casden-Ross project.

11. **Public Safety Committee:**

- a. Report re National Night Out event at Poinsettia Park

12. **Executive Council:**

- a. In July 2010, Mid City West opposed Berri's Pizza's application for a conditional use permit to serve alcohol, in part because of hearing from neighbors and LAPD regarding late night noise, traffic, fighting and other problems. A stakeholder has requested that Mid City West support their efforts to have the City investigate whether Berri's is creating a nuisance and determine what, if any, enforcement action to take.
- b. **Motion re Nuisance Complaint against Berri's Pizza Café:** The Mid City West Community Council requests that the Los Angeles City Attorney's Office and the LAPD research and conduct, if necessary, nuisance abatement proceedings regarding Berri's Pizza at 8412 W 3rd St.

ADMINISTRATIVE AND ORGANIZATIONAL MATTERS

13. **Budget Committee:**

(15 min)

- a. Monthly Financial Report, including Review and Approval of Purchasing Card transactions and bank statements
- b. Presentation and Approval of Revised FY2010/11 Budget
- c. **NOTE:** The Budget Committee will meet on Friday, August 6, so the proposed budget was not available by the deadline for posting this agenda.

14. **Executive Council:**

(5 min)

- a. **Motion to Approve Renewal of Office Lease:** Mid City West's lease for office and meeting space at the NCJW Building, 543 North Fairfax Avenue, must be renewed annually. NCJW has offered to renew the current lease on the same terms as last year. The rental rate is \$5700 per year (\$475/month), which includes the office and use of the auditorium for our monthly board meeting. We pay \$20 per meeting for the use of small meeting rooms, although this rental amount is not specified in the written lease.

15. **Bylaws/Grievance Committee:**

- a. Report re Status of Grievance filed by Yuval Kremer against Tom Eisenhauer
- b. **Motion re Proposed Neighborhood Council Bylaws Template Language.** Discussion and Possible Action on motion for Mid City West to take a position regarding the Department of Neighborhood Empowerment's bylaws standardization proposals.
- c. **NOTE:** The Bylaws and Grievance Committee will meet on Monday, August 9, so the text of any motion was not available by the deadline for posting this agenda. (5 min)

CLOSING ITEMS

16. Public Comment Period

Comments from the public on matters within Board jurisdiction.

Per MCWCC Bylaws, comments are limited to three (3) minutes per speaker.

17. Board Member Comments/Announcements

18. Adjourn

Next MCWCC Regular Board Meeting: September 14 at 7:00 p.m.

Reminder: MCWCC Board Meetings are held at the MCWCC Offices, NCJW Auditorium, 1st Floor, 543 N. Fairfax Avenue

For information on the Process for Reconsideration, MCWCC Stakeholder Grievance policy or any other procedural matter related to this Council, please consult the MCWCC Bylaws by clicking on the www.midcitywest.org or visiting the MCWCC Office at 543 N. Fairfax Avenue, Room 106.