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Motion to split the Economic Development Committee into three separate committees

Agenda Item: GB021816-4

Date: February 18, 2016

Proposed By: Jon Liberman

Full Proposal

The Economic Development Committee has been in effect for several years. Currently they are enjoying great progress with the Robertson Blvd. corridor. However, the focus has not been able to be expanded to other business corridors at the present time. I propose that the Board split this committee into three separate committees. This would be done on a geographical basis.

1. Robertson Blvd. Corridor Economic Development Committee which would be Co-Chaired by Marj Safinia and Beth Hirsch. This would maintain continuity with this area.
2. Pico Blvd. Corridor Economic Development Committee which would be Co-Chaired by Michael Bloom and Jon Liberman.
3. West La Cienega Blvd. Corridor Economic Development Committee which would be Co-chaired by Mike Lynn and Terrance Gomes.

The net effect of this would allow these three diverse areas of Soro to work towards economic development without having to wait for one area to be completed prior to dealing with the needs of the other two areas. All three committees have strong leadership. Each proposed Co-Chair has been contacted and has indicated a willingness to serve in a leadership role. The proposed leadership all have ties to the specific areas covered by the proposed committees.

Proposed Motion

Effective upon the passage of this motion the current Economic Development Committee would be split into three separate committees:

1. Robertson Blvd. Corridor Economic Development Committee which would be Co-Chaired by Marj Safinia and Beth Hirsch.
2. Pico Blvd. Corridor Economic Development Committee which would be Co-chaired by Michael Bloom and Jon Liberman.
3. West La Cienega Blvd. Corridor Economic Development Committee which would be Co-chaired by Mike Lynn and Terrance Gomes.



Considerations

Committee review:
(highly recommended)

Votes For: n/a

Against: n/a

Amount previously allocated in Committee's working budget: \$
(applies to funding motions only)

Arguments for:

1. Allows focus on development of contiguous areas.
2. Allows work on development to occur faster since each committee has a narrow focus.
3. May bring additional Board Members onto these committees since one of these committees may align with an individual board members' interests.

Arguments against:

1. Creates additional committees which may cause overlapping scheduling of meetings.



SORONC 60 Day Notice to City Attorney Feuer for enforcement of Short Term Rentals

Agenda Item: GB021618-12
Date: February 18, 2016
Proposed By: Terrence Gomes

Background

ALL Short-Term Rentals ("Airbnb" is the commonly known terminology) are illegal in Residential Zones in the City of Los Angeles. L.A.M.C section 12.21(A) (1) (a). A short-term rental is a rental that lasts fewer than 30 days. It is illegal to "AirBnB"(short-term rent) any portion of an apartment or house, regardless of whether you are a tenant or a landlord. This would include areas like Silver Lake and Venice, which are mostly zoned low-density residential

If you are operator in a residential zone, it is irrelevant whether you have a written agreement with the landlord permitting AirBnB. The agreement is considered illegal and unenforceable and the landlord can still evict you if he so chooses, at any time. You can also be prosecuted regardless of landlord permission. It is a misdemeanor punishable by up to 6 months imprisonment. LAMC Section 11(m).

If you are a rent-controlled tenant in a residential zone, Airbnb-ing your apartment is grounds for eviction, because rent-controlled tenants are not permitted to use their apartments for an "illegal purpose" L.A.M.C 151.09(A) (4)

Proposed Motion

Whereas, it is now clear that short term rentals are illegal in Los Angeles' residential neighborhoods, and Whereas the City Attorney has consistently refused to prosecute short-term rental violations in the City of Los Angeles, for a variety of reasons, Now, therefore, be it resolved, that the South Robertson Neighborhoods Council urges City Attorney Mike Feuer to enforce the law as required by the Charter, and immediately prosecute short-term rental zoning violations in the City of Los Angeles.

South Robertson Neighborhoods Council demands that if after 60 days of this notice, Mr. Feuer does not start enforcement, City Council take action to hire a private law firm to start enforcement procedures and reallocate the City Attorney's budget to pay for those services.

Considerations

Committee review:
(highly recommended)

Votes For: 0

Against:

Amount previously allocated in Committee's working budget: \$
(applies to funding motions only)

Arguments for:

Arguments against:

First argument in favor. Use these points to help frame the debate.

First argument against the motion. Try to be fair.

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SORONC support for a manageable Street Vending Ordinance

Agenda Item: GB021816-13

Date: February 18, 2016

Proposed By: Terrence Gomes

Background

Council File: [13-1493](#) relative to Street Vending was heard in the Economic Development Committee on October 27, 2015 and is now pending in the Public Works and Gang Reduction Committee. The City of Los Angeles is asking for a more comprehensive legal framework to effectively address sidewalk vending. The matter is now pending in the Public Works and Gang Reduction Committee and will likely be heard in Committee in February, but a date is not confirmed. If Public Works Committee's actions are different than Economic Development – a motion would have to be made in Council as to which report to adopt. The Public Works and Gang Reduction Committee has not set a date to hear the matter.

Proposed Motion

The South Robertson Neighborhoods Council supports the CF: 13-1493 with the following conditions:

- That all communities MUST opt-in to have street vending participate in their area. Opt-in public meetings shall be held at the Neighborhood Council for the boundaries of their Neighborhood Council. Once it is determined that the Neighborhood Council area will opt-in, the Department of Street Services will determine the site locations and hold public meetings in the affected communities.
- There shall be a maximum of two street vendors per block with no merchandise displayed on public sidewalks, driveways, poles, fences, curbs or any other public right-of-way. These vendors will be selected by a lottery for the designated locations in the opt-in Neighborhood Council locations.
- All authorized vendors must file an application for a revocable placard, pay a predetermined cost recovery application fee, obtain a Food Handling Certification, BTRC, FTB Resale License, Los Angeles County Health permit, and comply with any and all required local, state, and federal regulations. The authorized vendor will be required to pay an annual predetermined cost recovery fee that includes an annual cart inspection and complaint review.

If the City Council is unable to include these minimum conditions as part of the comprehensive legal framework, the South Robertson Neighborhoods Council will withdraw its support and demand that the City Council immediately instruct the Department of Street Services to implement an ACE citation program to enforce the current municipal law of the City of Los Angeles.

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13-1493

NOV 06 2013

ECONOMIC DEVELOPMENT
PUBLIC WORKS & GANG REDUCTIO

Related CF's: 13-0980
08-0011-83

MOTION

Street vending on the City right-of-way and sidewalk is illegal. In the average year, there are hundreds of tickets written to vendors, and several hundred arrests. Yet thousands of vendors continue to operate in an underground marketplace, selling a wide variety of food and merchandise on the sidewalks of Los Angeles.

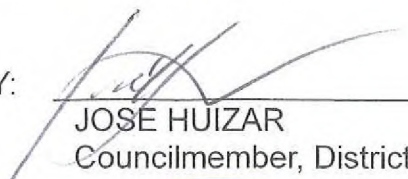
Street vending largely falls within two categories, food street vending and merchandise (non-food) street vending, each with their own complexities. Street vending is permitted in various forms by most other large cities. New York, San Francisco, Houston, Portland and Chicago are among the cities that have established a regulatory system for selling merchandise and/or food on city sidewalks.

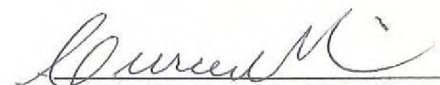
In Los Angeles, a more comprehensive legal framework is required to effectively address sidewalk vending. An effective regulatory system has the potential to protect health and increase public safety and economic activity. Such a policy should also consider the rights and investments of brick-and-mortar businesses, including opportunities to expand and promote their businesses through street vending and with the overall goal of enhancing economic growth and the viability of neighborhoods.

I THEREFORE MOVE, that the CLA, along with Bureau of Street Services and in consultation with other Departments as needed, the City Attorney and the County of Los Angeles, be instructed to prepare and present a report within 90 days with recommendations on possible regulation that could effectively permit and regulate *food street vending* on City sidewalks and parkways. This report should include the following: the history and status of the Special Sidewalk Vending District program administered by the former Community Development Department; a review of policies in other jurisdictions; recommendations to improve public safety; and ways to ensure street food vendors provide safe and healthy food options.

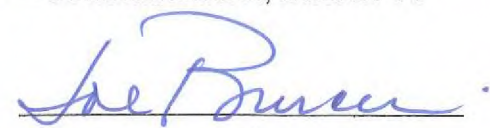
I FURTHER MOVE, that the CLA, along with Economic and Workforce Development Department, City Attorney and Bureau of Street Services, and in consultation with other Departments as needed, be instructed to prepare and present a report within 90 days with recommendations on possible regulation of *merchandise and non-food street vending* in the City of Los Angeles. This report should include the following: information on the number of citations that have been issued over the past year and where the citations were issued; the current regulations on street vending and how the regulations are enforced; potential legal constraints for regulating street vending; and a review of policies in other jurisdictions.

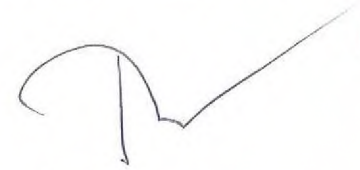
PRESENTED BY:


JOSE HUIZAR
Councilmember, District 14


CURREN D. PRICE, JR.
Councilmember, District 9

SECONDED BY:





ORIGINAL

NOV 6 2013



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Motion to fund Get Lit NPG for \$5000

Agenda Item: GB031716-4

Date: 3/17/16

Proposed By: Marjan Safinia

Full Proposal

Get Lit is a nationally recognized Los Angeles based organization, celebrating their 10th anniversary this year. Their work profoundly connects with at-risk teens, keeping them engaged in school and increasing literacy rates through the vehicle of poetry and literature. Some of their star students have performed on stage at the Hollywood Bowl with John Legend, at the Kennedy Center, on Queen Latifah's show and at the White House.

Get Lit programs run in many LAUSD schools, and their program at Hamilton High has been in effect since 2008. At the core of their program is a simple idea – get students engaged with a classic poem that they study deeply and learn to perform, then have them write a response poem to that piece from their own voice. In this process students learn to love literature, develop confidence building performance skills, and learn to find and use their own voices to speak of their own lives, and share those experiences with others. At the end of the year, the students get to participate and compete in the Classic Slam, battling out their spoken word poetry with peers from other schools across LA County. The in-school curriculum aligns with Common Core Standards for English Language Arts and Visual Performing Arts.

I was recently fortunate enough to meet three of the Get Lit graduates who have continued on to become Teaching Artists in the program. Seeing these three young people perform at a conference, I was moved to tears by the power of their words and their experiences. They brought 300 people in a theater to a resounding standing ovation each time they were on stage. To have seen the poise and confidence and agency that these three young people held, despite having come from difficult backgrounds, was an indelible testament to the power of the program.

In a time where our young people are facing challenges in their lives that many of us were lucky not to have to grapple with, to see a program have such a profound a life-changing effect on young people is truly impressive. I believe this is a very worthwhile program to support in our community. To be able to offer a young person a program that can help them transform how they see their place in the world at this stage in their development has a profound long-term benefit for us all.

The board had allocated a total of \$5000 towards community NPG projects for this fiscal year. Unfortunately, we did not have any community applications during our open call period. I propose that the funds for this NPG come from that pot of money that was allocated by the board during budgeting to support nonprofit programs in our community.

Proposed Motion

- I. That SORO NC approve the Neighborhood Purposes Grant application for \$5000 for a year of Get Lit Words Ignite at Hamilton High School.





Considerations

Committee review: Votes For: 0 Against: 0

Amount previously allocated in Committee's working budget: \$5000 (for community NPG projects)

Arguments for:

Supporting youth education and character building programs pays long term dividends to our community and society

This program is tried and proven at Hamilton High School and we have evidence of the great success it has had with students over the years.

Arguments against:

We could spend the funds on other uses.

None.



Motion to request Recreation & Parks Dept. fill open position to help manage Reynier Park

Agenda Item: GB031716-5
Date: 17 March 2016
Proposed By: Parks & Rec Committee

Background

Responding to local concerns about Reynier Park's lack of policing of park rules, the NC, first via the Quality of Life committee, then via the Parks committee, worked with the community to identify specific problems and possible solutions.

In the course of that work, Boardmember Terrence Gomes discovered that Robertson Recreation Center has a funded position that has yet to be filled. After securing confirmation that Reynier Park will be managed by the Rec Center staff and that permits are in fact required for use of Reynier facilities, Terrence recommended that the new hire be used in part to help administer Reynier.

In addition, Terrence was able to clarify park rules that were omitted, confusing, or contradictory between park signage and the Recreation & Parks's website.

Proposed Motion

The South Robertson Neighborhoods Council calls upon the City's Department of Recreation and Parks to:

- I. Without delay, fill the vacant, funded staff position at Robertson Recreation Center (with a bi-lingual candidate if possible);
- II. With the addition of that person, manage the nearby Reynier Park, including responsibility for administering permits as well as regular checks at Reynier to make sure that rules were being followed, permits were in order, and facilities were clean (particularly on weekends);
- III. Update Reynier Park signage at the two park entrances in both Spanish and English to accurately reflect existing park rules, including but not limited to permits, grill usage, sound/mechanical entertainment limitations, and enforcement contact information; and
- IV. Correct the information on laparks.org to clarify rules and provide clear contact information for permit requests.

Considerations

Committee review: <i>(highly recommended)</i>	Votes For: 6	Against: 0
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Amount previously allocated in Committee's working budget: \$
(applies to funding motions only)

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Arguments for:

Enforcing park rules will go a long way towards answering community concerns

Understaffing the Rec Center means that current staff do not have time to visit Reynier Park as they used to.

Arguments against:

In the short term, it will be difficult to communicate the rules to Park users.

The position shouldn't be filled until Robertson Rec Center improvements are complete.

MOTION

The Los Angeles Department of Water and Power's (DWP) governance structure must be reformed.

In its 1999 study of governance options, RAND Corporation called the utility's existing system "overly complex, cumbersome, and bureaucratic."

A decade later, PA Consulting found that DWP's governance framework "does not facilitate efficient decision-making and clouds accountability for key decisions."

The Los Angeles 2020 Commission recommended in 2014 that the City establish a full-time, paid independent rate commission of experts to "take the politics out of DWP."

Most recently, the 2015 Industrial, Economic and Administrative Survey noted that unless DWP becomes more transparent "it will be difficult for LADWP to earn back the public trust and carry out its agenda" and recommended that the City consider alternative governance structures for the utility.

It is time for the City of Los Angeles to address these concerns.




The City should develop and adopt Charter amendments to restructure DWP's governance system in order to increase oversight and transparency, reduce political interference from City Hall, and streamline departmental operations. Any Charter amendment would have to be approved by the voters of Los Angeles.

Currently, major sections of the City Charter and Administrative Code addressing DWP governance issues can be found in:

- City Charter § 245 (City Council Veto of Board Actions)
- City Charter § 271 (City Attorney Power and Duties)
- City Charter § 500 *et seq.* (General Provisions Related to Departments)
- City Charter § 600 *et seq.* (General Provisions for Proprietary Departments)
- City Charter § 670 *et seq.* (Department of Water and Power)
- City Charter § 1000 *et seq.* (Civil Service)
- Administrative Code § 23.122 *et seq.* (Department of Water and Power)

I THEREFORE MOVE that Council instruct the City Attorney, in consultation with the City Administrative Officer, to address the relevant Charter and Administrative Code provisions for the proposed amendments as outlined in the attached document, and prepare additional language for necessary amendments to the Charter and Administrative Code for inclusion in a 2016 ballot measure to be put before the voters of the City of Los Angeles.

PRESENTED BY: 
 FELIPE FUENTES
 Councilmember, Seventh District

SECONDED BY: 



JAN 22 2016

ORIGINAL

Proposed Charter Amendments for the Los Angeles Department of Water and Power

BOARD: The part-time, voluntary nature of the Board of Water and Power Commissioners (Board) limits oversight of utility operations.

Proposed amendments:

- Replace voluntary board with five to seven full-time, professional Board members.
 - Amend City Charter § 670 to change number of Board members.
 - Amend City Charter § 502 to exempt or remove rules governing appointment and removal of DWP Board; consolidate and add to City Charter § 670 *et seq.*
 - Amend City Charter § 501 to exempt DWP Board and add a new “attendance fees” provision to Section 670 *et seq.*
- Require Board members to have expertise in areas such as public utility management, environmental policy, consumer advocacy, or finance.
 - Amend City Charter § 501 to exempt DWP Board and add new qualifying provisions to Section 670 *et seq.*; replicate in Section 670 *et seq.* the provisions in Section 501(d) and (e) requiring Board member to be a registered voter of the City and not be a lobbyist.
- Require Board members to serve full five-year terms.
 - Amend City Charter § 501(c) to exempt DWP Board and add new term requirements to Section 670 *et seq.*
- Establish staggered terms.
 - Amend City Charter § 501(c) to exempt DWP Board and add new language to Section 670 *et seq.* requiring staggered terms.
- Establish term limits for Board members.
 - Amend Section 670 *et seq.* to add term limits provision.
- Determine process for appointing or electing Board member positions.
 - Amend Section 501 to exempt DWP Board and add new appointment or selection process to Section 670 *et seq.*

CITY HALL: DWP must report to multiple City entities, resulting in decentralized authority and inefficiency; Board actions – including ratemaking – would no longer require City Council approval unless the City Council asserts jurisdiction.

Proposed amendments:

- Remove requirements for City Council approval or oversight of certain Board actions.
 - Amend City Charter § 506 to exempt Board and General Manager (GM) from Mayor and Council approval of rules and regulations, decisions for acquisition of real property, and approval of contracts.
 - Amend City Charter § 604 to remove Mayor and Council confirmation of GM appointment and Mayor confirmation of GM removal.
 - Amend City Charter § 604 to exempt GM compensation (set by Board) from Council interference.
 - Amend City Charter § 605, 606, 607 to exempt Board from Council interference in granting franchises, concessions, permits, licenses, and leases.
 - Amend City Charter §§ 674, 675 to exempt Board from Council approval requirement for power contracts and actions regarding real estate.
 - Amend City Charter § 609 to remove Council and Mayor oversight of debt issuance.
 - Amend City Charter § 677 to exempt sale or exchange of surplus water from Council oversight.
 - Amend powers and duties contained in Administrative Code § 21.133 *et seq.* to remove Council interference.
 - Amend City Charter § 676 to add a ‘passage unless Council intervenes’ provision similar to City Charter § 245(a).

OVERSIGHT: Board has limited access to independent analysis of Department proposals.

Proposed amendments:

- Authorize Board to hire its own legal counsel.
 - Amend City Charter § 271 (provides that City Attorney shall be the legal advisor to all City board, departments, officers and entities) to allow Board to appoint its own legal advisor; add an authorization provision to City Charter § 670 *et seq.*, possibly City Charter § 675 (Power and Duties of the Board) allowing Board appointment/hire of its own legal advisor.
- Authorize Board to hire its own budget/policy advisors to serve a City Administrative Officer/Chief Legislative Analyst-like function.
 - Add an authorization provision to City Charter § 670 *et seq.*, possibly City Charter § 675 (Powers and Duties of the Board) allowing Board appointment/hire of its own legal budget/policy advisors.

PERSONNEL: The Department is unable to hire quickly and fill key positions with qualified personnel.

Proposed amendments:

- Authorize the Department to oversee its own hiring functions and remove the Department from its obligation to follow civil service rules.

- Add an authorization provision to City Charter § 670 *et seq.*, possibly City Charter § 675 (Powers and Duties of the Board) allowing Board discretion to hire and discharge personnel.
- Amend Charter provisions regarding exempt positions from City civil service requirements in City Charter § 1001, including City Charter § 1001(c) (Proprietary Department Positions).
- Exempt appointment of Secretary of the Board and Chief Accounting Employee from compliance with City ordinance and civil service (exempt from/amend City Charter § 504).

TRANSFER: The Department's annual transfer to the City General Fund continues to increase.

Proposed amendment:

- Cap City transfer at its pre-Prop 26 level.
 - Amend transfer provisions in City Charter § 340 *et seq.*



Motion to reassert alcohol-specific conditions in Conditional Use Beverage (CUB) permits

Agenda Item: GB031716-6
Date: 17 March 2016
Proposed By: Doug Fitzsimmons / WRAC

Background

From the background materials provided by Venice NC:

In 2012, the City of Los Angeles implemented a new practice prohibiting Zoning Administrators from imposing “alcohol-specific” conditions requested by LAPD, Council Offices, neighborhood councils and community councils at Conditional Use Beverage Permit (CUB) hearings.

In a letter dated January 9, 2014, in response to a request from the Venice Neighborhood Council for clarification about what kinds of conditions can be legally included on a CUB, the City Attorney stated “...The City, unlike the Department of Alcoholic Beverage Control (“ABC”), is prohibited (“preempted”) by State law from imposing these types of conditions on a CUB.”

The letter references two documents: a 1996 memo from then-Chief Zoning Administrator Robert Janovici to all Zoning Administrators containing examples of prohibited alcohol-related conditions, and a 1990 Superior Court writ invalidating alcohol-specific conditions imposed on a Pacoima food market.

Both documents are cited as evidence that the City is preempted by state law from imposing conditions related to the sale of alcohol.

For reasons detailed below, and in the resolution, both of these documents are outdated and do not reflect the current state of the law or the practice of virtually every other municipality in the State of California.

WHY THIS MATTERS

The City’s relatively new position denies city agencies – including the LAPD, Zoning Administration, Council Offices, and Neighborhood Councils – the ability to prevent and abate public nuisances associated with the sale of alcohol by restricting the placement of conditions on, among other examples, hours of sale of alcohol, happy hours (rules and regulations), container sizes, and types of alcohol sold.

For decades, the City of Los Angeles allowed conditions to be placed on the sale of alcohol using its broad police powers under its land use and planning authority. The ability to place and then enforce such conditions has been crucial for mitigating adverse impacts of businesses selling and/or service alcohol.

Untold numbers of issues and concerns between community members and those businesses seeking CUBs have been amicably resolved through this process.

Unlike most retail products, alcohol has a direct and significant impact on public health, welfare and safety. Without the ability to place alcohol-related conditions, communities can no longer exert local control over the impacts of new alcohol-related businesses in their neighborhoods.

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WHY THE CHANGE IN PRACTICE?

A policy change of this magnitude requires a vote from the City Council, and there has been no such vote. There is no clear understanding among the multiple affected parties (NCs, ZAs, community members) why the City is mandating such a strict departure from its decades-long practice.

Attempts to clarify the legal justification and rationale behind such a significant change in practice have been unsuccessful. Regardless, without a public process and a vote from the City Council mandating such a substantial change in long-standing City practice, various City agencies must be able to continue to place alcohol-specific conditions under the City's land use and planning authority.

NUMEROUS CALIFORNIA CITIES AND COUNTIES CONDITION THE SALE OF ALCOHOL

Unlike the City of Los Angeles, cities and counties throughout California allow alcohol-specific conditions to be placed on CUB permits for new businesses that sell or serve alcohol.

Ample California case law exists that calls into question the City's current practice. An examination of legal precedent indicates the City's position:

- overstates the breadth of the State's alcohol licensing authority;
- disregards recent case law; and
- ignores the practices of numerous other California jurisdictions.

In fact, to the best of our knowledge, the City of Los Angeles is the only jurisdiction in the State of California that takes the position that the City is powerless to regulate the impacts of alcohol with alcohol-specific conditions.

WHY THIS MATTERS TO BUSINESSES, TOO

Alcohol-specific conditions constitute a "path to yes" for restaurants, markets and liquor stores, allowing a process whereby applicants and communities can find mutually agreeable land use conditions which, once reached, allow business owners to enjoy the benefits of their CUB in their community.

Without the ability of Zoning Administrators to impose alcohol-related conditions to mitigate land use impacts, communities are forced to oppose projects they otherwise could support with proper conditions.

This impairs the ability of LAPD, Council Offices, and communities to negotiate with businesses to reach agreement on conditions that allow a project to move forward, which obstructs new business development.

Proposed Motion

The South Robertson Neighborhoods Council calls upon the City Council to adopt a policy to:

- I. Authorize the imposition of land use conditions that protect public health, safety and welfare by mitigating potential adverse impacts from the sale or service of alcohol, consistent with the practice of other jurisdictions statewide as well as the City's decades-long practice prior to 2012;
- II. Maintain and enforce previously-imposed CUB conditions on the sale or service of alcohol; and
- III. Prohibit the removal of previously-imposed conditions outside the public processes mandated under the City Charter and Zoning Code.



Considerations

Committee review:
(highly recommended)

Votes For: 0

Against:

Amount previously allocated in Committee's working budget: \$
(applies to funding motions only)

Arguments for:

Arguments against:

The City of Los Angeles had imposed land use conditions in CUB permits for decades before the Dept. of City Planning suddenly reversed this practice in 2012, on the advice of the City Attorney's Office, with no public notice, no public process, no public hearings, and no direction from the City Council

The Dept. of City Planning is obligated to follow City Attorney advice.

The City's current practice undermines the ability of the City and local communities to protect against potential land use impacts that are adverse to public health, safety and welfare. California courts have repeatedly affirmed that municipalities have broad police powers to impose conditions on the sale or service of alcohol.

The City Attorney references two prior documents that suggest that the City is prohibited from imposing conditions.