

SORO NC Board Applicant Statements

15 October 2015

Candidate for Organization Representative

Interim term expiring June 2016

Dan Fink

Deputy Director, The Relational Center

As a leader of a non-profit organization that focuses on increasing the wellbeing of individuals, families, and communities through direct services, community building, and civic engagement, I have had to find ways of creatively solving problems with mostly voluntary labor and very little financial resources. I was originally attracted to the Quality of Life committee because of the focus on civic engagement, but now that I have seen how deeply connected all of the SoRo issues truly are, I would like to be part of the larger conversations that focus on community issues. I want to help build a more collaborative and interdependent community in South Robertson, and I want to see more thriving small businesses along Robertson Blvd. Our individual wellbeing is depending on our community wellbeing, so the two must grow together.

Nominee for Green Team Vice-Chair

Nicole Zwiren

Nicole Zwiren is a union utility sound technician and a freelance sound mixer, with her MFA in Sound Design from Chapman University and her Bachelor of Arts in Anthropology and African-American Studies from UCLA. She has experience as a volunteer for her community as both an event planner for Robertson Park and a member of the Green Team committee of the South Robertson neighborhood. As a volunteer for Robertson Park she has planned and coordinated 3 separate basketball events along with her own Basketball for Peace in conjunction with the Peace Picnic in September of 2014. On the Green Team she has been concerned with the greenery and the community garden along with starting a new community garden in the neighborhood.

On her agenda for the new year she wants to help Aimee as the co-chair of the green team. She is concerned with such issues as protecting the trees during the renovation of the Robertson Park, teaching the importance of preserving the environment to protect the wildlife of the community, teaching how people can sustain the planet better by doing their own composting, and educating the neighborhood on the dangers of allowing the electric company to pollute our homes with unnecessary radio frequencies in the form of smart meter installations. She plans on getting more of a variety of people to attend the meetings and to encourage activism in the form of writing letters, calling politicians in office, starting petitions and spearheading events to bring important issues to recognition.



Motion to approve 2016 election options

Agenda Item: GB101515-8
Date: 15 October 2015
Proposed By: Executive Committee

Background

The 2016 SORO NC election will be held on June 5th, which happens to be the same date as the SOROFest.

The City is asking that we vote to approve our preferred options for the election, including choosing a 4 hour window for voting; polling location and backup; and requested translation services.

Note that the 4 hour window is shorter than we have had in previous years (it's usually been 6 hours, between 10am–4pm), and the Festival is only open from 11am–4pm.

Using the festival as our polling location is estimated to cost \$400, half of which will be reimbursed by the City.

In the past two elections, our main effort has been to enfranchise and attract as many voters as possible. We have therefore focused our multi-lingual efforts on voter turnout. Additional languages cost the NC \$50 each, not including outreach expenses to support it. Past outreach included distributing flyers and creating yard signs in Spanish.

Proposed Motion

To approve the following stipulations for the 2016 SORO NC election:

- I. Time: 11:00am – 3:00pm
- II. Primary Polling Location: SOROFest grounds, S. Robertson Blvd. between Cadillac and Cattaraugus (exact placement to be determined).
- III. Backup Location: Shenandoah Elementary, 2450 S. Shenandoah St.
- IV. Translation Services
 - a. Candidate Forms: English
 - b. Voter Registration: English, Spanish
 - c. Polling Location: English, Spanish

Doug Fitzsimmons
President

Kevin Gres
Vice-President

Terrence Gomes
Treasurer

Beth Hirsch
Secretary

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Considerations

Committee review:
(highly recommended)

Votes For: 3

Against: 0

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

Arguments for:

The Festival peters out a bit at the end, and closing at 3pm gives time for the ballots to be counted.

We have the opportunity to reach many more people at the Festival.

Multilingual voters are the priority.

Arguments against:

Perhaps 11:30am–3:30pm would be better (although it makes outreach messaging more complex)

We'll have to be particularly careful about keeping candidates from campaigning near the polls.

Although logistically harder to accommodate, candidates should be, too.



Motion that South Robertson Neighborhood Council spend up to \$750 to prune 6 Chinese flame trees along Pico Blvd.

Agenda Item: GB101515- 9
Date: October 15, 2015
Proposed By: Nicole Zwiren / Aimee Zeltzer

Background

7 adolescent trees were planted along Pico Blvd. in 2013. 6 of them are due for pruning. We need this done before the rainy season.

Tree Summary:

9800 Pico Blvd. 1 Flame tree, no pruning required, tree in good condition.

8826 & 8832 Pico Blvd. 2 Flame trees,

8815 Pico Blvd. 1 flame tree

8612 Pico Blvd. 1 flame tree

8501 Pico Blvd. 1 flame tree

8500 Pico Blvd. 1 flame tree

Pruned for correction, structure and street clearance, Remove wood stakes and ties if not required or affix, repair if required. Debris Hauled away.

Estimate, Moreno's Five Star Tree Service : **\$750.00**

The Green Team will get all city permits and permission from the adjacent businesses.

Proposed Motion

SORO NC should provide up to \$750 in funding for the following:

- I. Corrective pruning of the New Koelreuteria bipinnata trees AKA: Chinese flame trees, found in front of the following addresses on Pico Blvd.: 8826, 8832, 8815, 8612, 8501, 8500

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Motion to allocate \$500 for Movies in the Park November 9, 2015 Robertson Rec Center

Agenda Item: GB101515-10

Date: October 15, 2015

Proposed By: Terrence Gomes

Background

Movies in the Park has been a successful event for SORONC in CD 10. We have never planned a Movie in the Park in CD 5. The event will take place on November 9, 2015 at Robertson Rec Center. We will supply the movie, AV equipment and Kosher popcorn.

Proposed Motion

- I. The SORONC moves to support Movies in the Park at the Robertson Rec Center and fund \$500.00 for the event.

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President

Kevin Gres
Vice-President

Terrence Gomes
Treasurer

Beth Hirsch
Secretary

Considerations

Committee review:
(highly recommended)

Votes For: 0

Against:

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

Arguments for:

Good outreach event

It provides a safe environment for the children

Arguments against:

It may be cold that night limiting attendance.

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Motion to support regulations on Short-term rentals in the City of Los Angeles

Agenda Item: GB101515-11

Date: October 15, 2015

Proposed By: Terrence Gomes

Background

Whereas under the City of Los Angeles present zoning code, short term rentals [defined per the attached Alan Bell memo dated 4-19-2014 as “all or any portions of residential buildings that are designed or used for occupancy for a period of 30 calendar days or less”] are in fact prohibited in the following zones:

- Agricultural zones
- R1 and other single family zones
- R2, RD, lower multiple residential zones R3 and RAS3 [accessory services zone]

Whereas short term rentals have proliferated in zones where they are not allowed thereby creating a “passive permissions” environment to the detriment of neighborhoods’ zoning code enforcement, and

Whereas failure to enforce conditional use permit requirements and collect all taxes owed on this activity significantly damages the City budget by encouraging tax cheating and other scofflaw behaviors, and

Whereas the City has a clearly defined legal duty and responsibility to apply all existing laws, and to further create a reasonable regulatory framework for short term rentals in order to:

- Preserve rent stabilized housing in the marketplace, particularly for families and seniors aging in place
- Collect the required transient occupancy taxes
- Preserve neighborhood stability and eliminate the operation of so called ‘rogue hotels’ which remove permanent residences from the City’s critically short housing supply

Whereas the City additionally has a clearly defined interest in protecting the public welfare, health, and safety through said reasonable regulatory framework.

[Council File 14-1635-S2.](#)

Proposed Motion

The SORONC moves to support and directs the City Council to include in any proposed motion that any proposed City ordinance allowing short-term rentals in presently prohibited zones must include the following essential provisions:

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- No rent stabilized units "RSO" shall be allowed to rent short term
- Only owner occupied primary residences shall be permitted to host for short term rentals, and only one unit shall be permitted per host.
- There shall be a cap of 60 nights per calendar year per host for short term rentals
- Prior to listing, hosts shall be responsible for verifying their properties comply with the Los Angeles Building and Safety code at their own expense and shall make all necessary repairs
- All hosts shall obtain a City permit and a permanent registration number. The condition of receiving a City permit and permanent registration number shall be the following: proof of primary residence plus liability insurance for this specific use including any rider that may be necessary for a non-conforming use on the property. Examples of proof of primary residence shall include utility bill, drivers' license and the like
- Upon filing for a short term rentals permit, hosts shall notify property owners within 500 ft.
- All hosts shall include their permanent City registration number on all advertised listings in all media
- All hosts shall register with the City Department of Finance and remit transient occupancy taxes "TOT" including any and all back taxes owed. Short term rental TOT receipts shall not go into general fund but shall be used to create a special enforcement/compliance unit specific to enforcing regulation of short term rentals. An example of this compliance unit is the LAHD inspection program for multifamily units
- Hosts shall be required to pay the City's legal minimum wage, abide by hotel employee protections and register with the State Employment Development Department
- Hosts shall disclose such information as the City deems required for enforcement. Examples of this information shall include the type of rental whether one room or whole house, how many nights per year, how many guests and the like
- Hosts which refuse to register or disclose information necessary for enforcement shall be prohibited from operating in the City and face such penalties and fines as may be deemed appropriate by the City under the new ordinance



- Platforms shall only list City registered units and display registration number in each listing.
- Platforms shall disclose information deemed necessary by the City for enforcement and for collection of back taxes and shall be held accountable, including fines and other penalties as may be deemed appropriate by the City, for any unregistered online listings appearing upon the platforms' website
- The ordinance shall establish a right of appeal of the issuance of a short term rental permit
- The ordinance shall establish a private right of action by individuals in the community

The SORONC will submit a CIS to CF 14-1635-S2

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:

Protects affordable units

Regulates a prohibited activity.

MOTION

In the past few years, technology and innovation have expanded and fundamentally changed the way people travel and vacation. Visitors to Los Angeles and cities around the world routinely use “short-term rentals” in lieu of hotels to stay in and experience a community. The impacts of the short-term rental industry have been dramatic – in both positive and negative ways.

Tourists who stay in short-term (less than 30 days) rentals relish the opportunity to stay in Los Angeles’ many and diverse neighborhoods, and experience our City as “a local.” Many short-term rental hosts speak glowingly of a “sharing economy” and their ability to make ends meet by renting out a room or their back house. Tourists and hosts alike speak of new friendships and the positive benefits of this new form of vacation experience.

At the same time, critics have decried unfavorable consequences, such as the impact on some residential neighborhoods, which are changed by a revolving cast of visitors and their impacts. Significantly, in some popular tourist communities such as Venice, speculators have subverted the “sharing economy” business model, converting regular rental housing into short-term rentals, significantly reducing rental stock and contributing to increased rents and decreased affordable housing. In some cases, large numbers of units in the same building, or entire buildings, have been converted to short-term rentals, operated by off-site management companies.

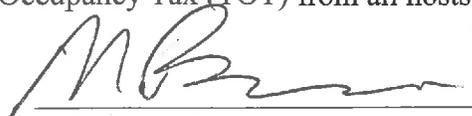
The City’s current zoning regulations do not anticipate or effectively govern short-term rentals, and need to be revised so that the City can effectively preserve rental housing, protect the character of residential neighborhoods, and collect transient occupancy tax that pays for crucial City services. Neighboring cities, such as Santa Monica and West Hollywood, have already crafted local ordinances.

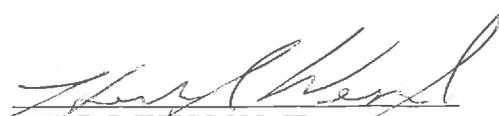
Last month, the City Administrative Officer released two reports regarding short-term rentals (*CAO File No. 0220-0513-0000, Council File 14-0593 Relative to a Comprehensive Study on the Sharing Economy and Its Impacts on the City of Los Angeles*, and *CAO File No. 0220-05153-000,0 Council File No. 14-0600-S89 Application of Transient Occupancy Tax for Short-Term Rentals*). Those reports framed the issues facing City policy makers.

I THEREFORE MOVE that the City Council direct the City Planning Department, with the assistance of the City Attorney, in consultation with the Office of Finance and other relevant City departments, to prepare and present an ordinance governing short-term rentals in Los Angeles in the following manner:

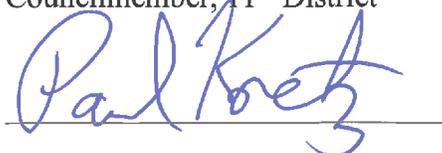
- Authorizes a host to rent all or part of their primary residence to short-term visitors, permitting someone to rent a spare room, a back house, or even their own home while they are out of town.
- Prohibits hosts from renting units or buildings that are not their primary residence or are units covered by the Rent Stabilization Ordinance (RSO), forbidding speculators from creating a syndicate of short-term rental properties, and prohibiting the loss of valuable rental housing stock.
- Captures Transient Occupancy Tax (TOT) from all hosts.

PRESENTED BY:


 MIKE BONIN
 Councilmember, 11th District


 HERB J. WESSON, JR.
 Councilmember, 10th District

SECONDED BY:



ORIGINAL

JUN - 2 2015





Motion to recommend modification of the NC Community Stakeholder definition

Agenda Item: GB101515-12
Date: 15 October 2015
Proposed By: Doug Fitzsimmons

Full Proposal

Some years ago, the original definition of who qualified as a stakeholder in the Neighborhood Council system was changed by the City Council at the suggestion of the Neighborhood Council Review Commission (NCRC), a group chartered in 2007 to fine-tune the NC system.

The thinking was that the original “live, work or own property” definition tended to limit NC participation. In their final report, the NCRC said: “...because the neighborhood council democracy model is meant to reach more deeply into the community than traditional outreach models, the goal of diversity must be pursued aggressively.” They therefore recommended that it also include “those who declare a stake in the neighborhood and affirm the factual basis for it.”

Problems with the very broad “factual basis” definition became quickly apparent. Suddenly, *anyone* could vote in an NC election with as little proof as a receipt from a local coffee shop. Some NCs were taken over by outside groups who, in at least one case, bussed people in to vote for candidates who favored a particular development project.

In response, the Board of Neighborhood Commissioners (BONC) officially recommended/required that each council reserve one at-large seat for factual basis stakeholders. That a single token at-large seat was thought to be an acceptable and necessary compromise demonstrated how deeply flawed the language was.

In 2013, a new NC reform initiative again took up the issue of stakeholder definition. Of the three working groups, 2/3 proposed removing factual basis stakeholders all together. All three recommended allowing each NC to once again have a hand in defining their own stakeholders.

At the final meeting to find compromise language, a last-minute proposal (with little basis in the prior work of the groups) was put forward and adopted with little debate:

“Stakeholders” shall be defined as those who live, work or own real property in the neighborhood **and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council’s boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.**

This confusing syntax substituted the open-ended and un-verifiable “substantial and ongoing participation” for “declare a stake in the neighborhood” without defining “substantial” or “ongoing.” It did add a provision for being “in a community organization”—but here again, it did not define what being “in” meant and was so open-ended as to be meaningless. It was a marginal improvement, at best.

Doug Fitzsimmons
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If the goal is to include non-residents who are nevertheless legitimately invested in the community, we have to have some verifiable measure of that activity. But that exercise is doomed to failure: it is impossible to craft language that would cover every eventuality.

Moreover, it's debatable whether any of these changes were needed at all. Before the 2007 change, most NCs had expanded the basic stakeholder definition on their own, tailoring it to their community: in fact, a study before the definition change showed that 88% of NCs had broader-than-required stakeholder definitions. For example, SORO NC had created special seats for schools and community organizations.

The authors of the City Charter felt that Neighborhood Councils should be tailored to their own communities and stakeholders. The proposed language below allows Neighborhood Councils the opportunity to broaden the base stakeholder definition to suit their own particular needs and character. It does not preclude "community interest" stakeholders if the Neighborhood Council wishes.

Proposed Motion

- I. To recommend to the Board of Neighborhood Commissioners and the Los Angeles City Council that the City administrative code be amended to define Neighborhood Council stakeholders as such:

Stakeholders shall be defined as those who live, work, or own real property within the Neighborhood Council boundaries. With the approval of the Department of Neighborhood Empowerment, Neighborhood Councils may—and are encouraged to—expand this definition within their bylaws to include other defined groups of stakeholders.

Considerations

Committee review: Votes For: n/a Against: 0
(highly recommended)

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

Arguments for:

Allows individual NCs to tailor an expanded stakeholder definition that best reflects their community.

Preserves the baseline "live, work, own property" definition—and so protects against any attempt to be too restrictive.

Provides clarity on who constitutes a stakeholder and avoids undue outside influence on NC elections.

Arguments against:

NCs are intended to be more inclusive. If you view "stakeholder" as someone who contributes to and benefits from the character of a community, a very broad definition makes sense.

Some NCs may only use the basic definition and thereby fail to reach important neighborhood constituencies.

While election abuses may exist, they are not as widespread or common as some suggest. Changing the definition for edge cases is overkill.