

Sherman Oaks Neighborhood Council



12/12/2011 6:15 PM

Location: Sherman Oaks Elementary School Auditorium

Committee Meeting

Special Reception with Cong. Howard Berman at 6: 15 p.m. Regular meeting begins at 7 p.m.

AGENDA

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1. Call to Order: President Jill Banks Barad
2. Pledge of Allegiance
3. Roll call
4. Minutes of SONC Board meeting of November 14, 2011.
5. Introduction of elected officials, staff, LAPD Senior Lead Officers.
6. Public Forum: Comments by the public on non-agenda items within SONC's jurisdiction
Update by Ron Macias, Metro, 405 project as it relates to Sherman Oaks
7. **Guest Speaker: Cong. Howard Berman**
8. President's Report:
 - a. From Executive Committee: *Action Items*: **Motion for reconsideration** of Nov. 14 Board vote to postpone SONC elections until 2014.
 - b. SONC Board Retreat: Saturday, January 7, 2012
9. Treasurer's Report/Finance Committee—Howard Katchen
Action Item From Finance Comm.: **Motion** to allocate \$600 to support Library Square Neighborhood Watch purchase and installation of three City approved poles and six NW signs. Funds will be paid after approval of City vendors and presentation of invoices and verification of sufficient additional funds raised by the group to supplement the purchase.
10. Committee Reports/Updates
 - a. Neighborhood Services—Jeff Ebenstein, Chair
 - b. Land Use –Ron Ziff ,Chair
- 1) Updates on projects in Sherman Oaks
- c. Public Safety--Tony St.John, Chair
- d. Government Affairs—Jay Beeber, Chair
 - 1) *Action Item*: From Government Affairs Committee: **Motion to OPPOSE**

Administrative Code Enforcement (ACE) Program (see attached for full motion)

11. Announcements from the Board on subject matters within SONC's jurisdiction:

12. Adjournment

Full Motion to Oppose ACE Program:

MOVE to oppose the proposed ACE ordinance as written unless the following changes are implemented:

1. Provide greater protections for those cited, including:
 - a. Use a higher standard of proof than preponderance of the evidence. Preferably beyond a reasonable doubt but at least clear and convincing evidence.
 - b. Use substantially the same rules of evidence as apply in infraction cases.
 - c. Provide for informal discovery.
 - d. Eliminate provision that Citation and other documentation submitted by Issuing Department be accepted as prima facie evidence.
 - e. Require Enforcement Officer, at request of the defendant, to attend the hearing to preserve the right to face your accuser.
 - f. Only require defendant to pay administrative and enforcement costs for second and subsequent offences. Set a limit for these costs not to exceed a set amount. Specify that a continuing single violation would be considered a first violation for purposes of this provision.
2. For citations not given in person, provide some mechanism to ensure that Responsible Party has received the citation such as service by certified mail, return receipt requested.
3. Include language that for the purpose of determining the number of days that a violation exists, the violation will not be retroactive prior to the date the Responsible Party is first notified of the violation.
4. Include a provision that Responsible Party may show good cause for missing a hearing date and not lose all rights to contest violation and fines.
5. Adjust fine schedule to be less onerous, especially in cases where Responsible Party is cited for minor technical violations of the code.
6. In cases of minor violations and where feasible, provide for a warning to be issued and an opportunity to comply before citation is issued. This is in addition to the requirement that a person responsible for a continuing violation be provided an opportunity to correct the violation prior to the imposition of administrative fines.
7. Provide that Enforcement Officers shall not be required to meet any quota for issuing citations and that under no circumstances will the number of citations issued by an Enforcement Officer or amount of revenue generated be used in any evaluation of the Enforcement Officer's job performance.
8. In order to prevent "feuding neighbors" from using the ACE program to extract revenge against each other, create a provision in the Municipal Code for penalties for "frivolous complaints".
9. Provide that City Council must approve the expansion of the program beyond the one department to be authorized under the pilot program.

10. Determine the specific list of codes that will be enforced under the program prior to any approval by the Council.