

BOARD OF
DISABLED ACCESS APPEALS
COMMISSIONERS

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GENERAL MANAGER
SUPERINTENDENT OF BUILDING

JOHN WEIGHT
EXECUTIVE OFFICER

AGENDA OF THE

BOARD OF DISABLED ACCESS APPEALS COMMISSION (BDAAC)

THURSDAY, NOVEMBER 19, 2020 - MEETING NO. 20-01

10:00 a.m.

GUIDELINES FOR TESTIMONY ON ALL SCHEDULED HEARINGS

In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the Commission meeting will be conducted virtually. Members of the public who wish to attend the meeting should access the Hearing at <http://bit.ly/11192020> and enter Password 077388. To use this link, attendees must have Zoom downloaded and installed on their device. Alternatively, members of the public who wish to attend the meeting telephonically should call (669) 900-6833 and use Webinar ID No. 876 0599 4805 and Password 077388 and then press #. Press # again when prompted for participant ID.

The Commission Board may limit the speaking times of those presenting testimony on either side of an issue that is scheduled for a hearing before the Board of Disabled Access Appeal Commissioners. In all instances, equal time shall be allowed for presentation of pros and cons regarding the appeal.

Anyone desiring to speak and/or receive a copy of an action regarding a case included in this agenda must complete the City of Los Angeles Board of Disabled Access Appeals Public Comment Form at <http://bit.ly/LABDAAC20>. Please do not disrupt proceedings once the meeting has commenced. All beepers and cell phones are to be turned off or otherwise set so as to not disturb the proceedings.

As a covered entity 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, Communication Access Real-Time Transcription (CART), Assistive Listening Devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. Due to difficulties in securing Sign Language Interpreters, five or more business days notice is strongly recommended. For additional information, please contact the Disabled Access Section at (213) 482-0093. Información en español acerca de esta junta puede ser obtenida llamando al (213) 482-0093. Se ofrecen servicios de traducción al Español en todas las juntas de la comisión.

Unless otherwise specified at the time of the vote, an action taken, consistent with the staff recommendation, shall be deemed to have been taken on the basis of, and to have adopted, the reasons, findings and conclusions set forth in the staff report as modified by staff at the hearing.

****NOTE: MEETINGS OF THE BDAAC ARE RECORDED. RECORDINGS ARE KEPT FOR A PERIOD OF ONE YEAR.****

**AGENDA OF THE
BOARD OF DISABLED ACCESS APPEALS COMMISSION**

**MEETING NO. 20-01
THURSDAY, NOVEMBER 19, 2020**

A. BUSINESS

1. Miscellaneous general business.
2. Election of Officers for Fiscal Year 2021-2022

B. PUBLIC HEARINGS regarding appeals from actions taken by the Department or appeals from rulings, decisions, and determinations of the Department in its granting or denying applications for exceptions pursuant to Sections 19955 and 19957, of the California Health and Safety Code by the authority described in Section 91.105.5.4 of the Los Angeles Municipal Code.

1. **2525 WEST WILSHIRE BOULEVARD; FILE NO. DA 2020-01**
CD 1 (Councilmember Gilbert Cedillo); Westlake Planning Area

STAFF MEMBER: LAMAR DAVIS
PETITIONER: Gabriel Eshaghian

REQUESTS:

To allow the following shower dimensions in 57 of 152 adaptable units as follows:

1. The width of the shower opening to be 33 5/8" to 35 3/8" in lieu of 36" inches minimum required by the code.
2. The width of the shower to be 33 1/2" to 35 1/4" in lieu of 36" inches minimum required by the code.
3. The depth of the shower to be 57" to 59 1/4" in lieu of 60" inches minimum required by the code.

C. WRITTEN COMMUNICATIONS TO THE BOARD

Distribution of correspondence to the Board.

D. REPORT FROM THE GENERAL MANAGER, EXECUTIVE OFFICER AND OTHER SENIOR MANAGERS

Briefing on the events of the preceding week and on the progress of the Department and other governmental agencies on matters of general concern of the Board.

1. General

E. REPORT FROM THE BOARD SECRETARY

1. Training on amendments to the 2019 edition of the California Building Code in the intervening code cycle Chapters 2, 11A and 11B

F. REVIEW AND APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

1. March 26, 2015(JA)

G. PUBLIC COMMENTS

Opportunity for members of the public to address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board.

Note: The Board will limit the total time allocated for public testimony in accordance with its guidelines described on the first page of this agenda; will determine when that time shall be allotted during the meeting; will establish time limits for each speaker; and will specify time limits to be allocated on any one item. Anyone desiring to speak during the public comments period must complete the public comments questionnaire and submit it to the Board Secretary prior to the start of the meeting.

Disabled Access Appeals Commission Staff

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(213) 482-0093

Agendas may be accessed through the City website at www.LADBS.org “Our Organization”, “Disabled Access Appeals Commissioners”, “BDAAC Meeting Agenda.”

The decisions of the Board are effective at the close of the meeting unless it is noted otherwise. The Board or the Superintendent may order a reconsideration of all or part of the case on its or his own motion, or on petition of any party. The power to order a reconsideration shall expire five days after the effective date of the decision (Section 98.0312 LAMC). If no action is taken on a petition within the time allowed for ordering reconsideration, the petition shall be deemed denied.

Pursuant to Section 245 of Article II of the Charter of the City of Los Angeles, actions taken by this Board become final at the expiration of the next five (5) meeting days of the City Council, during which the Council convenes in regular session, unless the City Council acts within that time by two-thirds vote to bring this action before it for consideration.

EXHAUSTION OF ADMINISTRATIVE REMEDIES - If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board at or prior to the public hearing. Any written correspondence delivered to the Board before the Board’s final action on a matter will become a part of the administrative record.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. This section provides that a petitioner may seek judicial review of the Board’s decision pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate is filed and served no later than the 90th day following the date on which the Board’s decision becomes final.