



Patrice Lattimore <patrice.lattimore@lacity.org>

Planning and Land Use Management: proposed VSA lawsuit Settlement

1 message

Christopher Plourde <cplourde@verizon.net>

Tue, Jun 1, 2010 at 12:54 PM

To: Patrice.lattimore@lacity.org

Dear Members of the Planning and Land Use Management Committee,

I have lived in Venice for 24 years, and oppose the proposed settlement of Venice Stakeholders Association vs. California Coastal Commission and the City of LA cross-complaint.

Most of the residents of our neighborhood (west of Main Street, between the City of Santa Monica and Westminster Ave.) live on "historic" walk streets featuring vintage residences that were constructed prior to the mass-production of the automobile and therefore have either insufficient or no on-site parking, and much of our on-street parking is a tow-away zone from 8am until 8pm every day.

The Venice Stakeholders Association settlement would remove from nighttime residential use vital off-street parking in the lot at Main and Rose in order to allow what VSA claims is a very small number of inland residential streets to limit overnight parking. The settlement immediately takes parking from our neighborhood in order to give an option for parking restrictions to other neighborhoods.

I urge you to vote against this proposed settlement, and to prevent the historic walk streets of Venice from being sacrificed to solve block-by-block problems further inland.

Sincerely,

Christopher Plourde



Patrice Lattimore <patrice.lattimore@lacity.org>

PLUM Statement on VSA v. Coastal Commission

1 message

Sue Kaplan <SAKAPLAN@ca.rr.com>

Tue, Jun 1, 2010 at 1:01 PM

To: Patrice.lattimore@lacity.org

Cc: Venice Action <us@veniceaction.org>

To the Members of PLUM.

I am writing to ask you to recommend that City Council not approve this settlement. This settlement does not even address the problems that the settlement professes to solve, that of the homeless and RV dwellers on the streets of Venice.

The plaintiff, the Venice Stakeholders Association, is trying to impose a solution of Overnight Parking Districts for the whole of Venice for which Mark Ryavec, the named member of the association, admits that only 4- 5 blocks are affected. Allowing this settlement, might make the lawsuit go away, but it decidedly won't make the problems go away.

In these times, hardship is becoming more and more the rule and we need to find means to help those who are in need and want the help. Programs like the Safe Parking Program is but a piece of the solution but will have far ranging consequence: helping people to get off the street and into housing. The City of LA needs to direct its attention and energy to this sort of solution, one that offers hope and compassion to both the RV dwellers and to the residents of Venice.

If this settlement goes forward, we have no hope of accomplishing any of this. Mr Ryavec's successful termination of the lawsuit is based on failure. The only condition for dismissal of the lawsuit is that the oversize signage program fail to ameliorate his chosen problem: the number and conduct of all RV dwellers. Thus his choice of remediation must prevail at the expense of others.

Access to the beach and to the pleasures of Venice will be affected if this opening move to the privatization of Venice streets is allowed to go forward. Please don't let it.

Sue Kaplan
Venice resident
sakaplan@ca.rr.com



Patrice Lattimore <patrice.lattimore@lacity.org>

PLUM Correspondence/ 24 hr parking in Venice

1 message

Kimberly Bieber <kimberlybieber@yahoo.com>

Tue, Jun 1, 2010 at 1:09 PM

To: Patrice.lattimore@lacity.org

I strongly oppose the proposed settlement with Venice Stakeholders and the City of Los Angeles. A 24 hour lot does not solve the social problem of RV's in Venice. It only transfers and condenses it to the beach which is an area already severely impacted by homelessness, vagrancy and a spike in crime. The parking lot is not intended as a homeless shelter or RV park, and the ills of one part of Venice should not be dumped on the beach where a large problem already exists.

Furthermore, the Rose Avenue lot is currently on the LAPD watch list because of increased crime, vagrancy, drug dealing etc., Windward Circle has become dangerous, and LAPD staff is already cut back to necessities. To control just the existing crime and homelessness there have been two sweeps on the beach and boardwalk this year with more than 80 arrests.

Allowing 24 hour lots is not a solution. It creates dangerous problems. Sleeping on the beach will also increase, and the LAPD already struggles with managing what is here. Late night trouble and drugs is a growing problem without a 24hr. place to congregate. As for Rv's, honestly, if you can park for 24 hours on the beach and vend for a \$25 lifetime permit more will come, not leave, creating a bigger problem for the community at large. The LAPD will tell you the same.

This is not Dockweiler. People live here on the walk streets and Ocean Front Walk too. There are businesses and tourists, and there is a reason why there is only one RV site and 24hour lot on they county beaches, its because they attract and cause trouble.

Very Truly,

Kim Bieber
Venice



Patrice Lattimore <patrice.lattimore@lacity.org>

OPD restrictions/Venice Beach

1 message

Darcy Bieber Maki <dbieber@mac.com>

Tue, Jun 1, 2010 at 1:42 PM

To: Patrice.Lattimore@lacity.org

Dear City Council,

I would like to express my displeasure with the city of Los Angeles for considering overnight parking at the Venice Beach lots. By doing such you are creating a beach campground that will be a nuisance. Vagrancy and crime will increase, and Venice is already having great difficulty as the recent wave of arson, and Sunday's disturbances at Windward circle has shown. I understand that the overnight trailers have become a problem on the city streets around Venice, but this is NOT the appropriate solution. As a resident of the area, I am greatly concerned for the safety of the community. Furthermore the overnight parking will create noise pollution and require a greater police presence. The public restrooms will be overused, and the overnight residents will likely urinate in the neighborhood alleys and resident's carports. This is already a common problem that will only increase with overnight parking.

None of these lots are designed for RV's. They don't provide adequate facilities, hook ups, dump stations or security. The lots are not Dockweiler. Dockweiler charges \$65 a day for a reason, and has rules and restrictions. Furthermore the beach closes at 10pm and the latest restaurants by 2am. There is no other need to provide overnight parking except to mitigate the social problem of "oversized vehicles" in the city. The beach parking lots are not for this. The city needs to find another solution.

Additionally, the residential notification for this issue has been inadequate. We were only notified over the Memorial Day weekend, leaving little time to contact our city representatives before the City Council vote.

Regards,
Darcy Bieber
Venice Resident
2403 Ocean Front Walk

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PO Box 681, Venice, CA 90291
www.veniceaction.org

June 1, 2010

Hon. Ed Reyes
Hon. Paul Krekorian
Hon. Jose Huizar
Planning and Land Use Management Committee
Los Angeles City Council
City Hall
200 North Spring Street
Los Angeles, CA 90012

Dear Committee Members:

RE: Item 7, CF 10-0843; Venice Stakeholders Association lawsuit settlement

We are writing to urge the Planning and Land Use Management Committee and the Los Angeles City Council to disapprove the proposed settlement of Venice Stakeholders Association v. California Coastal Commission and City of Los Angeles, and City of Los Angeles v. California Coastal Commission.

This settlement attempts to impose the desire of certain Venice residents to tie the hands of the City of Los Angeles in its decision making. It also aims to erode the ability of the California Coastal Commission to meet its statutory obligation to preserve public access to the coast (and to all of YOUR constituents) under the guise of abating a public nuisance the nature of which is not the subject of a consensus of the residents who would be impacted by the actions the settlement would permit.

Misreading Community Sentiment

Those certain residents, along with City Councilmember Bill Rosendahl, repeatedly point to a 2008 community referendum sponsored by the Venice Neighborhood Council wherein a modest majority of participants supported the imposition of permit parking in Venice. There is plenty of circumstantial evidence that many of those participating in that vote thought they were supporting full-time permit parking, not limited overnight restrictions.

However, the most recent Venice Neighborhood Council officer elections, held in April 2010, which were pitched by those same residents as yet another

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opportunity to support permit parking in Venice, found all key offices and a majority of at-large seats won by opponents of permit parking restrictions, or at least by those who advocate a more balanced, reasonable approach.

Thus, you are being asked to approve a settlement that, even apart from its egregious deficiencies documented below, fails to represent the interests of the entire community or even a consensus as to how best to address some very difficult issues.

Intention to Subvert State Law

In rejecting the City's application for Overnight Parking Districts (OPDs) in June 2010, the California Coastal Commission instructed the City to seek solutions for issues relating to the vehicular homeless that did not risk abrogating the protections afforded to the public in the Coastal Act. Instead, the City has consistently acted in bad faith, holding closed meetings and strategy sessions with proponents of OPDs to the exclusion of those who might advocate other approaches to address alleged problems, seeking legislation to specifically exempt Venice from Coastal Commission jurisdiction over overnight parking and, now, agreeing to a settlement that effectively accomplishes the same goal as that now-defunct legislation.

What some may see as a "victory for the community," we see as an insult to earnest and painful attempts at community problem-solving and consensus-building. We also see it as a threat to the future ability of the California Coastal Commission to carry out its voter mandate to protect the state's coastal resources and public access over a broad range of issues over the entire length of the state. And finally, we see it as a violation of society and the government's moral imperative to help solve the problems associated with homelessness and economic displacement, instead of further institutionalizing their victimization.

We hereby offer the following reasons why we take this position:

1. Inadequate Public Notice

Pursuant to Sec. 12.20.2 of the Los Angeles Municipal Code, the property owners and residents in the affected area have not been legally noticed in a timely manner either by mail or posting notice of this hearing, which is, in both effect and reality, the ONLY City hearing a substantively amended version of previously approved Coastal Development Permits will receive.

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Additionally, the appellants to the original City Coastal Development Permits have not been notified of either the City hearing on the proposed settlement agreement or the hearings on the settlement agreement and the attendant modified Overnight Parking District proposals slated for the June 10, 2010 California Coastal Commission agenda.

Further, those who appealed the City Coastal Development Permits to the California Coastal Commission have likewise not been notified of the matters pending before the Commission on June 10, 2010.

The City and state statutes with regard to notice do not permit either jurisdiction to settle for inference or osmosis as a means of adequate legal notice. These matters are not properly before either the City Council or the California Coastal Commission at this time.

Should either or both bodies agree, it is only fair to the tens of thousands of affected constituents to delay hearing on these matters until proper legal notice has been provided but also, in the case of the California Coastal Commission, until the matter can be heard in a reasonably convenient Southern California venue once again. Taking advantage of a narrow window of opportunity to achieve the latter goal in June is not justification for violating the law.

2. Circumventing Coastal Jurisdiction

The circumstances (or "facts on the ground") that motivated the California Coastal Commission to reject the City's earlier application have not changed: this remains a proposal to regulate certain impacts of homelessness by placing public access to the coast in jeopardy in the name of nuisance abatement. This is the fourth recent instance of which we are aware that involves a city's claim of nuisance abatement. Section 30005 of the Coastal Act provides that no provision of the Coastal Act is a limitation "on the power of any city . . . to declare, prohibit, and abate nuisances." The other three are:

> - Laguna Beach (ordinance adopted to establish beach closure hours to deal with overnight beach camping and vagrants after hours). The City agreed to apply for a CDP, while reserving its rights under 30005.

> - Dana Point (nuisance abatement order establishing access path closure hours and a gate to deal with crime at the Headlands project). The CCC last month ruled that the City exceeded the scope of nuisance abatement authority under Section 30005. Today's paper reflects that the City has sued the Commission.

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> - Eureka (citizens group represented by PLF sued to block the CCC from acting on a CDP on the grounds of nuisance abatement.

This proliferation of attempts by local jurisdictions to use nuisance abatement as a justification for impeding access is clearly a ruse to avoid the Coastal Permit requirements. However, the City of Los Angeles did not originally declare there to be a nuisance justifying the imposition of Overnight Parking Districts. Instead it applied for Coastal Development Permits for OPDs, implicitly acknowledging that the California Coastal Commission indeed DOES have jurisdiction, and that the issue was an interest in restricting public access to parking, not in abating a public nuisance. Then, named as a defendant in a weak lawsuit, it belatedly concocted the claim of nuisance as a justification to win forgiveness from the plaintiffs and attempt to settle the lawsuit.

As we and others successfully argued one year ago before the California Coastal Commission, the City could have just have imposed parking restrictions based on an existing City ordinance that allowed it to regulate the height limit or length of parked vehicles and that would substantially have addressed the stated nuisance posed by certain irresponsible dwellers in Recreational Vehicles (RVs). The Commission, in its wisdom, recognized the correctness of this contention. And, once again, the facts on the ground have not changed one bit in the ensuing year except that the City has proposed to modify those regulations to make them even easier to enforce. That being the case, why the rush to permit OPDs?

3. Public Policy Overkill

Even assuming a nuisance exists in this situation, the City continues to apply the legal equivalent of a sledge hammer to chase a housefly, and it runs the risk of inflicting a predictable level of collateral damage both to the sensibilities of the community and to the authority of the California Coastal Commission and the integrity of the Coastal Act. We are prepared to argue that it can only be said that some, but not all, vehicle dwellers are behaving in a manner that sometimes constitutes a nuisance, and that the problem does NOT exist on a community-wide basis. Thus, OPDs remain unjustified as a response.

In fact, the proposed "solution" will enlarge the problem rather than reduce it, by sequentially shunting it from one block to another as additional residents are motivated to ask for OPD status after their neighbors do so until large swaths of the Venice coastal zone are covered by unnecessary parking restrictions that adversely impact residents and visitors alike in a confusing patchwork quilt of parking restrictions that will confuse even the most diligent, but understaffed and overworked, enforcement corps in the dead of night.

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At present there are a handful of streets frequented by RVs, yet the proposal is to permit OPDs throughout Venice's coastal zone, including in sub-neighborhoods dominated by walk streets with minimal on-street parking where it is implicitly obvious that such OPDs will be dysfunctional. There they will block RV parkers while forcing residents to pay for permits they wouldn't be able to use anywhere near their homes on most nights.

The City and the Commission should not use or allow this parking equivalent of "urban renewal" to address a problem for which more surgical remedies have already been identified and are in the works. They include a modified oversize vehicle parking restriction (currently pending before the City Council) combined with a Safe Parking program for responsible vehicle dwellers modeled on the successful Santa Barbara program. The proposed settlement alludes to these measures but contains no incentive to make them work before permitting the "nuclear option" after six months.

4. Tying the City's Hands

The proposed settlement is fatally flawed and should not be approved as proposed. It has largely been crafted in a manner to put the equivalent of a gun to the head of the City and the California Coastal Commission by insisting that both pre-approve the imposition of OPDs as a function of approving the settlement without the City having to prove that those OPDs are any more necessary for any reason than they were one year ago. Likewise, the settlement pre-approves OPDs without providing any demonstrable proof that its proposed disruption of existing public parking options will not be harmful to coastal access.

While we can understand the City's motives in agreeing to such a settlement, the provisions of which appear to have largely been dictated by the original plaintiffs, that does not make it a desirable outcome for the City. And there is no discernible reason for the California Coastal Commission to agree to it.

The proposed settlement reinforces the contention once again that the plaintiffs' overriding interest is in pursuing parking restrictions that illegally favor the interest of residents over those of the public at large in the coastal zone, an issue over which the Commission has long since successfully asserted and defended its jurisdiction and reiterated it time and time again. The City Attorney and the plaintiffs want the suit settled on terms favorable to them because they know as well as we do that the state will win in court. The only reason the state appears to have any interest whatsoever in the settlement is to avoid the inconvenience of going to court.

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5. The City Should Make the Case for OPDs

If the settlement is even going to be considered, it should be one that requires the City to meet an acceptable burden of proof that OPDs are necessary before it can begin entertaining petitions to impose them on a block-by-block basis. The proposed settlement offers only a token nod to the concept of linking the imposition of OPDs to the failure of enforcement of oversized vehicle parking restrictions over a six-month period prior to implementing OPDs. That is a requirement in "deal point" 2 that parrots a proposal from the plaintiffs that the City report to the Commission on its oversized vehicle parking enforcement effort before beginning to implement OPDs.

There is no requirement that the implementation of OPDs be predicated on the demonstrated failure of oversized vehicle parking restrictions to abate in any way the alleged nuisance that this settlement purports to address. The City should provide documentation not only of its parking enforcement effort but also the results of that enforcement relative to abating nuisances real or imagined.

A good faith settlement would find the City agreeing to be required to formally adopt legally defensible findings proving the failure of that effort and submit them to the Commission for review and formal ratification PRIOR to being allowed to invoke OPDs. The Commission would then be allowed to reasonably withhold such ratification if it finds that the City had not met a credible burden of proof that a nuisance continues to exist and that there has been no demonstrable harm done to public access.

Additionally there is no required linkage to a positive Safe Parking program that would provide responsible vehicular dwellers who have no economic alternative to their situation a legal alternative to being shunted from one location to another by the proposed OPDs where they would, in turn, continue to violate the City's existing under-enforced restriction on sleeping overnight in a vehicle.

The Safe Parking program should accompany the oversized vehicle restrictions and both should be required to be in force for at least 12 (not 6) months before OPDs can even be considered. Any and all reporting requirements, burdens of proof, adoptions of findings and Coastal Commission ratification thereof should be applied to these elements as well.

Conclusion

The City (not to mention the California Coastal Commission) should not approve the settlement absent these protections. Councilmember Rosendahl continues to invoke a parochial – but invalid – argument that coastal zone residents should have the right to permit parking the same as residents in other parts of the city.

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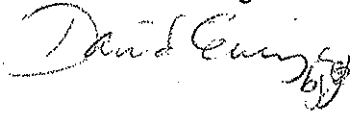
What he consistently ignores is that coastal zone residents enjoy a unique proximity to the beach that no other residents of the city or state enjoy. And non-coastal zone residents are not inhibiting access to a statutorily-defined statewide resource when they ask for and receive permit parking restrictions.

Frankly, because the effort to implement OPDs in the coastal zone is the latest episode of a multiple-decades-long effort on the part of certain Venice residents to obtain full, all-day permit parking from the City, it also is the first step in creating a serious impediment to beach access for Los Angelenos from all over the city, including your constituents. Calling it nuisance abatement is a misnomer. Calling it an exclusionary impulse would be more accurate.

For that reason, if for no other, you should reject it and seek a more rigorous and just resolution to both the lawsuit and the problems that brought it about.

Thank you for your consideration.

David Ewing

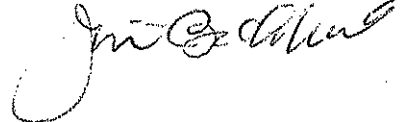


For the Venice Action Alliance

Linda Lucks



Jim Bickhart





Patrice Lattimore <patrice.lattimore@lacity.org>

Venice Stakeholder and LA City Settlement with California Coastal Commission

1 message

Peggy Lee Kennedy <peggylee.kennedy@gmail.com>
To: patrice.lattimore@lacity.org

Tue, Jun 1, 2010 at 2:04 PM

Regarding Council File 10-0843

Dear PLUM Committee Members,

I and many people who live in Venice are opposed to this settlement.

We do not want permit parking and we want to see solutions for homeless people living in vehicles before any.

Please do not approve this settlement.

Peggy Lee Kennedy
life long Venice resident
2210 Lincoln Blvd
Venice, CA



Patrice Lattimore <patrice.lattimore@lacity.org>

STOP RESTRICTING COASTAL ACCESS

1 message

Jed Pauker <jed@jed.net>

Tue, Jun 1, 2010 at 2:02 PM

To: Patrice.lattimore@lacity.org

Please find attached a petition, signed by Venice stakeholders, opposing imposition of Overnight Parking Districts in Venice. The signers support the California Coastal Commission's decision, as do I, for reasons many of which you have seen and will see in incoming communications.

This petition is one of multiple pro-Coastal Access petitions, which you can expect to receive going forward.

Please provide these stakeholders, the issues, the City's residents and the state's mandate the careful attention we all deserve.

Regards,
Jed Pauker
824 Amoroso Place
Venice

**petitiononline_Stop Restricting Coastal Access.xls**

29K

To: The Honorable Bill Rosendahl
City Council District 11 Council Office
Los Angeles, California

STOP RESTRICTING COASTAL ACCESS

Last June, the California Coastal Commission determined that Overnight Parking Permits in Venice would violate the Coastal Act.

We support that decision.

We do not believe that Overnight Parking Districts (OPDs) will resolve the serious and persistent problems of our community. RVs will concentrate further in many neighborhoods, and OPDs will neither create new parking spaces nor guarantee residents (no matter how many permits they might purchase) parking near their homes.

We, the undersigned, are concerned about the recent lawsuit seeking to undermine the California Coastal Act. We urge the City Attorney and the Council Office to provide real solutions for a safer Venice and to reject the imposition of OPDs and parking fees on our neighborhoods.

Sincerely,
The undersigned Venice Stakeholders

Name	Email	Comments	Zip
carolyn rios			90291
Chris Plourde			90291
David Ewing	seriousbus@aol.com	What would Bobby Kennedy do?	90291
Rebekah Haraczka			90291
A. Stiles		finding a safe legal place for RVs is a great goal.	90291
Carolyn Widener			90291
Samuel Farrier			90291
Rob Dew		This lawsuit is a waste of public resources	90294
Naomi Glauberman			90291
Irene Cowhig	renee.cowhig@smgov.net		90291
Dan Oved	dsothemoon@yahoo.com		90291
travis Farris		I agree the RV's are a problem, but I don't think OPD or permits are the answer.	90291
Andrew J. Posey		NO TO OPD!!!!	90291
Niles Harrison		No OPDs please	90291
Thomas Paris			90291
carol royce-wilder	carolrw@ca.rr.com		90291

**To: The Honorable Bill Rosendahl
City Council District 11 Council Office
Los Angeles, California**

Jim Bickhart			90291
Jan Book	jan@janbook.com	Banning overnight parking is not the solution. Addressing the need for parking overnight is the solution.	90292
Alison Zeno		I don't want to live in the equivalent of a gated community	90291
Alicia Murphy			
Timothy Scheeser	dj_tn@hotmail.com		90292
Lorraine Getz			90291
Russell Globber			90291
Ben Martin			90291
Andrea Klein			90291
Karen Wolfe	wolfepack@verizon.net		90291
Saigovind Dandapani	d_o_o_d@hotmail.com		90291
Sai Chettiar			90291
JANE VAN TAMELEN		Please no OPDs. It is not a solution; it's another problem	90291
Karen Brodtkin	kbrodtkin@anthro.ucla.edu		90291
Barbara Peck		NOPD	90291
jataun valentine	jataunv@gmail.com	lets fine a place for rvs to park	90291
Noël J. Plourde		OPDs will neither benefit residents, nor will it solve the RV problems. It's mean spirited and wrongheaded.	90291
joe stanford			90291
Edward Ferrer	edward-ferrer@armatrade.net		90291
Cynthia Knight			90291
Linda Porta	heyrun@yaho.com		
Calvin Alice-Demorest		These parking permits are a terrible idea.	93955
Frank Lutz		no OPD's	90291
Linda Albertano		no OPD's	90291
Kimberly Ann Thompson	kimthompson@socal.rr.com	Councilman Rosendahl, as someone who visits Venice quite often, please make sure I can park on Pacific past 10 PM! Thank you.	
Janet L. Wagner			
Ramona Davis	rfdavis@mednet.ucla.edu		90291
Milton Rosenberg		No OPD in Venice!!!!	90291
Debra Gavlak		Please honor coastal commission vote.	90291
Cindy Chambers			90291
Fortunato Procopio			90291
Steve Clare	sclare@vchcorp.org		

**To: The Honorable Bill Rosendahl
 City Council District 11 Council Office
 Los Angeles, California**

Irene Pak		NO PERMIT PARKING!!	90291
Shiho			
Charles Agnello			90291
corie miller			90291
James F Merced		NO OPDS	90291
chris torrens			90291
Michael Bell		I support a Safe Parking Program!	90291
Mark Yee			
katherine Holland			90291
Sheila Bernard	sheila.bernard@ca.rr.com	If Santa Barbara and other cities can do it, we can too.	90291
Mindy M. Meyer			90291
		I am against overnight parking permits. I support a safe parking program instead--RVs will never go away, we need to give them a place to park.	
Amy Spencer			90291
		I really like the idea of the SAFE parking program from Santa Barbara	
Christina Hoffman			90291
Andrea Klein			90291
Uma Devi			90291
Timothy Tobish			90291
		Workable solutions accommodate each side; OPDs are unilateral, exclusionary, expensive, restrictive and complicated. Sta. Barbara plan sounds workable and accommodates us and RVs.	
Barbara Milliken			90291
Horace A. Allen	fbcv685@gmail.com	Let's find a better way	90291



Patrice Lattimore <patrice.lattimore@lacity.org>

24 Hour Parking Lot 740

1 message

Arthur Kraus <akraus@capintelligence.com>

Tue, Jun 1, 2010 at 2:00 PM

To: Patrice.lattimore@lacity.org

Cc: jane.harman@mail.house.gov

Gentlemen: I have great concern about the Draft Settlement on the above parking.

The lot to which you suggest overnight parking is already a large risk to the neighbors. Just a few days ago, gangs got into fights down the block from the lot. Yesterday, while standing on my deck gang members walked by each other and spoke threatening words. It is no secret that the lot is a haven for drug deals, vagrancy, homelessness, and petty crimes. Garbage from that area is robust and some of the people who inhabit the area use our home for trash, urination, and storage of their property.

My wife feels at risk in that area and the Presbyterian Home across from the lot is occupied by older, defenseless people who might be harmed by the people attracted to the overnight situation.

Our homes should not be threatened by people to which the lots will attract. The LAPD is woefully short of officers to patrol the area even though they do the best they can, shorthandedly. It is irresponsible for decent taxpaying homeowners to be threatened by this suggested permit. It is not government helping its citizens.

I was just notified that I had until 2:00 to get this message to you. How unfair it is not to give transparent and early notice! With ample time I could have had the opportunity to prepare better.

Arthur D. Kraus

117 Ocean Front Walk

Venice, California 90291

David Ewing
1234 Preston Way
Venice, CA 90291

June 1, 2010

Honorable Members of the City Council
City of Los Angeles,
200 N Spring Street,
Los Angeles, CA 90012

Re. Council File 10-0843, Settlement of the VSA Lawsuit

Dear PIUM Committee Members,

I don't understand why the City has been suing the California Coastal Commission for overnight parking permit districts that the great majority of Venetians don't want. We said so loud and clear in the recent Neighborhood Council election. The anti-OPD candidate for president beat the pro-OPD candidate by a two-to-one landslide. The anti-OPD candidate for Vice President beat the very guy who filed this lawsuit against the CCC by a five-to-three landslide. How much clearer could we say it? Venice doesn't want OPDs.

This lawsuit settlement is a terrible mistake. The Coastal Act protects Venice from overdevelopment and from privatization. That means people from your districts and elsewhere can benefit from our beach and our world-famous beach community. We are one of the biggest, if not the biggest, tourist destinations in Southern California. In other words, the openness and colorful character of Venice bring the City a lot of money. Most Venetians celebrate this role and that's why we live here. There are a few who would like to turn Venice into something a lot more buttoned-down and locked-up. Why did they move here in the first place?

Permit parking sends the wrong message. A few rotten apples may spoil the barrel, but the answer isn't to throw out the barrel. Just deal with the rotten apples. There are laws on the books to deal with the problems caused by a few bad players. The Coastal Commission recognized this in its decision last year.

Here's the sad thing about this lawsuit. The Coastal Commission gave the City every respect. They didn't slap the city down. Yes, they turned down the application, but they said in the hearing that they wanted to give the city a chance to come back with a new application because the one before them was not sufficiently thought out. They discussed continuing it to the next hearing, which was the last before the application would expire. They decided, in consideration to the City, that it probably would not give the City enough time to get a new application together. They also suggested that the City should try using some of the tools it already had but wasn't using, like the Oversize Vehicle Ordinance. And they told the City that, according to what the community was telling them, some of the camper residents were valued community members, so the City should find ways to deal with them instead of just throwing them out of Venice.

The point is, the City and Coastal Commission could have worked this out, but that wasn't good enough for the self-styled Venice Stakeholders Association, which represents a disaffected group of residents. By suing the City and the Coastal Commission, VSA figured they could bully their way into something more to their liking, behind closed doors. And that's exactly what they've done. They managed to turn the City Attorney against the Coastal Commission.

I don't remember the City Attorney ever coming to you to ask the Council's blessing. Did you vote to sue the Coastal Commission, or to ask Ted Lieu ask Ted Lieu for legislation to force the Commission to settle on terms favorable to the VSA? (A number of the major statewide environmental organizations were prepared to oppose this legislation in committee. They never had the opportunity, since Lieu withdrew it once the commission had been strong-armed.) As far as I know, none of this was never brought to City Council for a vote, but was undertaken without your direction or permission. I guess the City Attorney expects to run roughshod over you as well as the Commission. He just charged ahead on his own, and now brings you this settlement as a fait accompli. This is no way to make policy.

I know Councilman Rosendahl believes this settlement will just give him the option, not the requirement, to create OPDs, but I've read the agreement, and that's not what it says. The wording is tricky. It says the settlement agreement's amended application creates the OPDs immediately, as soon as the CCC approves it. CCC staff corroborated this. The OPD notices just can't be posted for six months. If the Councilmean wants to stop them at that point, when they're fait accompli, he will find it very difficult, and it will likely mean another year or more of needless conflict.

Supposedly these six months are to try out the Oversize Vehicle Ordinance (OVO) and see if there's still any need for OPDs. But there's no provision to determine whether or not the OVO worked or if the OPDs are still called for. And even if there were, there's no provision to review or to halt the OPDs. Look at the agreement. Have your staff check it out. Ask them to point out the section that tells how the Coastal Commission can revoke the OPDs or stop them from being implemented at the end of the six month OVO "trial period." They won't be able to show you, because it doesn't exist.

If you approve this settlement, it will no longer be the Coastal Commission's problem. It's going to put this whole mess right in your lap. I know that the "rule of fifteen" makes it difficult for you to vote down something in another Councilmember's District, but please ask yourself if you want to involve the City in undercutting the Coastal Act, because that's what this settlement does, and whether you want to engage the City in a long-term Venice dispute that is currently, and rightly, handled by the Coastal Commission. And ask yourself if you want to support a movement that has been intent for years on privatizing Venice street parking to keep your constituents away from Venice Beach, which has always been the City's recreation area. That's what this settlement is ultimately about.

Please send a message to the City Attorney that you make policy, and he works for you. And let the Coastal Commission know that you don't want to undermine the Coastal Act, you just want them to address the camper issue without a gun to their head.

Sincerely,



David S. Ewing
Venice Action Alliance

P.S. I believe the public notice of this hearing has not been adequate or accurate. For one thing, it's simply listed as a report from the City Attorney, not as an action item.



Patrice Lattimore <patrice.lattimore@lacity.org>

Against beach lot

1 message

Ramsey McDaniel <ramseymcdaniel@gmail.com>

Tue, Jun 1, 2010 at 2:10 PM

To: "Patrice.lattimore@lacity.org" <Patrice.lattimore@lacity.org>

I'll type quick- I'm opposed to using the beach parking as a solution to overnight parking in Venice. You're creating a whole new problem!

Ramsey McDaniel
2401 Ocean Front Walk
Venice ca 90291

Sent from my iPhone

Ramsey McDaniel
1(310) 922- 2969