

VSA

**VENICE
STAKEHOLDERS
ASSOCIATION**

Date: 3-17-16
Submitted in HP Committee
Council File No: 14-1656-51
Item No.: 1
Deputy: public
March 16, 2016

Councilman Jose Huizar
City Hall
200 N. Spring Street
Los Angeles, CA 90012

Re: Support for PWGR Amendment to LAMC 56.11 re: Dismantling of Tents

Dear Councilmember Huizar,

Our organization supports the amendment of LAMC 56.11 as adopted on January 25, 2016, by the Public Works and Gang Reduction (PWGR) Committee and urge your committee to concur.

At that time, the committee considered language amending 56.11 that addresses the storage of personal property in public areas. In particular, the Committee adopted Alternative B, which provides greater flexibility regarding the dismantling of tents located in the public right-of-way.

Given the persistent blockage of pedestrian and ADA passage and the limited resources of the Los Angeles Police Department and Bureau of Sanitation Environmental Compliance Officers (ECOs), the City must encourage as much voluntary compliance as possible from transient campers to dismantle their tents daily between the hours of 6:00 a.m. to 9:00 p.m.

The version of the ordinance the City Attorney initially transmitted to the PWGR Committee would have led to a violation only if a person refuses to remove a tent and obstructs removal; this is unreasonable in light of the City's limited enforcement staff. It would require the continued involvement of LAPD to have tents dismantled on a daily basis, which is not practical or the best use of city personnel.

It is important to remember that there are currently only 16 ECOs citywide and it is unrealistic to expect they will be able to return to areas multiple times to enforce that tents are indeed dismantled. Under the initial version, the ordinance was essentially unenforceable and would continue to leave communities vulnerable to significant health and safety impacts that result from development of permanent encampments. This is unfair to business owners, residents and other community stakeholders.

The ordinance as amended by the PWGR Committee would allow issuance of a violation if a person refuses to dismantle a tent after 6:00 a.m. or obstructs removal. This makes the ordinance more easily enforced since it allows ECOs to conduct spot-checks across the City and ask for tents to be dismantled, if necessary. This slight amendment will encourage voluntary compliance with daily tent removal, which should be the City's goal.

The *Jones* settlement and *Lavan* Decision, combined with the State's demanding standards for involuntary commitment of the mentally ill, have given Los Angeles the largest concentration of transients in the nation. The amendment adopted by the PWGR Committee adds an important tool for City staff to ameliorate one of the worst aspects of this concentration by encouraging the daily dismantling of tents, thus reducing the tendency towards ever larger and more concentrated encampments. This will promote healthy and clean communities for all.

Sincerely yours,

Mark Ryavec

Mark Ryavec, president

The Venice Stakeholders Association is dedicated to civic improvement. The VSA supports slow growth, protection of the limits of the Venice Specific Plan, neighborhood safety, better traffic circulation, increased parking for residents, neighborhood beautification projects, historic preservation, habitat restoration and protection of coastal waters.
www.venicestakeholdersassociation.org 310-392-4843

Date: 3-17-16
Submitted in HPC Committee
Council File No: 14-1656-51
Item No.: 1
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March 16, 2016

Homelessness & Poverty Committee
Councilmember Marqueece Harris-Dawson, Chair
Councilmember Jose Huizar, Vice Chair
Councilmember Mike Bonin
Councilmember Curren Price
Councilmember Gil Cedillo
200 N. Spring Street
Los Angeles, CA 90012

Re: Item 1-Los Angeles Municipal Code (LAMC) 56.11

Dear Councilmembers,

Established in 1924, the Central City Association (CCA) is Los Angeles' premier business advocacy organization, with 450 members employing over 350,000 people in the Los Angeles region. CCA represents a broad swath of the businesses that drive the Los Angeles economy, and we know sustaining this economic growth is contingent upon our ability to tackle complex issues such as homelessness.

On January 25, 2016, the Public Works and Gang Reduction (PWGR) Committee considered ordinances relative to amending Section 56.11 of the LAMC to address the storage of personal property in public areas. The committee approved Alternative B of the ordinance and amended the ordinance to provide greater flexibility regarding the deconstruction of tents. CCA supports the ordinance as amended by the PWGR Committee.

We must encourage as much voluntary compliance as possible from homeless individuals to deconstruct their tents daily between the hours of 6:00 a.m. to 9:00 p.m. given the limited resources of the Los Angeles Police Department and the Bureau of Sanitation Environmental Compliance Officers (ECOs). The ordinance should allow ECOs to primarily address tents and excess personal property in public areas.

The ordinance from the City Attorney transmitted to the PWGR committee only leads to a violation if a person refuses to remove a tent and obstructs removal. This is unreasonable in light of limited city resources. It would require the continued involvement of the LAPD to have tents deconstructed on a daily basis, which is not practical or the best use of resources. It also does not meet the City's goal of decriminalizing homelessness.

In addition, it is important to remember that there are currently 16 ECOs citywide and it is unrealistic to think they will be able to return to an area multiple times to cause tents to be deconstructed. This is especially impractical given that tents are allowed to be erected from 9:00 p.m. to 6:00 a.m. due to the *Jones Settlement*. The City Council should consider allocating additional resources to increase the amount of ECOs.

Under the City Attorney version, the ordinance is essentially unenforceable and continues to leave communities vulnerable to significant health and safety impacts. This is unfair to homeless individuals, business owners, residents and other community stakeholders.

The ordinance as amended by the PWGR committee leads to a violation if a person refuses to deconstruct a tent or obstructs removal. This makes the ordinance more likely to be enforced since it allows ECOs to conduct spot-checks across the City and ask for tents to be deconstructed. This slight amendment will encourage voluntary compliance with daily tent deconstruction which should be the City's goal.

The ordinance and the accompanying guidelines must work together to promote clean and safe public areas. While there is a storage facility in Downtown Los Angeles, CCA recognizes the need for additional storage facilities citywide so homeless individuals can voluntarily store their belongings. Voluntary storage is a critical component of maintaining our sidewalks in an accessible manner. CCA will continue to support the allocation of new City resources to create storage facilities. We also believe the City should move forward with keeping the existing winter shelters open year-round and 24 hours day. CCA greatly appreciates the El Nino Homeless Emergency Shelter ordinance recently adopted by the Planning, Land Use and Management Committee.

Right now you have the ability to adopt an ordinance that will promote healthy and clean communities for all. Downtown has suffered far too long from the serious health and safety impacts associated with people living on the street indefinitely. CCA remains committed to partnering with the City and County to support solutions to address homelessness and we hope we can count on your support.

Sincerely,



Carol E. Schatz
President & CEO

CC: The Honorable Eric Garcetti, Mayor, City of Los Angeles
The Honorable Mike Feuer, City Attorney, City of Los Angeles