

November 8, 2016

Submitted to Public Comment

2 pages

additional 7 pages of rights

To: ERIC GARCETTI, Mayor, City of Los Angeles

MIKE BONIN, Councilmember Eleventh District
HERB J. WESSON, JR., Tenth District, City Council President
MITCHELL ENGLANDER, Twelfth District, City Council President Pro Tempore
NURY MARTINEZ, Sixth District, City Council Assistant President Pro Tempore
GILBERT A. CEDILLO, City Councilmember First District
PAUL KREKORIAN, City Councilmember Second District
BOB BLUMENFIELD, Councilmember Third District
DAVID E. RYU, Councilmember Fourth District
PAUL KORETZ, Councilmember Fifth District
VACANT, Councilmember Seventh District
MARQUEECE HARRIS-DAWSON, Councilmember Eighth District
CURREN D. PRICE, JR., Councilmember Ninth District
MITCH O'FARRELL, Councilmember Thirteenth District
JOSE HUIZAR, Councilmember Fourteenth District
JOE BUSCAINO, Councilmember Fifteenth District

MIKE FEUER, City Attorney
HOLLY L. WOLCOTT, City Clerk

From : Lia Renee, stakeholder CD 11, stakeholder California Coastal Zone, stakeholder City of Los Angeles

Re: Objection to illegal activity and unpermitted development at 16321 Pacific Coast Highway,

("16321 PCH")_Objection to City Officials actively participating in destroying public and private property in Pacific Palisades Bluffs and along Pacific Coast Highway. Objection to Councilman Bonin and Eric Garcetti's destruction of the Coastal Act and the City's Program subject to CA 30600(b) in Pacific Palisades Bluffs.

Dear Ladies and Gentlemen,

Public records have revealed that violations of law by both public and private actors have occurred, are occurring, or are foreseeable to occur at 16321 PCH, which include, but are not limited to¹: California State "CA" Penal Code; CA Vehicle Code; CA Building Code; CA Residential Code; CA Revenue and Tax Code; CA Government Code; CA Public Resource Code; CA Health and Safety Code; California Code of Regulations; Los Angeles Municipal Code; Los Angeles Administrative Code; Los Angeles City Charter; California Constitution; U.S. Code; United States Constitution; and, the holding of the California Supreme Court, and the Court of Appeals in *Pacific Palisades Bowl Mobile Estates v. City of Los Angeles*, which case referenced the same 16321 PCH property, and which case had some of the same actors.

The illegal activity is regarding the extraordinary 40' high, 25' high and 15' high cut and excavation of the earth and toe of a Coastal Bluff landslide that was marked as "active slope movement" in 2013 and August 2016 by the City of LA. **The excavation has no shoring, and has no City permits, no City review, no City environmental impact report, no City geo reports, and no City inspections.** No City public hearing ever occurred for interested persons to put evidence into the record. Not only is a foreseeable catastrophe in motion for persons and property at 16321 PCH, but it is foreseeable that rock and earth from the Pacific Palisades coastal bluff slope will move into vehicles and occupants traveling along PCH, due to the unshored and unpermitted excavations that are 40', high 25' high, 15' high and 10' high, and more than 700' long. There is no and has been no shoring. A trench only about 2 feet deep was excavated for the foundation for the proposed block wall to hold up these cuts.

I have spoken with Councilman Bonin's office, CA Housing and Community Development Department "HCD" Riverside office, other public and private actors, and **there are NO permits for the work being performed at the site.**

They are using a smaller project as an alleged HCD approval. I do not know if you were set up for the illegal activity that put lives, property, and vehicle occupants at peril, or if you were or are involved in some way in the illegal activities. But, as City officials you are involved, and I wanted to give you the opportunity: (a) to stop the activities; (b) make sure that the right persons are held accountable; (c) restore the site; and/or (d) notify you in case you didn't know.

Background: (1) Public and private actors took direct steps to:

- (a) Create an indiscriminant kill zone by cutting and excavating areas of up to 15' and 25' and 40' high from the toe of a mapped coastal slope landslide for a length of *more than* 100', and up to 700', which foreseeably could allow rock and earth to be used as a deadly weapon;
- (b) Purposely not install shoring in area recorded as subject to Inundation or .. Hazards" "subject to slides..";
- (c) Intend to use the new flat area created by their actions for profit;
- (d) Purposely evade submitting required applications to City of Los Angeles Building and Safety Department and City Planning Department as required by the Courts, and therefore **evaded City of LA**: (i) Review of Geo / Soil reports; (ii) Public Hearings; (iii) Determinations; (iv) Approvals; (v) EIR; (vi) Payment of fees and taxes;
- (e) Submit false and misleading documents to government offices;
- (f) Falsely state and misrepresent the law and process;
- (g) Violate the permitting process;
- (h) Conceal or remove material records, and failed to post notice at site of building and grading permits;
- (i) Deny, impede, or delay access to public records;
- (j) Deny impacted persons and property owners of constitutionally protected rights, and other legal rights.
- (k) Keep the pattern of obfuscating conduct, laws, and process in Pacific Palisades Bluffs

History: On a previous occasion, Owner of 16321 PCH attempted to evade the City of LA's permitting process through the courts, but the California Supreme Court held in Case No. S187243 that the jurisdiction of the Coastal Commission permitting process begins *after* the City of Los Angeles determination on the City's Coastal Development Permit "CDP" for subject property, see *Pacific Palisades Bowl Mobile Estates v. City of Los Angeles*,

*"Moreover, in certain areas, sometimes referred to as dual permit jurisdictions, an applicant must obtain a permit from the local entity and after obtaining the local permit, a second permit from the commission. (Pub. Resources Code, §§ 30600, 30601; Cal. Code Regs., tit. 14, § 13301, subd. (a).) **Palisades Bowl's mobilehome park is located in a dual permit jurisdiction.**"*

No City CDP hearing was held. In spite of the California Supreme Court and the Court of Appeal holding, public and private actors acted in bad faith to evade these Courts. No CDP application was submitted to the City for this property. The City and State are aware of liability in previous landslides along PCH, such as the area to northwest, the Big Rock Mesa landslide, and the slope failure at PCH and Temescal that killed a worker in a trench.

It is foreseeable that the despicable conduct of public and private actors facilitating, cutting, and excavating 40' 25', 15', and 10' high from the toe of a 280' tall coastal bluff known for slides, with no shoring, and then only installing a concrete block wall ("keystone wall"), ***with approximate 2' deep foundation***, intended to cause injury to persons, property, vehicles, and vehicle occupants, and that the conduct was being carried out with a willful and conscious disregard of the rights and safety of others. It was deceptive, cruel, and has caused unjust hardship to: intentionally misrepresent the laws; deny persons ability to put evidence into the right record; deny persons due process; to deprive persons of their property and legal rights, and to attempt to cause persons and the environment violent injury.

I request that you immediately shore the cut and excavated slope, install deep foundations, prepare a geologic report, restore the slope, notify the State Attorney General, City Attorney, and Department of Justice, and launch a full investigation into the actions of Councilman Bonin, His Staff, and the private actors who are participating in this illegal scheme, and into the actions of those who participated in evading the laws and requirements of the City of Los Angeles.

Sincerely,

Lia Renee, coastal stakeholder

ⁱ 42 USC 1981 Equal rights under the law (a) Statement of equal rights. All persons within the jurisdiction of the United States shall have the same right in every State and Territory to ... give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens.

42 USC 1983. Civil action for deprivation of rights. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, ...

42 USC 1985. Conspiracy to interfere with civil rights (2) Obstructing justice; intimidating party, witness, or juror. ... if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

42 USC 1985. Conspiracy to interfere with civil rights (3) Depriving persons of rights or privileges. If two or more persons in any State or Territory conspire ... , for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; ... or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

42 USC 1986. Action for neglect to prevent. Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in [section 1985 of this title](#), are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action;

CA PEN 240 : An assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.

CA PEN 245(a)(1) : Any person who commits an assault upon the person of another with a deadly weapon or instrument other than a firearm shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not exceeding one year, or by a fine not exceeding ten thousand dollars (\$10,000), or by both the fine and imprisonment.

CA PEN 205 : A person is guilty of aggravated mayhem when he or she unlawfully, under circumstances manifesting extreme indifference to the physical or psychological well-being of another person, intentionally causes permanent disability or disfigurement of another human being or deprives a human being of a limb, organ, or member of his or her body. For purposes of this section, it is not necessary to prove an intent to kill.

CA PEN 206 : Every person who, with the intent to cause cruel or extreme pain and suffering for the purpose of revenge, extortion, persuasion, or for any sadistic purpose, inflicts great bodily injury as defined in Section 12022.7 upon the person of another, is guilty of torture. The crime of torture does not require any proof that the victim suffered pain.

CA VC 23110(b) : Any person who with intent to do great bodily injury maliciously and willfully throws or projects any rock, brick, bottle, metal or other missile, or projects any other substance capable of doing serious bodily harm at such vehicle or occupant thereof is guilty of a felony and upon conviction shall be punished by imprisonment in the state prison.

CA PEN 182(a) : If two or more persons conspire: (1) To commit any crime. (5) To commit any act injurious to the public health, to public morals, or to pervert or obstruct justice, or the due administration of the laws.

CA PEN 31 : All persons concerned in the commission of a crime, whether it be felony or misdemeanor, and whether they directly commit the act constituting the offense, or aid and abet in its commission, or, not being present, have advised and encouraged its commission, and all persons counseling, advising, or encouraging children under the age of fourteen years, or persons who are mentally incapacitated, to commit any crime, or who, by fraud, contrivance, or force, occasion the drunkenness of another for the purpose of causing him to commit any crime, or who, by threats, menaces, command, or coercion, compel another to commit any crime, are principals in any crime so committed.

CA PEN 664 : Every person who attempts to commit any crime, but fails, or is prevented or intercepted in its perpetration, shall be punished where no provision is made by law for the punishment of those attempts,

FRAUD : Misrepresentation of a material fact; Made with knowledge of its falsity; Made with intent to induce reliance on the misrepresentation; reliance upon the misrepresentation; damages as a result

CA RTC 70 (a) “Newly constructed” and “new construction” means: (1) Any addition to real property, whether land or improvements, including fixtures, since the last lien date; and (2) Any alteration of land or of any improvement, including fixtures, since the last lien date that constitutes a major rehabilitation thereof or that converts the property to a different use.

CA RTC 72 (a) A copy of any building permit issued by any city, county, or city and county shall be transmitted by each issuing entity to the county assessor as soon as possible after the date of issuance.

CA PEN 428 Every person who willfully obstructs or hinders any public officer from collecting any revenue, taxes, or other sums of money in which the people of this State are interested, and which such officer is by law empowered to collect, is guilty of a misdemeanor.

CA PEN 424(a) : Each officer of this state, or of any county, city, town, or district of this state, and every other person charged with the receipt, safekeeping, transfer, or disbursement of public moneys, who either: ...

CA PRC 30000 This division shall be known and may be cited as the California Coastal Act of 1976.

CA PRC 30600 (a) Section 30600 Coastal development permit; procedures prior to certification of local coastal program (a) Except as provided in subdivision (e), and in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, any person, as defined in Section 21066, wishing to perform or undertake any development in the coastal zone, other than a facility subject to Section 25500, shall obtain a coastal development permit.

CA PRC 30600 (e) ... This paragraph *does not exempt* from this section any project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide.

CA PRC 30600(b) (1) Prior to certification of its local coastal program, a local government may, with respect to any development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620, and

CA PRC 30620.5, establish procedures for the filing, processing, review, modification, approval, or denial of a coastal development permit. Those procedures may be incorporated and made a part of the procedures relating to any other appropriate land use development permit issued by the local government.

CA PRC 30601 Prior to certification of the local coastal program and, where applicable, in addition to a permit from local government pursuant to subdivision (b) ... of Section 30600, a coastal development permit shall be obtained from the commission for any of the following: (1) Developments between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance. (2) Developments not included within paragraph (1) located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.

CCR 13301 (a) Following the implementation of a coastal development permit program by a local government as provided in Section 13307, any person wishing to perform a development within the affected jurisdiction except as specified in Section 13300 shall obtain a coastal development permit from the local government. If the development is one specified in Public Resources Code 30601, a permit must also be obtained from the commission in addition to the permit otherwise required from the local government; in such instances, an application shall not be made to the commission until a coastal development permit has been obtained from the appropriate local government.

LAMC sec. 12.20.2. Coastal Development Permits (Prior To Certification Of The Local Coastal Program.) (Title Amended by Ord. No. 160,524, Eff. 12/27/85; Sec. Added by Ord. No. 151,603,* Eff. 11/25/78.) Purpose. It is the purpose of this section to provide for the approval or denial of Coastal Development Permits in accordance with Section 30600(b) of the California Public Resources Code. In adopting the California Coastal Act of 1976 the State Legislature finds and declares:

“(a) That the California Coastal Zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem.

“(b) That the permanent protection of the state’s natural and scenic resources is a paramount concern to present and future residents of the state and nation.

“(c) That to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and to prevent its deterioration and destruction.”

LA ADMINISTRATIVE Code 22.20 **The Department**. The Department of Building and Safety shall have the power and duty to enforce all ordinances and laws relating to the construction, alteration, repair and demolition, or removal of buildings or structures in the City, and to the installation, alteration, repair, use, and operation of all heating, plumbing, lighting, ventilating, refrigerating, electrical and mechanical appliances and equipment therein; provided, however, that jurisdiction over the construction, alteration, repair, removal or installation of elevators, escalators, console and/or stage lifts, incline cars, manlifts, manhoists, steam boilers, pressure vessels and all connections and appurtenances pertaining to proper functioning thereof may be vested in such board or officer as may be determined by ordinance.

The Department also shall have the power and duty to enforce the zoning ordinance of the City.

LA CHARTER 101. Powers of the City. The City of Los Angeles shall have all powers possible for a charter City to have under the constitution and laws of this state as fully and completely as though they were specifically enumerated in the Charter, subject only to the limitations contained in the Charter.

LA CHARTER 103. **Delivery of Services**. Every City office and department, and every City official and employee, is expected to perform their functions with diligence and dedication on behalf of the people of the City of Los Angeles. In the delivery of City services and in the performance of its tasks, the government shall endeavor to perform at the highest levels of achievement, including efficiency, accessibility, accountability, quality, use of technologically advanced methods, and responsiveness to public concerns within budgetary limitations. Every analysis and review of the performance of the government and its officers shall seek to ascertain whether these high standards are being met, and if not, shall recommend methods of improvement.

LAMC 91.106.1.1. Building Permits. No person shall erect, construct, alter, repair, demolish, remove or move any building or structure, nor shall any person commence any liquid washing, compressed air cleaning or steam cleaning of exterior surfaces of any building unless said person has obtained a permit therefor from the department. A separate permit shall be obtained for each separate building or structure except that a group of temporary structures erected on one site for a limited period of time may be included on one permit.

LAMC 91.106.1.2. Grading Permits. (Amended by Ord. No. 172,592, Eff. 6/28/99, Oper. 7/1/99.) No person shall commence or perform any grading, and no person shall import or export any earth materials to or from any grading site, without first having obtained a permit therefor from the Department. No person shall perform any grading within areas designated “hillside” unless a copy of the permit is in the possession of a responsible person and available at the site for display upon request. Any grading project involving more than 100 cubic yards (76.5 m³) of excavation and involving an excavation in excess of 5 feet (1524 mm) in vertical depth at its deepest point measured from the original ground surface shall be done by a State of California licensed contractor who is licensed to perform the work described herein.

LAMC 91.106.3.2.3. Official Stamp. When the plans and specifications fully comply with the provisions of Section 91.106.3.3, the Department shall place an official stamp of approval or an approval perforation on each sheet of each set and, upon payment of the permit fee, shall issue one set to the applicant. (Amended by Ord. No. 179,324, Eff. 12/10/07, Oper. 1/1/08.)

LAMC 91.106.3.2.4. Validity of Approval. The stamping or approval of any plans or specifications shall not be held to permit, or to be an approval of, the violation of any provision of this Code.

LAMC 91.106.4.1.2 Permits Issuance. (Amended by Ord. No. 172,592, Eff. 6/28/99, Oper. 7/1/99.) The Department shall have the authority to withhold permits where the proposed development is located in an area subject to slides or unstable soil which may have an adverse effect on the proposed development or access thereto, as determined by the Department. If the apparent safety of the proposed development can be verified pursuant to the provisions of Sections 91.7016.4.2 and 91.7016.4.3 of this Code, the Department shall issue a permit upon receipt of a sworn affidavit which has been recorded by the County Recorder, stating that the applicant is fully aware that the proposed development is located in an area subject to slides or unstable soil which may have an adverse effect on the proposed development or access thereto.

LAMC 91.106.4.1.3. The department shall have the authority to withhold a building permit where the proposed building site is an area subject to inundation, as determined by the department. If it can be shown by authentic past records that any possible inundation is not likely to be of such extent as to be an immediate hazard to occupancy of the proposed building, the department shall issue a building permit upon receipt of a sworn affidavit which has been recorded by the county recorder stating that said applicant is fully aware of the department’s finding that the structure is an area subject to inundation.

LAMC 91.106.4.4.2. Making False Statements to the Department. Any person who willfully or knowingly, with the intent to deceive, makes a false statement or representation, or knowingly fails to disclose a material fact in any documentation required by the department to ascertain facts relative to this section, to the exception in Section 91.107.2.9 or to Section 91.112 of this Code, including any oral or written evidence presented, shall be guilty of a misdemeanor.

LAMC 91.106.4.6.1 Notification and Posting in a Hillside Grading Area. In any area designated as a hillside grading area, the department shall not issue ... (3) a grading permit for the grading of more than 1,000 cubic yards of earth materials without having first done the following at least 10 days prior to issuance of the building or grading permit: 1. The department shall send written notices of the permit application, by mail, to the owners of all property abutting the property at which the construction or grading will occur. Notices shall also be sent to the owners of all property across the street or alley when such property is intersected by a projection of the lot lines of the property at which the construction or grading will occur; and 2. The department shall post a notice of the permit application on the property at which the construction or grading will occur.

LAMC 91.106.4.6.2. The applicant seeking the permit shall provide the department with the names and addresses of all persons entitled to receive notice pursuant to Section 91.106.4.6.1.

LAMC 91.106.4.8.1.1. Construction Site Notice. Contents. Any person who obtains the following types of permits shall post a notice, as described below, at the construction site: Permit for new structures, except signs,

LAMC 91.106.4.8.1.7. Construction Site Notice. Contents. Any person who obtains the following types of permits shall post a notice, as described below, at the construction site: Grading permit. The notice shall be on a form entitled "Construction Site Notice" provided by the Department and shall include the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported.

LAMC 91.106.4.8.2. Location. The notice shall be posted and maintained at the construction site and displayed in a location that is readily visible to the public and approved by the Department.

LAMC 91.106.4.8.3. Maintenance of Notice. The notice shall be displayed after issuance of the permit and prior to the start of construction. The notice shall be displayed continuously during the process of construction until all the work authorized by the permit is inspected and approved by the Department. All contact information on the notice, including telephone numbers, shall be correct and maintained current. Failure to display this notice may result in withholding of inspections by the Department.

LAMC 91.107.2. Permit Fees. Before issuing any permit required by this code, the Department shall collect a fee.

LAMC 91.107.8.1. Soils Engineering, Foundation Investigation, Geology and Seismology Report. A fee shall be charged for the processing of each soil, foundation investigation, geology, or seismology report and the amount of the fee shall be determined from Table No. 1-C.

LAMC 91.108.9. Inspection of Excavation and Fills. (Amended by Ord. No. 172,592, Eff. 6/28/99, Oper. 7/1/99.) The permittee or the permittee's agent shall notify the Department when the grading operation is ready for each of the following inspections:

LAMC 91.108.10. Revised Grading Plan. If the inspector finds that the soil or other conditions are not as stated in the application for a grading permit, the inspector may refuse to approve further work until a revised grading plan is obtained which conforms to the existing conditions.

LAMC 91.110. Responsibility of Permittee. Building permits shall be presumed to incorporate the provision that the applicant, the applicant's agent, employees or contractors shall carry out the proposed work in accordance with the approved plans and with all requirements of this Code and any other laws or regulations applicable thereto, whether specified or not. **No approval shall relieve or exonerate any person from the responsibility of complying with the provisions and intent of this Code.**

LAMC 91.7006.7.5. Special Hillside Conditions. (Renumbered by Ord. No. 182,850, Eff. 1/3/14.) No permit requiring the import or export of more than 1,000 cubic yards (764 m³) shall be issued for areas designated "hillside" except as specified in this section. A fee of \$529.00 for the first 1,000 cubic yards and \$100.00 additional for each 1,000 cubic yards or portion of 1,000 cubic yards, in addition to the permit fee shall be paid for processing an application for grading under the provisions of this section.

LAMC 91.7006.7.5.4. (Amended by Ord. No. 179,324, Eff. 12/10/07, Oper. 1/1/08.) The Department shall within 45 days after receipt of the proposed method of hauling, schedule a public hearing before the board provided that any environmental document required pursuant to the provisions of the California Environmental Quality Act has been completed and that the soils/geology report for the project, if required pursuant to Section [91.7006.2](#), has been reviewed and approved by the Department's Grading

Division. The Department shall give notice of the time, place and purpose of the hearing as follows:

- a. by publishing a notice in at least one publication of general circulation in the City, designated for that purpose by the City Clerk, not less than ten days prior to the date of the hearing; and
- b. by mailing a written notice at least ten days prior to the date of the hearing to the owner or owners of the property involved, and to the owners of all properties within 300 feet (91 440 mm) of the exterior boundaries of the site for which the grading permit has been requested using, for the purpose of notification, the last known name and address of owners as are shown on the records of the City Engineer or the records of the County Assessor; and
- c. by the applicant posting notice of the public hearing in a conspicuous place and in clear public view on the property involved at least five days prior to the date of the public hearing.

LAMC 91.7006.7.5.5. At the public hearing, the Board of Building and Safety Commissioners shall ***consider the views of the applicant and all other affected persons.*** The board shall then grant or conditionally grant approval of export and import operations ***or, in the event it determines that the grading activity, including the hauling operation, will endanger the public health, safety and welfare, it shall deny the request.***

CA CONS Art 1 Sec 3 (a) The people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good. (b) (1) The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.

CA CONS Art 1 Sec 7 (a) A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws; In amending this subdivision, the Legislature and people of the State of California find and declare that this amendment is necessary to serve compelling public interests, protecting the environment.

CA CONS Art 1 Sec 7 (b) A citizen or class of citizens may not be granted privileges or immunities not granted on the same terms to all citizens. Privileges or immunities granted by the Legislature may be altered or revoked.

CA CONS Art 1 Sec 15 Persons may not ... be deprived of life, liberty, or property without due process of law.

CA CONS Art 1 Sec 19 (a) Private property may be taken or damaged for a public use and only when just compensation, ascertained by a jury unless waived, has first been paid to, ... (b) The State and local governments are prohibited from acquiring by eminent domain an owner-occupied residence for the purpose of conveying it to a private person.

18 USC 666. Theft or bribery concerning programs receiving Federal funds (a) Whoever, if the circumstance described in subsection (b) of this section exists-(1) being an agent of an organization, or of a State, local, or Indian tribal government, or any agency thereof-(B) corruptly solicits or demands for the benefit of any person, or accepts or agrees to accept, anything of value from any person, intending to be influenced or rewarded in connection with any business, transaction, or series of transactions of such organization, government, or agency involving any thing of value of \$5,000 or more; or (2) corruptly gives, offers, or agrees to give anything of value to any person, with intent to influence or reward an agent of an organization or of a State, local or Indian tribal government, or any agency thereof, in connection with any business, transaction, or series of transactions of such organization, government, or agency involving anything of value of \$5,000 or more;

U.S. Constitution. Amendment. Article 5. Nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

U.S. Constitution. Amendment. Article 14. No State shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law: nor deny to any person within its jurisdiction the equal protection of the laws.

See links for the above laws at :

<http://uscode.house.gov/browse/prelim@title18&edition=prelim>

<http://leginfo.legislature.ca.gov/faces/codes.xhtml>

[http://library.amlegal.com/nxt/gateway.dll/California/lamc/municipalcode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:losangeles_ca_mc](http://library.amlegal.com/nxt/gateway.dll/California/lamc/municipalcode?f=templates$fn=default.htm$3.0$vid=amlegal:losangeles_ca_mc)

