

Wed, May 23, 2018 at 12:33 PM

### Demand to Cure And/or Correct Action in Violation of Brown Act; Council File No. 18-0392

3 messages

Jamie Hall <jamie.hall@channellawgroup.com> To: CityClerk@lacity.org, Eric.Villanueva@lacity.org Cc: Terry Kaufmann-Macias <terry.kaufmann-macias@lacity.org>, mike.feuer@lacity.org, David Ryu <david.ryu@lacity.org>, councilmember.wesson@lacity.org

Dear Ms. Wolcott:

I am writing on behalf of my client to call the attention of the City Council to a past violation of the Ralph M. Brown Act by the Homelessness and Poverty Committee of the City Council concerning action taken on or about May 22, 2018. Please see the attached letter which outlines the violation. As provided by Government Code § 54960.1(c)(2) the City Council may respond to this demand within 30 days of receiving the letter by curing and/or correcting the action and informing my office in writing of its actions to that end. My client contends that the City would be required to re-agendize this item, allow for each member of the public who wishes to speak on the item to be given the opportunity, and take a new vote in accordance with the Brown Act. If the City Council does not cure and/or correct this action, my client intends to commence an action seeking a judicial determination regarding whether the challenged action violated the Brown Act.

#### Jamie T. Hall

Channel Law Group, LLP 8200 Wilshire Blvd., Suite 300 Beverly Hills, CA 90211 Main Number: (310) 347-0050 Direct: (310) 982-1760 Fax: (323) 723-3960 Email:jamie.hall@channellawgroup.com Website: www.channellawgroup.com

#### \*\*\*\*CONFIDENTIAL & PRIVILEGED TRANSMISSION\*\*\*\*

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FINAL Notice to Cure Letter.pdf 105K

Terry Kaufmann-Macias <terry.kaufmann-macias@lacity.org> To: Jamie Hall <jamie.hall@channellawgroup.com>

Wed, May 23, 2018 at 1:02 PM

Cc: CityClerk@lacity.org, "Eric (Roderico) Villanueva" < Eric.Villanueva@lacity.org>, Mike Feuer <mike.feuer@lacity.org>, David Ryu <david.ryu@lacity.org>, councilmember.wesson@lacity.org

Jamie, I do not advise the Homeless and Poverty Committee, but I will forward your letter to the appropriate attorney. Terry

[Quoted text hidden]

Terry Kaufmann Macias Managing Sr. Assistant City Attorney Land Use Division Los Angeles City Attorney's Office 200 North Main Street, 7th Floor, MS 140 Los Angeles, California 90012 (213) 978-8233 (213) 978-8214 (fax) Terry.Kaufmann-Macias@lacity.org

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**Eric (Roderico) Villanueva** <eric.villanueva@lacity.org> To: "Lattimore, Patrice" <patrice.lattimore@lacity.org>

Wed, May 23, 2018 at 1:09 PM

Hi Patrice,

FYI...

Eric Villanueva Office of the City Clerk 200 N. Spring St. Rm. 395 Los Angeles, CA 90012 213-978-1075



[Quoted text hidden]

FINAL Notice to Cure Letter.pdf



### Fwd: 18-0392

1 message

\_\_\_

Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 8:14 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

Anna Martinez Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



------ Forwarded message ------From: Hae-Lee kim <hkim12595@gmail.com> Date: Wed, May 23, 2018 at 8:08 AM Subject: 18-0392 To: cityclerk@lacity.org

May 23, 2018 The Honorable Herb J. Wesson, Jr. President, Los Angeles City Council Councilmember, 10th District 200 N. Spring Street, Room 430 Los Angeles, CA 90012

Dear Council President Wesson:

This letter is to indicate that I do not support the proposed temporary homeless shelter in Koreatown, located at 682 S. Vermont Avenue (CF No. 18-0932). As a resident of this community, I was not given an opportunity to speak out my opinion or voice in this important matter that directly affects my community. Not only that, I was not directly informed that this decision was made. I strongly believe that it was unfair for the city council to make this big of a decision without public hearing. The reasons given by your administration as to why this Koreatown parking lot was the best possible location is vague and does not show how you came to this decision. Please reconsider this decision and the location of the shelter!

Sincerely, Hae-Lee Kim Junior, Mechanical Engineering Student California State University, Long Beach Secretary of ASME Mobile: (213) 507- 4458 Email: hkim12595@gmail.com



### Fwd: CF No. 18-0932

1 message

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Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 8:15 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

Anna Martinez Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



------ Forwarded message ------From: hae-lee Kim <kellyeatkim@gmail.com> Date: Wed, May 23, 2018 at 8:11 AM Subject: CF No. 18-0932 To: cityclerk@lacity.org

May 23, 2018 The Honorable Herb J. Wesson, Jr. President, Los Angeles City Council Council member, 10th District 200 N. Spring Street, Room 430 Los Angeles, CA 90012

Dear Council President Wesson:

This letter is to indicate that I do not support the proposed temporary homeless shelter in Koreatown, located at 682 S. Vermont Avenue (CF No. 18-0932). As a resident of this community, I was not given an opportunity to speak out my opinion or voice in this important matter that directly affects my community. The reasons given by your administration as to why this Koreatown parking lot was the best possible location is vague and does not show how you came to this decision. Please reconsider the location of this shelter! It is located near the schools which I believe isn't the best location for a shelter

Sincerely, Kelly Kim



### Fwd: CF No. 18-0932CF No. 18-0932

1 message

\_\_\_

Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 8:15 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

Anna Martinez Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



------ Forwarded message ------From: **kim haru** <embellish-vernal@live.jp> Date: Wed, May 23, 2018 at 8:14 AM Subject: CF No. 18-0932CF No. 18-0932 To: "cityclerk@lacity.org" <cityclerk@lacity.org>

May 23, 2018 The Honorable Herb J. Wesson, Jr. President, Los Angeles City Council Council member, 10th District 200 N. Spring Street, Room 430 Los Angeles, CA 90012

Dear Council President Wesson:

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Sincerely, Haru



### Fwd: CF# 18 - 0392

1 message

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Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 8:48 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

Anna Martinez Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



------ Forwarded message ------From: **jung park** <jungpark58@gmail.com> Date: Wed, May 23, 2018 at 8:48 AM Subject: CF# 18 - 0392 To: cityclerk@lacity.org

May23 2018

Herb J. Wesson, Jr. President. LA City Council

I am writing this letter to express my concern that I do not support the proposed temporary homeless shelter at 682 S.Vermont Ave.

I do not appreciate the lack of transparency in the decisions made about the shelter.

I truly believe that you should treat all Koreatown business owners and residents in better way than now.



### Fwd: Concerning the planned homeless shelter in LA (18-0392 CD10)

2 messages

Patrice Lattimore <patrice.lattimore@lacity.org> To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org> Wed, May 23, 2018 at 7:44 AM

------ Forwarded message ------From: Janice Lee <janice282@gmail.com> Date: Wed, May 23, 2018 at 7:43 AM Subject: Concerning the planned homeless shelter in LA (18-0392 CD10) To: <cityclerk@lacity.org>, <patrice.lattimore@lacity.org>

Attn: LA city council and councilman Wesson

Dear Mr. Wesson,

I understand that we all have responsibility to be cooperative in the government's policy in promoting our community's best interest. However, I am concerned about the decision regarding the homeless shelter in Korea town was made without a public hearing.

I hope the council can deal with the shelter plan impartially through a clear and legitimate process.

Thank you for your time.

Yours truly, So Yeon Lee

Patrice Y. Lattimore Acting Division Manager Council & Public Services Division Office of the City Clerk **PLEASE NOTE NEW PHONE NUMBER - (213) 978-1050** 



Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 7:59 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

Anna Martinez Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



------ Forwarded message ------From: Janice Lee <janice282@gmail.com> Date: Wed, May 23, 2018 at 7:43 AM Subject: Concerning the planned homeless shelter in LA (18-0392 CD10) To: cityclerk@lacity.org, patrice.lattimore@lacity.org

Attn: LA city council and councilman Wesson

Dear Mr. Wesson,

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Thank you for your time.

Yours truly, So Yeon Lee



#### Fwd: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing) 8 messages

Patrice Lattimore cpatrice.lattimore@lacity.org>
To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>

Wed, May 23, 2018 at 7:43 AM

------ Forwarded message ------From: Chief Principal <usako12@hotmail.com> Date: Tue, May 22, 2018 at 11:32 PM Subject: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing) To: cityclerk@lacity.org <cityclerk@lacity.org>, patrice.lattimore@lacity.org <patrice.lattimore@lacity.org>

Hon. Councilman and City officials:

# Re: File # 18-0392 CD10 (<u>Against building a Shelter with or without Public</u> <u>hearing</u>)

First of all, I thank you very much for your time and effort for the City.

As the property owner in the area, this is to strongly protest and oppose the idea of building any kind of shelter, especially without a public hearing about it.

I have owned the property for many years, participate our community building, and want the best for our community and the City. However, I strongly oppose building a homeless or any kind of shelter or resting place in Korea Town, especially without proper public hearing.

This is against the idea of township and violation of our rights to the property owners and residents.

Please, be sure take this opinion seriously, as we are very concerned about the future of our community. As you know, we are already suffering deeply with vandalism, theft and solicitation of money (begging) in our community, and we believe that this shelter will NOT help or provide any solutions to the problem, other than adding a small bandage to a large wound, which will led to a larger issues while our community suffers a drastic downfall. We, as the property owner and residents have a right to enjoy and have a quiet lives in our neighborhood that we lived and built for many years, and and a right to maintain the value of our properties and community.

Thank you very much.

Jung Ko 700 Ardmore Ave. #303 Los Angeles, CA

Patrice Y. Lattimore Acting Division Manager Council & Public Services Division Office of the City Clerk **PLEASE NOTE NEW PHONE NUMBER - (213) 978-1050** 



Patrice Lattimore >patrice.lattimore@lacity.org>
To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>

Wed, May 23, 2018 at 7:44 AM

------ Forwarded message ------From: USAKO Landscaping <usakolandscaping@gmail.com> Date: Tue, May 22, 2018 at 11:37 PM Subject: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing) To: <cityclerk@lacity.org>, <patrice.lattimore@lacity.org>

Hon. Councilman and City officials:

# Re: File # 18-0392 CD10 (<u>Against building a Shelter with or without Public</u> <u>hearing</u>)

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Thank you very much.

Han Im
700 Ardmore Ave. #303
Los Angeles, CA

[Quoted text hidden]

Anna Martinez <anna.martinez@lacity.org>

Wed, May 23, 2018 at 7:58 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

**Anna Martinez Office of the City Clerk** 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



---- Forwarded message ---From: Chief Principal <usako12@hotmail.com> Date: Tue, May 22, 2018 at 11:32 PM Subject: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing) To: "cityclerk@lacity.org" <cityclerk@lacity.org>, "patrice.lattimore@lacity.org" <patrice.lattimore@lacity.org>

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Thank you very much.

Jung Ko 700 Ardmore Ave. #303 Los Angeles, CA

Anna Martinez <anna.martinez@lacity.org> Wed, May 23, To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Wed, May 23, 2018 at 7:58 AM

Please see email below.





------ Forwarded message ------From: **USAKO Landscaping** <usakolandscaping@gmail.com> Date: Tue, May 22, 2018 at 11:37 PM Subject: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing) To: cityclerk@lacity.org, patrice.lattimore@lacity.org

Hon. Councilman and City officials:

### Re: File # 18-0392 CD10 (<u>Against building a Shelter with or without Public</u> <u>hearing</u>)

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City of Los Angeles Mail - Fwd: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing)

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Thank you very much.

Han Im 700 Ardmore Ave. #303 Los Angeles, CA

Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 9:19 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

Anna Martinez Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



------ Forwarded message ------From: **Jae Kim** <jhkimko11@gmail.com> Date: Wed, May 23, 2018 at 9:19 AM Subject: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing) To: cityclerk@lacity.org, patrice.lattimore@lacity.org

Hi Councilman Wesson and City officials:

Re: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing)

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Thank you very much.

Regards, Jae Kim

700 Ardmore Ave. Unit 303, Los Angeles, CA

Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 9:35 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

Anna Martinez Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



------ Forwarded message ------From: **Daniel Kim** <dckim11@gmail.com> Date: Wed, May 23, 2018 at 9:31 AM Subject: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing) To: cityclerk@lacity.org, patrice.lattimore@lacity.org

#### Hi Councilman Wesson and City officials:

Re: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing)

First of all, thank you very much for your time and effort that you put in for the City.

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Thank you very much.

Dan Kim

**Patrice Lattimore** cpatrice.lattimore@lacity.org>
To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>

Wed, May 23, 2018 at 9:39 AM

------ Forwarded message ------From: Jae Kim <jhkimko11@gmail.com> Date: Wed, May 23, 2018 at 9:19 AM Subject: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing) To: <cityclerk@lacity.org>, <patrice.lattimore@lacity.org>

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6/11/2018

City of Los Angeles Mail - Fwd: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing)

residents have a right to enjoy and have a quiet lives in our neighborhood that we lived and built for many years, and and a right to maintain the value of our properties and community.

Thank you very much.

Regards, Jae Kim

700 Ardmore Ave. Unit 303, Los Angeles, CA

Patrice Y. Lattimore Acting Division Manager Council & Public Services Division Office of the City Clerk **PLEASE NOTE NEW PHONE NUMBER - (213) 978-1050** 



Patrice Lattimore <patrice.lattimore@lacity.org> To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org> Wed, May 23, 2018 at 9:40 AM

------ Forwarded message ------From: Daniel Kim <dckim11@gmail.com> Date: Wed, May 23, 2018 at 9:32 AM Subject: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing) To: <cityclerk@lacity.org>, <patrice.lattimore@lacity.org>

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Thank you very much.

Dan Kim

[Quoted text hidden]

6/11/2018



### Fwd: File # 18-0392 CD10 (Against Shelter without Public hearig)

2 messages

Patrice Lattimore >patrice.lattimore@lacity.org>
To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>

Wed, May 23, 2018 at 7:43 AM

------ Forwarded message ------From: Representative <uskg12@gmail.com> Date: Tue, May 22, 2018 at 11:21 PM Subject: File # 18-0392 CD10 (Against Shelter without Public hearig) To: <cityclerk@lacity.org>, <patrice.lattimore@lacity.org>

Hon. Councilman Wesson and City officials:

## Re: File # 18-0392 CD10 (<u>Against building a Shelter with or without Public</u> <u>hearing</u>)

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Han Ko 700 Ardmore Ave. Unit 303, Los Angeles, CA

#### City of Los Angeles Mail - Fwd: File # 18-0392 CD10 (Against Shelter without Public hearig)

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Patrice Y. Lattimore Acting Division Manager Council & Public Services Division Office of the City Clerk **PLEASE NOTE NEW PHONE NUMBER - (213) 978-1050** 



Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 7:57 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

## Anna Martinez

Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



------ Forwarded message ------From: **Representative** <uskg12@gmail.com> Date: Tue, May 22, 2018 at 11:20 PM Subject: File # 18-0392 CD10 (Against Shelter without Public hearig) To: cityclerk@lacity.org, patrice.lattimore@lacity.org

Hon. Councilman Wesson and City officials:

## Re: File # 18-0392 CD10 (Against building a Shelter with or without Public hearing)

First of all, I thank you very much for your time and effort for the City.

As the property owner in the district, this is to strongly protest and oppose the above referenced item.

I have owned the property for many years and want the best for our community and the City. However, I strongly oppose building a homeless or any kind of shelter or resting place in Korea Town, especially without proper public hearing.

This is against the idea of township and violation of our rights to the property owners and residents.

Please, be sure take this opinion seriously, as we are very concerned about the future of our community. As you know, we are already suffering deeply with vandalism, theft and solicitation of money (begging) in our community, and we believe that this shelter will NOT help or provide any solutions to the problem, other than adding a small bandage to a large wound, which will led to a larger issues while our community suffers a drastic downfall. We, as the property owner and residents have a right to enjoy and have a quiet lives in our neighborhood that we lived and built for many years, and and a right to maintain the value of our properties and community.

Thank you very much.

## Han Ko 700 Ardmore Ave. Unit 303, Los Angeles, CA

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### Fwd: File : 18-0392CDIO Homeless shelter in Koreatown

1 message

**Patrice Lattimore** cpatrice.lattimore@lacity.org>
To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>

Wed, May 23, 2018 at 7:43 AM

------ Forwarded message ------From: judy paik <jungminpaik@gmail.com> Date: Tue, May 22, 2018 at 8:21 PM Subject: File : 18-0392CDIO Homeless shelter in Koreatown To: <patrice.lattimore@lacity.org>

To whom it may concern

I am a resident in this area. I demand public hearing. Please don't ignore our voice for the people of this district. Thanks

JUDY

Patrice Y. Lattimore Acting Division Manager Council & Public Services Division Office of the City Clerk **PLEASE NOTE NEW PHONE NUMBER - (213) 978-1050** 





### **Fwd: Koreatown Homeless Shelter**

1 message

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Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 7:56 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

Anna Martinez Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



------ Forwarded message ------From: **judy paik** <jungminpaik@gmail.com> Date: Tue, May 22, 2018 at 8:00 PM Subject: Koreatown Homeless Shelter To: cityclerk@lacity.org

To whom it may concern

I demand public hearing. Please hear and respect for the people of this district.

Thank you

Judy



# Fwd: Letter of concern on council file no. 18-0392, emergency homeless shelter in koreatown at 682 s. Vermont ave.

1 message

Patrice Lattimore <patrice.lattimore@lacity.org> To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org> Wed, May 23, 2018 at 7:43 AM

-----Forwarded message ------From: 하나님의자녀 <eunho0717@hanmail.net> Date: Tue, May 22, 2018 at 10:16 PM Subject: Letter of concern on council file no. 18-0392, emergency homeless shelter in koreatown at 682 s. Vermont ave. To: <patrice.lattimore@lacity.org>

Dear LA city council and councilman Wesson,

This letter is to indicate that i do not support the proposed temporary homeless shelter in koreatown, located at 682 s. Vermont ave.

We demand public hearing and due process .

Sincerely, Eun Lieu

나의 iPhone에서 보냄

Patrice Y. Lattimore Acting Division Manager Council & Public Services Division Office of the City Clerk **PLEASE NOTE NEW PHONE NUMBER - (213) 978-1050** 





## Fwd: Letter of concern -temporary homeless shelter in Koreatown, 682 S. Vermont - council file no. 18-0392

1 message

Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 7:57 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

Anna Martinez Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



----- Forwarded message ------

From: 하나님의자녀 <eunho0717@hanmail.net> Date: Tue, May 22, 2018 at 10:13 PM Subject: Re: Letter of concern -temporary homeless shelter in Koreatown, 682 S. Vermont - council file no. 18-0392 To: cityclerk@lacity.org

Dear LA city council and councilman Wesson,

This letter is to indicate that i do not support the proposed temporary homeless shelter in koreatown, located at 682 s. Vermont ave.

We demand public hearing and due process .

Sincerely, Eun Lieu

나의 iPhone에서 보냄



# Fwd: LETTER OF CONCERN -TEMPORARY HOMELESS SUPPORT HOUSING IN KOREATOWN, 682 S. VERMONT AVENUE – COUNCIL FILE NO. 18-0392

1 message

Anna Martinez <anna.martinez@lacity.org> Wed, May 23, 2018 at 7:56 AM To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>, Gloria Pinon <gloria.pinon@lacity.org>

Please see email below.

Anna Martinez Office of the City Clerk 200 N. Spring St., Rm. 360 Los Angeles, CA 90012 213-978-1025 213-978-1027 - FAX Mail Stop 160-01



------ Forwarded message ------From: Hannah Kang <hjk90036@gmail.com> Date: Tue, May 22, 2018 at 8:24 PM Subject: RE: LETTER OF CONCERN -TEMPORARY HOMELESS SUPPORT HOUSING IN KOREATOWN, 682 S. VERMONT AVENUE – COUNCIL FILE NO. 18-0392 To: cityclerk@lacity.org

(Cut and paste!)

(Date]

The Honorable Herb J. Wesson, Jr.

President, Los Angeles City Council

Council member, 10th District

200 N. Spring Street, Room 430

6/11/2018

City of Los Angeles Mail - Fwd: LETTER OF CONCERN - TEMPORARY HOMELESS SUPPORT HOUSING IN KOREATOWN, 682 S. V...

Los Angeles, CA 90012

Dear Council President Wesson:

This letter is to indicate that I do not support the proposed temporary homeless shelter in Korea town, located at 682 S. V emont Avenue (CF No. 18-0932). As a resident of this community, I was not given an opportunity to speak out my opinio n or voice in this important matter that directly affects my community. Why was my right to due process ignored? The rea sons given by your administration as to why this Korea town parking lot was the best possible location is vague and does not show how you came to this decision.

Sincerely,

They need lots of letters! Already the supporting side has 30!

## Channel Law Group, LLP

8200 Wilshire Blvd. Suite 300 Beverly Hills, CA 90211

Phone: (310) 347-0050 Fax: (323) 723-3960 www.channellawgroup.com

JULIAN K. QUATTLEBAUM, III \* JAMIE T. HALL \*\* CHARLES J. McLURKIN Writer's Direct Line: (310) 982-1760 jamie.hall@channellawgroup.com

\*ALSO Admitted in Colorado \*\*ALSO Admitted in Texas

May 23, 2018

#### VIA ELECTRONIC MAIL AND CERTIFIED MAIL

Holly Wolcott City Clerk 200 N. Spring Street, Room 360 Los Angeles, CA 90012 CityClerk@lacity.org

#### **Re: Demand to Cure And/or Correct Action in Violation of Brown Act; Council File** No. 18-0392

Dear Ms. Wolcott:

I am writing on behalf of my client to call the attention of the City Council to a past violation of the Ralph M. Brown Act by the Homelessness and Poverty Committee of the City Council concerning action taken on or about May 22, 2018.

The nature of the violation is as follows: On or about May 22, 2018 the Homelessness and Poverty Committee of the City Council considered a Motion related to a proposed temporary homeless shelter at 682 S. Vermont, Los Angeles, CA in Koreatown. The Motion was identified on the agenda as Item No. 3. The proposed homeless shelter has been extraordinarily controversial, drawing media attention, multiple protests and a petition with over 9,600 signatures. The issue of whether or not a public hearing should be afforded to allow "due process" has been a primary issue. Yet, the City limited the total time for those speaking in opposition to the Motion to 15 minutes despite the fact that over 100 people waited in line to speak on this matter (many waiting in the hallway). For many, this was their first time visiting City Hall or attending a hearing of this type. In order words, this was their introduction to local government and they expected that in our democratic system their voice would be heard by their elected leaders.

As you are aware the Brown Act creates clearly states that the public has a right to address the City Council (and its committees) at any meeting on any subject that is within the council's subject matter jurisdiction. Government Code § 54954.3(a). The right to express one's views in a public place is fundamental to a free society. 78 Ops Cal Atty Gen 224, 226 (1995). While a City Council may regulate the total amount of time on particular issues and for each individual speaker,

that power is limited by the requirements of due process in quasi-judicial hearings. Government Code § 54954.3(b); *Manufactured Home Communities, Inc. v. County of San Luis Obisbo* (2008) 167 Cal.App.4th 705 (outlining due process requirements). Quasi-judicial or "administrative" actions are subject to the due process requirements of the Fourteenth Amendment to the United States Constitution which provides that a governmental regulation may not deprive a person of life, liberty, or property without due process of law. The procedure employed must be fair and accord those with an interest in the matter a meaningful opportunity to prepare and be heard. Examples of quasijudicial actions include, but are not limited to, issuance of discretionary land use permits, business licenses, civil service grievance hearings, rent control hearings on applications for rent increases or decreases, and other similar actions in which a property interest is at stake.

There are clearly property interests at stake in the instant matter. Therefore, the City violated the Brown Act by limiting the ability of members of the public to speak on the item.

Pursuant to Government Code § 54960.1, and on behalf of my client as an interested person alleging a violation of the Act, my client demands that the City Council cure or correct the action.

As provided by Government Code § 54960.1(c)(2) the City Council may respond to this demand within 30 days of receiving the letter by curing and/or correcting the action and informing my office in writing of its actions to that end. My client contends that the City would be required to re-agendize this item, allow for each member of the public who wishes to speak on the item to be given the opportunity, and take a new vote in accordance with the Brown Act.

If the City Council does not cure and/or correct this action, my client intends to commence an action seeking a judicial determination regarding whether the challenged action violated the Brown Act. Such an action would include a request to the court for payment of costs and reasonable attorneys' fees pursuant to Government Code § 54960.5.

I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

Jamie T. Hall

cc: Councilman Herb Wesson Councilman David Ryu City Attorney Mike Feuer Deputy City Attorney Terry Kaufmann-Macias