



Venice Dell Community Project – Demand to Cure Brown Act Violation

Shauntell Bodden <sbodden@lafla.org>

Fri, Feb 7, 2025 at 4:52 PM

To: "clerk.cps@lacity.org" <clerk.cps@lacity.org>, "laura.cornejo@lacity.org" <laura.cornejo@lacity.org>, "jay.kim@lacity.org" <jay.kim@lacity.org>, "ken.husting@lacity.org" <ken.husting@lacity.org>, "michelle.cayton@lacity.org" <michelle.cayton@lacity.org>, "Hydee.FeldsteinSoto@lacity.org" <Hydee.FeldsteinSoto@lacity.org>, "John.Heath@lacity.org" <John.Heath@lacity.org>, "michael.nagle@lacity.org" <michael.nagle@lacity.org>, "kevin.dufner@lacity.org" <kevin.dufner@lacity.org>, "yolanda.chavez@lacity.org" <yolanda.chavez@lacity.org>, "kevin.keller@lacity.org" <kevin.keller@lacity.org>, "star.parsamyan@lacity.org" <star.parsamyan@lacity.org>, "arsen.voskerchyan@lacity.org" <arsen.voskerchyan@lacity.org>, "tricia.keane@lacity.org" <tricia.keane@lacity.org>, "eric.claros@lacity.org" <eric.claros@lacity.org>, "lisa.webber@lacity.org" <lisa.webber@lacity.org>, "Juliet.Oh@lacity.org" <Juliet.Oh@lacity.org>
Cc: Anna Hales <ahales@lafla.org>, "Kevin F. Mitchell" <KFMitchell@lafla.org>

Good afternoon, all,

I am emailing you behalf of Anna Hales and Kevin Mitchell, two attorneys here at the Legal Aid Foundation of Los Angeles. Please find attached a correspondence related to the [Venice Dell Community Project – Demand to Cure Brown Act Violation](#). If you encounter any issues opening the attachment, please let me know.

-

For all further answers, questions, or concerns, please direct your response to Anna and Kevin.

Thank you,

Shauntell Bodden | Sr. Legal Secretary 🌈

Pronouns: she, her, hers

Legal Aid Foundation of Los Angeles

7000 S. Broadway | Los Angeles, CA 90003

213.640.3877 **direct** | 213.640.3988 **facsimile**



This message contains information from the Legal Aid Foundation of Los Angeles which may be confidential and/or privileged. If you are not an intended recipient, please refrain from any disclosure, copying, distribution or use of this information and note that such actions are prohibited. If you have received this transmission in error, kindly notify the sender and immediately delete this email and any files that may be attached.



25.02.07-BOTC Demand to Cure Letter Draft.pdf
607K

Legal Aid Foundation of Los Angeles

South Los Angeles Office
7000 S. Broadway
Los Angeles, CA 90003

1-800-399-4529

www.lafla.org



February 7, 2025

VIA EMAIL

Board of Transportation Commissioners
City of Los Angeles
Los Angeles City Hall
200 N. Spring St.
Los Angeles, CA 90012

Re: Venice Dell Community Project – Demand to Cure Brown Act Violation

Dear President Liban and Honorable Commissioners:

On behalf of People Organized for Westside Renewal (“POWER”), we demand that the Board of Transportation Commissioners (the “Board”) cure the violation of the Ralph M. Brown Act (Government Code section 54950 *et seq.*) (the “Brown Act”) that the Board committed at the improperly noticed special meeting held on December 10, 2024 (the “Special Meeting”), with respect to the Venice Dell Community Project (the “Project”).

On December 10, 2024, the Board held a Special Meeting in violation of the Brown Act. The Board’s Notice of the Special December 10, 2024, did not comply with the Brown Act.

The California Government Code requires that a special meeting notice state, “the business to be transacted or discussed” and that “[n]o other business shall be considered at these meetings by the legislative body.” (Cal. Gov. Code, § 54956(a)). The Board’s notice (attached as Exhibit 1) merely stated as an action item: “Proposed Redevelopment of Municipal Parking Lot No. 731 in Venice for Affordable Housing.” There is no statement or explanation of the action to be taken by the Board. It is our understanding that at the December 10, 2024, Special Meeting, the Department of Transportation determined that Lot 731 would not be used for the Project and recommend that the Los Angeles Housing Department assess the feasibility of moving the Project to Lot No. 701. The Special Meeting notice gave no indication that the Board would be considering these issues.

Because the Notice did not detail the “business to be transacted,” the Board had no authority under the Brown Act to take any action on the Project. (See *Moreno v. City of King* (2005) 127 Cal.App.4th 17 [holding that a special meeting agenda that merely stated “Public Employee (employment contract)” without indicating that the employee’s dismissal would be considered was insufficient notice of the item of business to be transacted or discussed].) Despite

Other Office Locations:

East Los Angeles Office, 5228 Whittier Blvd., Los Angeles, CA 90022
Long Beach Office, 601 Pacific Ave., Long Beach, CA 90802
Santa Monica Office, 1640 5th St., Suite 124, Santa Monica, CA 90401
Ron Olson Justice Center, 1550 W. 8th Street., Los Angeles, CA 90017



this, we understand that the Board did in fact vote at the Special Meeting. The Board's vote violated the Brown Act's notice requirements under Government Code section 54956 and the violation deprived POWER of a fair opportunity to participate in the Board's decision.

Government Code section 54960.1 requires the Board either to cure or correct its actions, or to inform us of its intent not to do so within 30 days from the receipt of this demand. If the Board fails to cure or correct its violations as demanded and required by law, we intend to seek judicial invalidation of the action taken by the Board at the December 10, 2024, special meeting pursuant to Cal Gov. Code § 54960.1.

Thank you for your attention to this important matter.

Sincerely,

Kevin F. Mitchell

Kevin F. Mitchell | Managing Attorney
Legal Aid Foundation of Los Angeles
323.801.7968 direct | kfmitchell@lafla.org

CC:

Los Angeles City Council: clerk.cps@lacity.org
Laura Rubio-Cornejo, General Manager, Los Angeles Department of Transportation: laura.cornejo@lacity.org
Jay Kim, Assistant General Manager, Los Angeles Department of Transportation: jay.kim@lacity.org
Ken Husting, Los Angeles Department of Transportation: ken.husting@lacity.org
Michelle Cayton, Los Angeles Department of Transportation: michelle.cayton@lacity.org
Hydee Feldstein Soto, City Attorney, Los Angeles City Attorney's Office: Hydee.FeldsteinSoto@lacity.org
John Heath, Los Angeles City Attorney's Office: John.Heath@lacity.org
Michael Nagle, Los Angeles City Attorney's Office: michael.nagle@lacity.org
Kevin Dufner, Los Angeles City Attorney's Office: kevin.dufner@lacity.org
Yolanda Chavez, Los Angeles City Attorney's Office: yolanda.chavez@lacity.org
Kevin Keller, Interim Deputy Mayor of Housing, Office of Mayor Karen Bass: kevin.keller@lacity.org
Star Parsamyan, Chief of Staff, Council District 11 Councilmember Traci Park: star.parsamyan@lacity.org
Arsen Voskerchyan, Los Angeles Bureau of Engineering: arsen.voskerchyan@lacity.org
Tricia Keane, Executive Officer, Los Angeles Housing Department: tricia.keane@lacity.org
Eric Claros, Director of Housing, Los Angeles Housing Department: eric.claros@lacity.org
Lisa Webber, Deputy Director of Planning, Los Angeles City Planning: lisa.webber@lacity.org
Juliet Oh, Senior City Planner, Los Angeles City Planning: Juliet.Oh@lacity.org
Anna Hales, Legal Aid Foundation of Los Angeles: ahales@lafla.org

Enclosure.

Exhibit 1

**BOARD OF TRANSPORTATION
COMMISSIONERS**

CRIS LIBAN
PRESIDENT

SELIKA TALBOTT
VICE PRESIDENT

DOUGLAS TOHOM
VIGGEN DAVIDIAN
ERIN PAK
RAYMOND REGALADO
DAVID MARQUEZ

JASMIN SAN LUIS
ACTING COMMISSION EXECUTIVE ASSISTANT

**CITY OF LOS ANGELES
CALIFORNIA**



KAREN BASS
MAYOR

DEPARTMENT OF TRANSPORTATION

100 S. MAIN STREET, 10th FLOOR
LOS ANGELES, CA 90012

LAURA RUBIO-CORNEJO
GENERAL MANAGER

**SPECIAL MEETING
BOARD OF TRANSPORTATION COMMISSIONERS**

AGENDA

**Tuesday, December 10, 2024
10:00 AM**

**Room 1010, City Hall
200 North Spring Street, Los Angeles, CA 90012**

Note: The meeting is audio taped.

Every person wishing to address the Commission must complete a speaker's request form at the meeting and submit it to the Commission Executive Assistant prior to the Board's consideration of the matter.

The live audio can also be accessed at: (213) 621-2489 (Downtown); (310) 471-2489 (West L.A.); 310 547-2489 (San Pedro); 818 904-9450 (Van Nuys).

ADMINISTRATIVE ITEMS

1. Welcome
2. Roll Call

NOTICE TO PAID REPRESENTATIVES

If you are compensated to monitor, attend, or speak at this meeting, City law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code 48.01 et seq. More information is available at ethics.lacity.org/lobbying. For assistance, please contact the Ethics Commission at (213) 978-1960 or ethics.commission@lacity.org.

NEIGHBORHOOD COUNCIL COMMENT

Discussion with Neighborhood Council representatives on any formal positions or resolutions adopted by the Neighborhood Council relating to any agenda item listed or being considered on this agenda for the Board of Transportation Commissioners.

PUBLIC FORUM

ACTION ITEM

3. Proposed Redevelopment of Municipal Parking Lot No. 731 in Venice for Affordable Housing

ADJOURNMENT - PURSUANT TO GOVERNMENT CODE SECTION 54956.7

Agenda will be posted online and can be downloaded at least 72 hours prior to a meeting from the Department of Transportation Website <https://ladot.lacity.org/about/commissions> or posted on the bulletin board located on the 1st floor of City Hall East (Main Street Lobby).

Members of the public are invited to address the Board of Transportation Commissioners on any item on the agenda prior to action by the Board on that specific item. Members of the public will be given an opportunity to address non-agenda items within this Board's jurisdiction.

A total of 10 minutes will be allotted, subject to time limits on individual items, as the President deems appropriate.

Written material supporting agenda items can be reviewed prior to each Board meeting at the Commission office, 100 S. Main Street, 10th floor, Los Angeles, 90012, between the hours of 8:00 a.m. and 4 p.m.

Finalization of Commission Actions: In accordance with City Charter, actions that are subject to Section 245 shall become final at the expiration of the next five meeting days of the Los Angeles City Council during which the Council has convened in regular session and that if Council asserts jurisdiction during this five meeting day period the Council has 21 calendar days thereafter in which to act on the matter.

Matters pending will be carried for a maximum of six months, after which time they will be deemed withdrawn and rescheduled when a new staff report is received.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, we will provide reasonable accommodation to ensure equal access to its programs, services, and activities. To ensure availability, you are advised to make your request at least 72 hours prior to a meeting you wish to attend. For additional information, please contact Jasmin San Luis, Acting Commission Executive Assistant, at (213) 972-8448 or TTY call (213) 580-1177.