

**Fwd: CF-20-1376**

1 message

**Izabella Hovhanisian** <izabella.hovhanisian@lacity.org>  
To: City Clerk Council and Public Services <clerk.cps@lacity.org>

Wed, Oct 28, 2020 at 1:21 PM

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From: **Mehmet Berker** <mehmetikberker@gmail.com>  
Date: Wed, Oct 28, 2020 at 1:20 PM  
Subject: CF-20-1376  
To: <CityClerk@lacity.org>

The comment submission system was not working for me, please find my comments on CF-20-1376 below:

I vehemently oppose both CF 20-1376 calling for a draft ordinance from City Attorney repealing and replacing Section 41.18 of the LA Municipal Code, and the draft motion which has been drawn up by the City Attorney. This draft ordinance is nowhere near adhering to the spirit of Boise, and also violates the letter as well I'd say. At a first, very general level, how is the City to determine who've been offered shelter and who hasn't? What does that mean for say someone who lives in Echo Park but was offered shelter in Lancaster--completely inaccessible to their community or possibly a job, or services, or otherwise--and refused that poison pill?

Beyond that, this draft ordinance is also laughably hypocritical and places undue burden on private citizens suffering homelessness to maintain "clear and accessible" paths of pedestrian rights-of-way that the City itself does not adhere to! The City agreed to 10 year schedule in the Willets settlement to make sidewalks and pedestrian paths of travel accessible. Even if the City completes this goal (which it most likely will not as it is woefully behind quota) it is inherently admitting that it cannot provide accessible paths of travel overnight. Indeed, buried in Willets is a provision, allowable under the ADA, whereby the City can provide an alternate path of travel rather than fix a path if it is deemed overtly costly or otherwise infeasible from an engineering standpoint. If the City will refuse to say, expand a 4 ft sidewalk with utility poles in the middle to become accessible, and rather point to the ability to use a crosswalk and travel on the other side of the street, it cannot hold those suffering homelessness to a higher, undue standard (there's no mention of alternate paths of travel in the draft ordinance). As an extreme existing case in point, the City a few years ago rejected plans to expand the existing embankments on the Hyperion Bridge to create, true, accessible sidewalks in both directions. Instead, the City insisted those with mobility disabilities could simply travel at least 1/4 miles out of their way as an alternate path of travel. What's good for the goose is good for the gander: if the City cannot, or will not adhere to keeping/making all pedestrian paths of travel open and accessible, they should not place it as a burden on those suffering homelessness.

And when it comes to private citizens encroaching on the accessibility and clearance of the pedestrian right of way, there are other, egregious examples, which the City makes no attempt to curtail. Hedges of private homes routinely grow out over and above the sidewalk. Oftentimes, what is nominally a 4 ft sidewalk is a 2 ft sidewalk due to a bulging ficus hedge. Are property owners regularly inspected and fined? No. People park private vehicles across and astride pedestrian paths of travel all the time. Besides when random cranks call it in, does the City care? Private businesses put up planters in the furniture zone illegally. Are they dealt with? Sometimes yes, something no. I live in Hollywood, and they pop up, and even if they are taken down, it is neither proactively, nor urgently done. Recently the Al Fresco program, while being a laudable attempt to help struggling restaurants, has shown ADA violations of its own. So besides its own purview and behavior, the City has shown it does not mind private citizens encroaching on the public right of way, provided they are doing so in a way that the City deems to be ok, which includes, seemingly: having a thick ficus hedge, parking your big car in your driveway and letting it jut out into the sidewalk, but not, God forbid, if you are homeless and have no other option.

There are examples of sidewalks completely overtaken by tents. This is a result, as I've said, of people having no other option. When a Bridge Home shelter is put in place, it cannot possibly hold all those suffering homelessness in the City, not even in the neighborhood, the scale of our problem is too great. Folks living outside near these shelters, or anywhere else, have no other options. The City has grossly failed to provide even temporary shelter under Project Roomkey, to say nothing of more permanent solutions. And these need not only be PSH or other permanent structures. There are models for organized encampments from cities like Seattle and Albuquerque which the City, at any time, could sanction, plan and implement. There are cheaper pod-living options which have been designed and built by architects over a number of years, including those designed by the MADWORKSHOP at USC in 2016. At \$25,000 a unit, and able to be assembled in groups low enough in number to not trigger the need for zoning changes -- meaning they could be placed in public lots--but have they?

In closing, the City has not done nearly enough to get people housed & is placing an undue burden on the unhoused, and even if they had, the draconian nature of the draft ordinance alone should disqualify it.

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