

Communication from Public

Name: Doug Ross

Date Submitted: 07/30/2025 01:58 AM

Council File No: 24-0711

Comments for Public Posting: posting to correct motion please see below

Communication from Public

Name: President Marqueece Harris-Dawson & Hon. Members of the City Council

Date Submitted: 07/29/2025 01:08 PM

Council File No: 24-0711

Comments for Public Posting: Please see attached letter regarding Council File NO. 24-0711-S1.

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Ref: 85397-0001

July 29, 2025

VIA E-MAIL AND ONLINE PORTAL

President Marqueece Harris-Dawson and
Hon. Members of the City Council
City of Los Angeles - 200 N. Spring Street
City Hall - Room 340
Los Angeles, California 90012

Re: **Objection to 245 Motion for RV Park at 23416/23514 S. President Ave**
Council File No. 24-0711-S1; Hearing Date: 7/30/2025; Agenda Item 41

Dear President Harris-Dawson and Hon. Members of the Los Angeles City Council:

Our office represents the applicant and property owner for the proposed Silver RV Park located at 23416 and 23514 South President Avenue. We write to formally object to the City Council's consideration of the June 27, 2025 motion seeking to assert jurisdiction pursuant to Section 245 of the City Charter over the City Planning Commission's June 26, 2025, denial of an administrative appeal (CPC Case No. DIR-2024-7352-BSA-1A) of our client's building permits. The motion is legally and procedurally improper for multiple reasons, each of which independently warrants denial of the 245 motion. Moreover, it should be noted that the City Planning Commission, the Director of Planning, and Department of Building & Safety all performed a thorough review of this appeal before acting to deny it, and there is simply no legal or appropriate basis for the City Council to disturb these well-reasoned decisions.

A. Charter Section 245 Does Not Apply Where the Matter Is Already Subject to City Council Review.

Charter Section 245 expressly prohibits the City Council from asserting jurisdiction over "actions which are subject to appeal or review by the Council pursuant to other provisions of the Charter, ordinance or other applicable law." (See Charter Sec. 245(d)(8).) The Silver RV Park project has already been the subject of a prior motion and City Council action (see Council File No. 24-0711), which include direct legislative inquiries and instructions to City departments to halt approvals and conduct additional environmental review and compliance analysis. In fact, this 245 motion was given the same council file number as the prior matter which remains pending, making it clear as day that this is a matter currently subject to City Council review. This concurrent

Council engagement—centered on the very same permit and project site—means the matter is already “subject to review by the Council” and therefore cannot be called up under Charter Section 245. To do so would contravene both the plain language and legislative purpose of Section 245.

B. Asserting Jurisdiction Would Clearly Violate Due Process.

The City Planning Commission action that is subject to this motion is quasi-judicial in nature, and involves an administrative appeal of a ministerial building permit. In this context, the parties are entitled to due process protections, including the right to neutral and unbiased decisionmaker. (See *Petrovich Dev. Co., LLC v. City of Sacramento* (2020) 48 Cal. App. 5th 963, 973, “[W]hen functioning in such an adjudicatory capacity, the city council must be neutral and unbiased.”) Yet the proponent of the June 27 motion—Councilmember McOsker—has already participated in Council actions that clearly disparage the project and its operator, referring to the proposed project as associated with “nuisance activity” and “clear and present” public safety risks (see June 14, 2024 Motion, Council File 24-0711). Having prejudged the matter, Councilmember McOsker and other participating Councilmembers are disqualified from serving in any adjudicative capacity. Per Charter Section 222, where disqualification arises, the matter must be transferred to the Board of Referred Powers. Accordingly, even if the Council could otherwise lawfully assert jurisdiction under Section 245 (which it cannot), the matter would require transfer to the Board of Referred Powers due to established conflict and bias.

C. Further Consideration Would Violate the HAA's Hearing Limits.

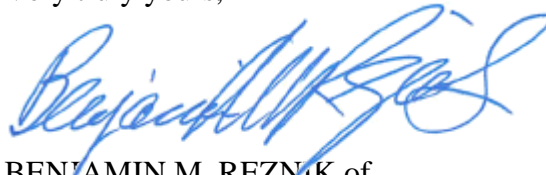
Finally, proceeding with further discretionary hearings on this matter would constitute yet another violation of the Housing Accountability Act (HAA) (Gov. Code § 65589.5), which limits local governments to no more than five public hearings on a qualifying housing project. The City has already held multiple hearings on this ministerial RV park project, including Council and Committee discussions triggered by Council File No. 24-0711. The June 27 motion seeks to send the matter to committee for yet another public hearing, clearly pushing the total count beyond the HAA’s five-hearing cap. This violates state law and exposes the City to potential liability, including under the HAA’s attorney’s fees and penalty provisions.

Conclusion

For the foregoing reasons, the City Council must decline to assert jurisdiction under Charter Section 245. The action is legally unauthorized, procedurally improper, and substantively barred under both the Los Angeles Charter and the Housing Accountability Act.

President Marqueece Harris-Dawson
Hon. Members of the City Council
July 29, 2025
Page 3

Very truly yours,



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