Del Rey Resident’s Association (DRRA) Minutes from Board/General Meeting 3/6/2023

Meeting on Zoom Called to order at 7:00 pm

Welcome message by President Elizabeth Layne –

* DRRA is non-profit organization.
* Membership dues $15.00 a year per household for all residents of Del Rey– donations also accepted.
* Two current DRRA Committees –

Land use

Emergency Preparedness – unique to DRRA – (DRNC does not have an Emergency Preparedness committee)

* DRRA Website – delreyresidentsass.org
* DRRA participated in events in 2023 – National Night Out, LAPD Carnival, and Ballona Creek Clean-up.

Election of Officers – All executive Board members elected for a 2-year term by acclamation.

DRRA By-Laws updated by Eddie Kurtz and Kimberly Frost introduced, briefly explained, and voted unanimously to take effect immediately. Will be posted on the DRRA Website.

Speakers –

Claudia Martin, ESQ. Neighborhood Prosecutor, West Bureau – Los Angeles City Attorney’s Office.

Claudia addressed the current City of Los Angeles Laws and Policies regarding what LAPD can do regarding the removal of RV’s and homeless encampments.

Claudia works closely with the Pacific LAPD Community and the CD11 Office. Claudia has been a Neighborhood Prosecutor for 17 years. Claudia gets her cases from LAPD. As a Neighborhood Prosecutor, Claudia provides training for LAPD during Roll Call on what documentation is needed for Community filing in the Police Reports.

Claudia presented a Power Point outlining the legal details of 41.18 (a)(b)(c)(e).

Claudia also presented the 9th Circuit Court decision regarding the rights associated with the Homeless personal Property under the legal precedent of Martin v. City of Boise – 920 F.3d 584 (2019).

In summary, as to the homeless encampments:

* “As long as there is no option of sleeping indoors, the government cannot criminalize homeless people for sleeping outdoors on public property. It violates Eight Amendment’s prohibition on cruel and unusual punishment.”
* 41.18(a) – Blocking the Sidewalk –“no person shall obstruct a street, sidewalk, or other right ,of way by sitting, lying, or sleeping, or by string , using, maintaining, or placing personal property: by impeding passage as provided by the ADA of 1990, within 10 feet of a driveway or loading dock, within 5 feet of an operational building entrance or exit, within 2 feet of any fire hydrant, or any other fire department connection, and/or in a manner that obstructs or unreasonably interferes with the use of right of way for any activity for which the City has issued a permit.”
* 41.18(b) – No obstruction of any street or any right of way used by motor vehicles, bike lanes and bike paths.
* 41.18(c) - sensitive locations – No person or encampments – up to 500 feet such as park or public library, 500 feet of designated overpass, underpass, freeway ramp, tunnel, bridge, pedestrian bridge, subway, wash, spreading ground, or active railway after passage of resolution by City Council. Up to 1,000 feet to any facility that provides shelter for homeless people, or that serves as a homeless services navigation center opened after 1/1/2018. After passage of a resolution by City Council finding that the location possesses particular and ongoing threat to public health and safety.
* 41.18(e) – No encampments up to 500 feet of a school, day care public or private. Not included are vocational, professional institution or higher education such as colleges and universities.
* Lavan v. City of LA – (Case no. CV 11-2874) – Terms of injunction- City Agents and employees enjoined from seeing property from the homeless, absent objectively that is is abandoned , presents immediate threat to public health or safety, or evidence of crime or contraband; and must be maintained in a secure location before destruction. Notice must be left in a secure location of every item that has been taken and where it is being stored.
* Garcia v. City of LA – (CV19-06182-DSF-PLA) Filed 2019- Challenges constitutionality of LAMC 56.11 – seven causes of action including 4th and 14th Amendments of state court claims: the trial court issued preliminary injunction against the city regarding the bulky item provisions holding that it cannot enforce them because of the warrantless seizure and destruction of property violates the 4th amendment. The injunction was dissolved in September of 2022 when the 56.11 amendments went into effect. Litigation is ongoing.
* LAMC 56.11(10)(a) –“No person shall willfully resist, delay, or obstruct City Employee from moving, removing impounding or discarding personal property stored in public area in violation of subsection 3(a)-(c)or (f)-(h).” Sanitation is the lead agency, and order to comply with reasonable amount of time to comply must be posted.
* LAMC 56.11(10)(b) – “No person shall refuse to take down or put away tent that violates 41.18 or willfully resist, delay. ect. City employee from taken down. This section will always have a violation of 41.18.
* 56.11 (10)(c) – No person shall refuse to take down or our away tent (that DOES NOT OTHERWISE VIOLATE 41.18) between 6 a.m. and 9 p.m. or willfully resist, delay, ect. City Employee from taking down – not enforceable during rainfall or below 50 degrees Fahrenheit, and when order to comply and reasonable amount of time to comply.
* LAMC 56.11 lists when and what kind of property can be removed and/or removed and what kind of notice is required – pre-and post-removal notices are posted by Sanitation and property is removed by Sanitation (SAN). To request removal, contact 3-1-1 and CD11’s office.
* As to the RV’s –

LAMC 85.02 – Expired.

Desertrain v. City of LA – (754 F.3d 1147 (2014) – LAMC 85.02 – Prohibited individuals using RV’s as living quarters. Individuals residing in RV’s filed legal action claiming that police violated their civil rights. 9th Circuit found the ordinance vague and unconstitutional.

As pointed out by Mary Cain – DRRA Member based on presentation it is almost impossible to remove an RV parked in the City of LA that is inhabited unless there is a violation of the law, even if the vehicle has been parked in a location passed 72 hours and during the hours of 2 – 6 am where signs are posted.

Aeia Abas, MPP, Community Relations Coordinator, Los Angeles Homeless Service Authority (LAHSA).

LAHSA has 3 functional pillars –

\*Housing System

\*Prevention

\*Housing supply

In 2022 there were 161,500 homeless in California out of the 580,000 homeless in the USA. These figures are increasing daily. In the City of LA per 2022 homeless count there were 41,980 unhoused counting the RV dwellers, and 61,14 unhoused in the County of LA. These numbers continue to increase every year to date since 1983. In California the unhoused are 1 in every 4 residents of the State.

LAHSA is involved in prevention and re-housing since 1993 of the homeless in LA City and LA County. LAHSA is the lead administrative service provider into temporary shelter and housing of the unhoused.

LAHSA works with clients every day in 8 service areas.

LAHSA is also the Federal Representative Lead in providing the homeless count every year. Last homeless count in LA was completed on 1/26/2023 and the figures are not out yet and will not be out until summer of this year. The homeless count figures are utilized for the purpose of ending homelessness and secure Federal, State, and City funds. The homeless count also looks at demographics and priorities for the funding and placement of these individuals. The app created by LAHSA for the homeless count in 2023 is la-hop.

With Direct outreach, the system administrator tries to problem solve, and prioritizes individuals to in-house. They provide interim, transitional and permanent housing, taking into account that available housing in LA is very limited.

LAHSA received 5.8% Federal funding, 15.7% from State funding, 32.2 funding from County and City of LA and 1% from private donations. LAHSA’s current yearly budget is $725.1 Million.

To help LAHSA one can get involved by: Advocating, Volunteering, Work with them, and by Renting your Unit.

Contact LAHSA and to get additional information about LAHSA please contact them at <https://www.lahsas.orgportal/apps/lahop/request>. You can also call LAHSA at 213-255-6511.

Senior Lead Officer (SLO) Hector Aceves – Email 35717@lapd.online.

Officer Aceves Partner SLO Javier Ramirez will be back in April.

Increased burglaries in Palms area – these break-ins have a habit of moving on to our area – so beware with summer coming Del Rey.

Thefts of stolen vehicles especially Hundis and Kias in the Pacific LAPD Division and Del Rey are up, also in other areas.

Pacific LAPD has a car parked in the Marina Market Place due to uncreased thefts, and Patrol is being increased.

Overall crime in our area has decreased from last year.

Meeting was adjourned at 9:00 p.m.