

**FOR INFORMATION ONLY**

**CITY OF LOS ANGELES**  
Department of Recreation and Parks

September 3, 2003

**TO:** Board of Recreation and Park Commissioners

**FROM:** Manuel A. Mollinedo  
General Manager *BM for MAM*

**SUBJECT:** Proposed Lottery System for the Venice Beach Boardwalk

The Boardwalk at Venice Beach is world-renowned for an eclectic mix of street performers and retail shops and restaurants fronting a popular family beach. The Boardwalk itself, as well as recreation facilities such as Windward Plaza and the Skate Dance area have been enhanced, replaced, or refurbished over the past several years in a massive publicly-funded improvement project, with additional phases ahead. Even before completion of the new Boardwalk, the City had developed ordinance language which restricted commercial vending that conflicted with legitimate retail businesses, while maintaining traditional performance and free speech activities that are part of Venice's personality. Los Angeles Municipal Code Section 42.15 states in relevant part:

*No person shall hawk, peddle, vend or sell, or request or solicit donations for, any goods, wares, merchandise, foodstuffs or refreshments upon any public beach lands or beach properties adjoining the waterfront of the Pacific Ocean, or upon any boardwalk, sidewalk or public way immediately adjacent thereto...*

*This section shall not prohibit the sale of merchandise constituting, carrying or making a religious, political, philosophical or ideological message or statement which is inextricably intertwined with the merchandise. Nor shall the provisions of this section prohibiting sales or solicitations of donations apply to any performer or musician engaging in constitutionally protected activities, or to any painter, sculptor or photographer, provided the painter, sculptor or photographer is displaying his or her own original creations and/or limited editions.*

The Municipal Code also has restrictions on hours of activity, use of City structures, and obstruction of the public way. However, in the years since completion of the new Boardwalk, the number of persons wishing to perform, show their art, or otherwise exercise their First Amendment rights has expanded, creating problems in noise and control on the Boardwalk, but there is currently no system for organizing this activity. Upon the encouragement and guidance of Council District 11, the Department has been working with the Office of City Attorney and the Los Angeles Police Department to develop policies and procedures that will bring a system of order to assembling on the Boardwalk. Specifically, staff is finalizing the plans for a space lottery system which will feature a pre-designated plan of locations, and encompass use of a photo identification, monthly

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lottery, and progressive discipline for infractions. Implementation of the new policy will require both approval and adoption by the Board and revision of Municipal Code Section 42.15 to indicate existence of Policies and make non-compliance a violation of the Code. With the Council office and other City staff, we believe that the system being organized will ease tensions for persons wishing space on the Boardwalk, reduce commotions and overcrowding among persons, and enhance the ability of police officers to readily ascertain persons not conforming to the Municipal Code. The Venice Boardwalk Policy and Procedures will be presented to the Board for consideration and action at a subsequent meeting.

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**TO:** BOARD OF RECREATION AND PARK COMMISSIONERS

**FROM:** MANUEL A. MOLLINEDO  
General Manager *M. Mollinedo*

**SUBJECT:** **SOUTH CENTRAL SPORTS ACTIVITY CENTER:**  
**ACQUISITION OF PROJECT SITE AT 7020 SOUTH FIGUEROA STREET**

At its meeting of June 6, 2001, the Board approved General Manager's Report No. 01-182, authorizing the acquisition by eminent domain of the land parcel located at 7020 South Figueroa Street for development of the South Central Sports Activity Center.

On September 10, 2002, the City Council approved Ordinance No. 174819, finding that the public interest and necessity require the acquisition of real property at 7020 South Figueroa Street to provide for the development of the proposed South Central Sports Activity Center and authorizing the City Attorney to commence an action in eminent domain to acquire the said property.

On October 11, 2002, the City filed a complaint in eminent domain with the Superior Court of California, County of Los Angeles, to acquire 7020 South Figueroa Street and obtained an Order For Possession. The Court set a trial date of September 22, 2003.

A mediation was held before a retired judge on July 29, 2003, at which time the parties agreed to settle the condemnation action by the payment to the defendant property owner the sum of \$925,000 in exchange for a stipulation to a Final Order of Condemnation transferring title of the property to the City. The decision was made by the Deputy City Attorney assigned to the case with the approval of representatives of the Department of Recreation and Parks and Proposition K Program.

Report No. R03-0395, Recommendation For Settlement, was prepared by the City Attorney's Office and approved by City Council at its meeting of August 15, 2003.

Funds sufficient to complete the settlement are available from Proposition K monies and required matching funds from Community Development Block Grant and Proposition A monies.

Report prepared by Drew Tolliffe, Real Estate and Asset Management.