

CC asked to “cease and desist” on parking issue

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October 24, 2014



Local News

By

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Following up on earlier accusations of conflicts of interest by certain members of the Culver City City Council, Farragut Drive resident Les Greenberg is now asking the council to “cease and desist” from doing anything that would alter existing parking restrictions on Farragut.

In a letter sent to Culver City Clerk Martin Cole on Oct. 20, Greenberg, who is an attorney, says he is representing Farragut homeowners Paula Cruz, Ron Davis, James and Nadine Provence, John and Mary Heyl and Paulette Greenberg by requesting that the City Council “cease and desist discussions and actions related to its meeting on Aug. 11, 2014.”

Representatives from Grace Evangelical Lutheran Church asked the council at an Aug. 11 meeting to reconsider lifting the preferential parking restrictions on 10700 Farragut Drive, which Farragut homeowners have had since 1982. Only vehicles with a preferential parking permit may park on the block.

Grace Lutheran, which is on nearby Overland Avenue has limited parking and is seeking to have to council revisit the parking restrictions so that some of its congregants can use the Farragut.

The council did not vote to take immediate action on Aug. 11. The city’s governing body asked the city staff to research whether an analysis of traffic patterns would be needed for the area. City officials say no decision will be made on the preferential parking zone until next year.

Greenberg lists several reasons in his letter why the council should be legally bound to discontinue any conversation about the parking restrictions, which they have come to highly value. He states that California’s open meetings law, the Ralph Brown Act, was not followed at the meeting.

One alleged violation, according to Greenberg, was the council's discussion of written testimony from church members that was read at the Aug. 11 meeting because "no action or discussion shall be undertaken on any item not appearing on the posted agenda except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights."

"The City Council's discussions and actions went far beyond simply directing staff to place a matter on a future agenda," Greenberg wrote. "Further, the City Council circumvented its 'rules and procedures' by improperly providing the church with otherwise nonexistent appellate rights and an associated fee waiver, and ordering [the city] staff to take a 'fresh look' at the Farragut parking restrictions to determine whether the restrictions are justified. The procedures so not provide for those actions."

"Once the city has had an opportunity to review the 10-page letter from Mr. Greenberg, the city will determine what, if any, action is appropriate," Cole wrote to the News in an email.

Asked if City Attorney Carol Schwab would be involved in any potential decision on Greenberg's letter, Cole responded. "Because the letter raises legal issues, any such response -if any- will involve the city attorney's office.

Prior to the cease and desist letter, the Greenbergs filed a public nuisance complaint against the church with Schwab. The city attorney sent Les Greenberg a letter last month where she found that none of the city leaders that Greenberg accuse of having conflicts of interest and therefore should not rule on the matter- Councilmen Andrew Weissman and Jeffery Cooper and Vice Mayor Micheál O'Leary- were not in violation of any ethics statutes.

