

REPORT OF GENERAL MANAGER

NO. 05-192

DATE: June 28, 2005

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: **VENICE BEACH BOARDWALK - ADDING A RULE FOR THE "USE OF ASSIGNED BUT UNOCCUPIED SPACES" TO THE PUBLIC EXPRESSION PERMIT PROGRAM RULES**

S. Huntley _____
*J. Combs _____
H. Fujita _____
B. Jensen _____

J. Kolb _____
F. Mok _____
K. Regan _____


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board approve an additional rule to the existing Venice Beach Boardwalk Public Expression Permit Program Rules allowing daily "walk-on" use of assigned but unoccupied spaces by permit holders, as described below.

SUMMARY:

Pursuant to revisions to the Program Rules recently adopted by the Board, a weekly lottery has been held each Tuesday since June 14, 2005, to assign the designated spaces on the Boardwalk to permit holders desiring to engage in public expression activities. Separate lotteries have been conducted for weekday and weekend use of the spaces. Numerous complaints have been received from permit holders, who did not receive space assignments in the lottery process, that many of the assigned spaces are not occupied during much of the period for which they were assigned. They have requested to be able to make use of the assigned but unoccupied spaces to accommodate their desire to engage in public expression activities. Staff agrees that the intent of the permit program is to facilitate the orderly use of the Boardwalk space set aside for expressive activity to the fullest extent possible within the rules. Therefore, staff is recommending amendment of the Program Rules at this time to allow use of the assigned, but unoccupied spaces after 12:00 p.m. daily by any permit holder, provided that if the assigned permit holder arrives after 12:00 p.m. and requests the use of his/her assigned space, then the "walk-on" permit holder will immediately relinquish the assigned space back to the assigned permit holder.

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Program Rules:

- After 12:00 p.m. daily, any permit holder may use any single unoccupied general expression or performance space for the remainder of that day; provided, that if the permit holder to whom the space was assigned by lottery arrives after 12:00 p.m. and asks to use his/her assigned space, the "walk-on" permit holder must immediately relinquish the space to the assigned permit holder. "Walk-on" use is subject to all other program rules applicable to use of spaces assigned by lottery. Failure to immediately vacate the space to the assigned permit holder as requested shall constitute a violation of the program rules.

FISCAL IMPACT STATEMENT:

The additional rule will have no impact to the General Fund.

This report was prepared by Vicki Israel and Lydia Ritzman.