1. Call to Order
   Pledge of Allegiance
   Roll Call

2. Administration of Oath of Office of recently appointed Commissioners Kurt Schwengel and John C. Smith

3. Approval of Minutes from October 16, 2014

4. Director’s Report: Karen Ginsberg, Director, Community & Cultural Services

5. CONTINUED ITEMS:
   A. Discussion and possible action on changing time of regular Commission meetings

6. ACTION ITEMS:
   A. Election of Chair and Vice Chair
   B. Staff Presentation of Pilot Year analysis for the Commercial Fitness or Athletic Instruction, Classes or Camps Permit Program, Commission Discussion and Possible Recommendations for Council consideration
      • Staff Report
   C. Commission discussion and development of recommendation for transmittal to City Council regarding a permanent name for the park currently known as “Buffer Park”
      • Staff Report
   D. Committee and Liaison appointments

7. DISCUSSION ITEMS
   A. Review of Long Range Agenda

8. ANNOUNCEMENTS:

9. COMMITTEE AND LIAISON REPORTS:
   A. Community Gardens Advisory Committee Liaison – Commissioner Toy
   B. Disabilities Commission Liaison – Chair Brock
   C. Planning Commission Liaison – Commissioner Brown,
   D. Landmarks Commission Liaison –Chair Brock
   E. Santa Monica Malibu Unified School District/Santa Monica College (SMMUSD/SMC) Liaison –Commissioner Brown
   F. Field Sports Advisory Council (FSAC) Liaison – Commissioner Brown, alternate Chair Brock
   G. Virginia Avenue Park Advisory Board Liaison – Chair Brock
   H. Parks Foundation –Chair Brock, Commissioner Cohen
   I. Bicycle and Pedestrians Committee –Chair Brock
   J. California Association of Park and Recreation Commissions and Board Members (CAPRCBM) –Chair Brock
   K. Social Services Commission Liaison – Commissioner Gielicz
L. Urban Forest Task Force Liaison – Chair Brock, alternate Commissioner Cohen
M. Civic Working Group – Chair Brock

10. PUBLIC COMMENT:  
    Public input is permitted only on items not on the agenda within the subject matter jurisdiction of the Recreation & Parks Commission

11. ADJOURNMENT

City Hall is wheelchair accessible. To request a disability-related accommodation, such as a sign language interpreter or assistive listening device, please call the Department of Community & Cultural Services at 310-458-8310, or TTY 310-458-8696, or email anne.deasey@smgov.net at least three business days in advance. This agenda and all documents for the meeting are available in alternate format upon request. City Hall is served by Big Blue Bus lines 1, 2, 3, 5, 7, 8, 9, 10 and Rapid 3; call (310) 451-5444 or TTY (310) 395-6024 for additional transportation information. Parking is available in front of City Hall and on Olympic Drive and in the Civic Center Parking Structure (validation free).

This agenda is subject to change up to 72 hours prior to the scheduled meeting. We encourage you to check the agenda on the City’s website (http://smgov.net/ccs/agendas/rec/) 72 hours prior to the meeting. Please note that Agenda Items may be reordered during the meeting at the discretion of the Chair.

PUBLIC INPUT GUIDELINES: Public attendance and comment at Commission meetings are welcomed and encouraged. Members of the public will have 3 minutes to speak and should submit a chit to City staff before the presentation begins. If more than 15 members of the public wish to speak on one item, speaking time will be limited to 2 minutes each. If a member of the public submits a late chit, his/her speaking time will be limited to 1 minute. Members of the public wishing to speak will be called upon in the order in which their chit was received. Applause or any other disruptive behavior is not allowed.

Any member of the public unable to attend a meeting but wishing to comment on an item(s) listed on the agenda may submit written comments prior to the meeting by mailing them to RPC, c/o 1685 Main Street, Room 210, Santa Monica, CA 90401. Or comments may be emailed to: rpc@smgov.net. Any documents produced by the City regarding any item on this agenda will be made available in Room 210 at City Hall, 1685 Main Street, Santa Monica, during normal business hours.

STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS:

- Treat everyone courteously
- Listen to others respectfully
- Exercise self-control
- Give open-minded consideration to all viewpoints
- Focus on the issues and avoid personalizing debate
- Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions
TO: Recreation and Parks Commission
FROM: City Staff
SUBJECT: Review of the Commercial Fitness or Athletic Instruction, Classes or Camps Permit Program Pilot Year with Proposed Changes for Commission Discussion and Recommendations

INTRODUCTION
This report updates the Commission on the pilot year of the Commercial Fitness or Athletic Instruction, Classes or Camps regulatory system and permit program. This report offers recommendations for possible changes to the program based on feedback from community members, trainers, clients, and City staff responsible for administration of the permit program, maintenance, and enforcement. Staff requests that the Commission review and provide formal comments on the recommendations that are included in this report, and that will be presented to City Council in January, 2015.

BACKGROUND
For the past several years, community members as well as City class and camp instructors regularly complained about the proliferation of unregulated fitness training and camps in City parks and at the beach. The majority of complaints about this activity concerned the intensity of use at the north end of Palisades Park by trainers and their clients. During its January 19, 2012 meeting, the Recreation and Parks Commission recommended that Council request that staff develop a regulatory system for use of the parks and beach by commercial fitness trainers. The Commission also suggested that staff research how other cities handle the issue of fitness classes in public open spaces. On April 10, 2012, staff brought these community concerns to Council for direction. Council directed staff to return with options to address community concerns related to commercial fitness classes and use of large equipment in the parks and at the beach.
On April 23, 2013, staff presented Council with options for addressing use of City parks and the beach for commercial fitness instruction, classes or camps. Council asked staff to return with refinements to the program including options for group training areas in Palisades Park with proposed time, place and group size restrictions. On October 8, 2013, an ordinance amending Chapter 4.55 of the Municipal Code related to commercial fitness or athletic instruction, classes or camps in parks and at the beach, and a fee resolution establishing a permit fee and use charges was introduced. Council approved staff’s recommendations as amended and adopted Resolution Number 10779 (CCS). At its October 22, 2013 meeting, Council adopted Ordinance 2441 (CCS) and the law became effective January 2014. An Information Item was presented to City Council on July 24, 2014 providing an assessment of the first half of the pilot year, including summary results of a survey conducted in May 2014.

DISCUSSION
The purpose of the Commercial Fitness or Athletic Instruction, Classes or Camps Permit Program is to create a greater balance of park and beach uses, protect park and beach amenities, reduce impacts on neighbors and park and beach users, ensure commercial instructors have a business license and proper insurance, and to have instructors compensate the City for commercial use of public property. Staff spent the months of December, 2013 and January, 2014 educating the public about the application process, permit requirements, rules and regulations as well as fees and use charges.

Applications for commercial fitness or athletic instruction, classes or camps permits were accepted beginning December 2, 2013 and processed as received, with the exception of applications for medium and large group permits for Palisades Park. Applications for Palisades Park were initially accepted from December 2, 2013 – December 16, 2013 only, however, since the 20 permit limit was not reached, applications were also accepted beginning in June 2014 until filled, with all permits expiring December 31, 2014.
Permits Issued: Through November 10, 2014 a total of 26 permits have been issued for 2014 with the following breakdown of group size by location:

- **Palisades Park:**
  - 5 small – no more than 2 participants
  - 5 medium – no more than 10 participants
  - 2 large – no more than 15 participants

- **The Beach and other Approved Parks:**
  - 1 small – no more than 2 participants
  - 11 medium – no more than 10 participants
  - 2 large – more than 10 participants

- **Reed Park:** No permits were requested or issued for Reed Park

Under the current process, applicants are able to hire multiple instructors and are required to list the additional instructors’ names on the application. The number of approved instructors per quarter varied from 44 to 72. Of the 72 approved instructors, 34 instructors were authorized to work in Palisades Park.

Along with the permit, approved instructors are issued photo ID badges that must be worn when they are instructing as well as City issued small portable signs that must be displayed on site. The ID badges and portable signs make it easy for enforcement staff, Public Landscape staff, trainers, neighbors, and community members using the parks and/or beach, to identify approved instructors. A current list of approved instructors is posted on the City’s web page at [www.smgov.net/trainers](http://www.smgov.net/trainers).

**Hours of Use by Location:**
Permit holders submit quarterly reports indicating the number of instruction hours conducted during the previous quarter by location. Based on these reports Palisades Park remains the most popular location for commercial fitness or athletic instruction followed by the beach and Clover Park. The chart below lists the hours reported each quarter by the instructors for authorized locations.
Hours of Commercial Fitness or Athletic Instruction, Classes or Camps Conducted

<table>
<thead>
<tr>
<th></th>
<th>Jan-Mar</th>
<th>Apr-Jun</th>
<th>Jul-Sept</th>
</tr>
</thead>
<tbody>
<tr>
<td>Palisades Park</td>
<td>736</td>
<td>654</td>
<td>735</td>
</tr>
<tr>
<td>SM State Beach</td>
<td>342</td>
<td>400</td>
<td>677</td>
</tr>
<tr>
<td>Clover Park</td>
<td>135</td>
<td>314</td>
<td>279</td>
</tr>
<tr>
<td>Beach Park #1</td>
<td>93</td>
<td>138</td>
<td>0</td>
</tr>
<tr>
<td>Marine Park</td>
<td>40</td>
<td>40</td>
<td>50</td>
</tr>
<tr>
<td>Stewart St. Park</td>
<td>24</td>
<td>24</td>
<td>0</td>
</tr>
<tr>
<td>Virginia Ave. Park</td>
<td>14</td>
<td>90</td>
<td>117</td>
</tr>
<tr>
<td>Airport Park</td>
<td>13</td>
<td>81</td>
<td>84</td>
</tr>
<tr>
<td>Beach Green</td>
<td>0</td>
<td>49</td>
<td>77</td>
</tr>
<tr>
<td>Others Combined</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Sub-Total</strong></td>
<td><strong>1398</strong></td>
<td><strong>1790</strong></td>
<td><strong>2020</strong></td>
</tr>
</tbody>
</table>

| YTD Total Hours      | 5388    |

**Enforcement:** Permit administration staff meets monthly with Police Department and Code Enforcement staff to evaluate and discuss the permit program. The Police Department reports that between January 1, 2014 and October 31, 2014 they received 50 complaints regarding potential violations of the permit program such as attaching exercise equipment to park amenities and trees, athletic or fitness instruction without a permit, and excessive noise. Over 70% of the 50 complaints were received in the first six months of the permit program with 13 complaints received between July 1st and October 31st. These complaints were responded to by either Police Department Public Service Officers and/or Code Enforcement Officers.

Code Enforcement staff opened 35 cases regarding potential violations of the Commercial Fitness or Athletic Instruction, Classes or Camps permit program between February and October 31, 2014. Of these cases, three resulted in the issuance of an Administrative Citation for violation of the municipal code and required payment of an administrative fine,

From July 2014 through September 2014, Code Enforcement staff increased enforcement efforts by conducting weekly inspections of the parks and the beach on Fridays through Sundays. Staff reported that several permitted instructors were not
displaying photo ID badges and/or City issued signs. No unpermitted athletic fitness instructors were identified and consequently no Administrative Citations were issued. Additionally, more proactive enforcement efforts were conducted on July 31st, August 21st and September 4th. These three details resulted in eight contacts with permitted instructors not displaying photo ID badges and/or City issued signs. No unpermitted athletic fitness instructors were identified and consequently no Administrative Citations were issued.

**Park Maintenance:** Public Landscape staff reports that they have worked closely with the permitted groups in Palisades Park to rotate locations to alleviate compaction of the turf. The approved instructors have cooperated with City staff when they have been asked to relocate due to maintenance activities or closures taking place in the zones. Staff reports that the four zones show signs of more wear/tear and compaction of the turf as compared to other areas in the park. Public Landscape staff reported a decline in the New Zealand Christmas trees (Metrosideros Excelsus) located between Montana and Palisades Avenues which may be attributed to training that takes place under the canopy of these trees and the related compaction. In the areas north of Marguerita Avenue where commercial fitness instruction is not permitted, staff reports that there has been significant improvement in the condition of the turf. Public Landscape staff did not report any maintenance impacts in other approved parks.

**Community Feedback:** In May 2014, a survey was issued to approximately 250 contacts from the Commercial Fitness or Athletic Instruction, Classes or Camps interest lists, inclusive of Santa Monica residents, neighborhood groups, commercial instructors and their clients, and other interested parties. The purpose of the survey was to obtain feedback regarding the new permit program. The survey included 13 questions and participants were given an opportunity to make recommendations regarding specific aspects of the permit program. One hundred four (104) responses were received. In most cases responses were mixed, demonstrating that allowing commercial fitness or athletic instruction, classes or camps to operate on public property, especially in
Palisades Park, continues to be a controversial issue. Full survey results are available at www.smgov.net/trainers.

**Staff Recommendations:** As a result of its review of the pilot program staff recommends the following modifications for Commission discussion and feedback:

A) **2014 Permit Hours:** 6:00am – 9:00pm daily, except not valid Sundays in Palisades Park
   - **Staff Recommendation:** No changes, 51% of survey respondents believed the hours approved for 2014 are appropriate.

B) **2014 Group Sizes:**
   - Small – no more than 2 participants
   - Medium – no more than 10 participants
   - Large – more 10 participants (Maximum of 15 Palisades Park, 149 other)
   - **Staff Recommendation:** No changes, 47% of survey respondents thought the 2014 group sizes are appropriate. 44% of respondents thought the group sizes should be changed. Of the 44 comments received regarding group sizes, 57% supported greater restrictions and 32% preferred fewer restrictions.

C) **2014 Equipment:** No equipment or object used for fitness or athletic activity over 25 lbs. may be placed within any park except at Airport Park, Clover Park and Reed Park
   - **Staff Recommendation:** No change, 55% of survey respondents believe the current equipment weight restriction is appropriate.

D) **2014 Advertisement Controls:** No permit holder or approved instructors shall display, place or distribute, or cause the display, placement or distribution of any commercial advertising or signage, including but not limited to cards, flyers, brochures, signs or banners, in any City park or park parking lots and at the beach or beach parking lots.
• **Staff Recommendation:** No change. In April, 2014 the City issued portable signs to the permitted instructors. The instructors are required to display the signs when they are conducting commercial fitness or athletic instruction, classes or camps. These small and relatively discreet signs aid the public and enforcement staff in identifying approved instructors. Additional signage or distribution of advertising materials in the park or at the beach may result in sign blight, clutter or littering and is not recommended. 75% of survey respondents supported the current advertising restrictions.

E) **2014 Permit Locations by Group Size:**

- **Small only** – Barnard Way Linear Park, Crescent Bay Park, Memorial Park, Tongva Park
- **Small, Medium, & Large** – Airport Park, Beach Green, Beach Park 1, Clover Park, Douglas Park, Hotchkiss park, Marine Park, Ocean View Park, Palisades Park, Reed Park, South Beach Park, Stewart Park, Virginia Avenue Park (VAP)

• **Staff Recommendation:** Permit only small groups (up to 2 participants) at VAP and retain current group size designations at other locations. VAP was designed as a community center with City staff offering a variety of free educational and recreational programs and activities for Santa Monica families of all ages and abilities. The outdoor amenities are heavily used by the community and include two playgrounds, a splash pad, basketball courts, large open space grass area and picnic facilities. This park is very popular with the local community for family picnics, pick-up sports, and visits to the weekly Farmer’s Market and new Pico Branch Library. During 2014 small and medium groups were permitted to use VAP and park staff believes that if additional medium size groups or large groups begin to operate in the park, use of the open space by the general public would be highly impacted. Staff believes that limiting permits for VAP to small groups will address this concern while still allowing permitted athletic instruction to occur.
F) 2014 Annual Use Charge:

<table>
<thead>
<tr>
<th>Group Size</th>
<th>General</th>
<th>Palisades Park</th>
<th>Reed Park</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small</td>
<td>$1,800</td>
<td>$2,700</td>
<td>$ 900</td>
</tr>
<tr>
<td>Medium</td>
<td>$3,600</td>
<td>$5,400</td>
<td>$1,800</td>
</tr>
<tr>
<td>Large</td>
<td>$5,400</td>
<td>$8,100</td>
<td>$2,700</td>
</tr>
</tbody>
</table>

- Staff Recommendation: Eliminate the flat rate use charge and implement a use charge based on percentage of gross revenue as follows:
  5% Reed Park, 10% General, 15% Palisades Park

Upon implementation of the flat rate use charge, numerous trainers and their clients complained that the rates were excessive and detrimental to small businesses. Consequently many permit holders increased their businesses in the parks or at the beach by hiring additional instructors to work for them.

The amount of revenue earned by permit holders varies greatly based on the type of class or camp, number of participants, number of approved instructors, and hours of instruction. The flat rate use charge does not address these variables resulting in a tremendous disparity between the relationship of cost and revenue among permit holders. Seven permit holders voluntarily provided their gross revenue information to the City during 2014 and for these seven permit holders, the flat rate use charge equated to between 8% and 83% of their reported gross revenues.

Implementing a use charge based on a percentage of gross revenues allows permit holders to compensate the City in a more equitable manner. Generally speaking, the higher the revenue, the more hours a permit holder uses public space to conduct their business. Therefore those permit holders with higher revenue should be paying the City a higher use charge than those who earn minimal revenue and presumably use the public space less. For example, a camp with 60 participants operating for six to seven hours each weekday pays
the same flat rate use charge as a camp or class with 11 participants operating a few hours a day. Implementation of a percentage of gross revenue use charge would eliminate this type of inequity.

In addition, the flat rate use charge appears to serve as an incentive for some permit holders to add instructors to increase revenue. A percentage of gross revenue use charge will take away this incentive and may result in an increase of small group sized permits and a decrease in the number of permit holders adding instructors.

Revenues collected from permit fees and the annual use charge from January through November 10, 2014 totaled $96,200. Changing the use charge to a percent of gross revenue would reduce the use charge amount paid by some permit holders, but increase the amount paid by others, potentially balancing out. The City would retain the right to audit permit holders and require a late fee and interest for a delay in payment, as well as reserve the right to revoke a permit for non-payment. Requiring a percent of gross revenue use charge is a practice already employed for the commercial surf camp and classes permit program.

G) 2014 Limit Number of Approved Instructors: Unspecified

- **Staff Recommendation:** When the Commercial Fitness or Athletic Instruction, Classes or Camps permit program was developed, no limitations were set concerning the number of instructors that each permit holder could have. Since program implementation, the number of permit holders with additional instructors has risen from 9 to 14 with 5 permit holders who have 4 or 5 instructors in addition to themselves. In an effort to keep the permit program manageable and balance it with other park use, it is recommended that permit holders be allowed to have a maximum of 5 instructors in addition to themselves.

H) 2014 Palisades Park Additional Regulations:

- No more than 20 medium or large group permits issued
- Unlimited small group permits issued
• Large groups may not have more than 15 participants
• Permits not valid north of Marguerita Avenue
• Med/large groups restricted to 4 zones, maximum of 2 medium or large groups per zone at a time

• **Staff Recommendation:** Limit the number of permits issued for medium or large groups to 15 and, limit the number permits issued for small groups to 15. During 2014 nearly all medium and large group permit holders employed additional instructors. It is anticipated that if 20 medium or large group permits were issued, the competition for the zones would increase and conflicts may arise since no more than two medium or large groups may occupy any zone at a time. A limit on the number of small group permits issued is recommended to better manage and balance the use of Palisades Park. In the event applicants exceed availability, a lottery will be held.

A change is not recommended regarding the designated zones in Palisades Park. While the turf in these zones has been impacted it is balanced by the improved conditions of the turf in other areas of the park that previously had been impacted. Fifty one percent (51%) of survey respondents agreed with the existing zone requirements.

- Zone 1: Palisades Avenue to Alta
- Zone 2: Montana Avenue to Palisades Avenue
- Zone 3: Immediately north of Idaho Avenue
- Zone 4: Wilshire Blvd. north to public restrooms

No other charges are recommended for Palisades Park.

I) **Recommended Changes to the 2014 Rules:**

• **Staff Recommendation:** The following additional rules are recommended to improve the permit program. The rules are administrative in nature and are
approved by the Director of Community and Cultural Services pursuant to Section 4.55.030 of the Santa Monica Municipal Code. Attachment A.

1) Add a requirement to rule #7 that a City issued sign must be displayed while conducting commercial fitness or athletic instruction, classes or camps

2) Add a rule prohibiting instructors to reserve or hold space (rule #17 only addresses Palisades Park)

3) Add volleyball to the list of sports requiring a court permit for commercial instruction (rule #21)

4) Add a rule to require groups and their belongings to maintain a clearance of at least 10 feet from tree trunks to lessen compaction issues

5) Add to rule requiring permit holders to submit usage reports as required by the City

**Summary**

Since the law became effective in January 2014, staff has observed an overall reduction in the amount of commercial fitness or athletic instruction, classes or camps taking place in City parks and at the beach. Complaints have drastically decreased since implementation and the permit program has been successful in requiring commercial instructors to carry insurance, obtain a Santa Monica business license, reduce impacts on neighbors and park users, and compensate the City for commercial use of public land. Palisades Park continues to be the most popular and controversial location for commercial fitness training. 35% of the May 2014 survey respondents were either satisfied with the current level of commercial instruction occurring in Palisades Park or want fewer restrictions, while 48% of respondents want more restrictions.
Staff believes that taken in combination, the proposed changes to the permit program will further reduce the impacts of commercial fitness or athletic instruction, classes or camps on the neighbors and park and beach visitors, plus further address maintenance concerns. All of these changes are administrative in nature and can be implemented under the authority of the Community and Cultural Services Director. A summary of these changes is listed below:

- Permit only small groups in Virginia Avenue Park
- Eliminate the flat rate use charge and implement a use charge based on percentage of gross revenue as follows:
  - 5% Reed Park, 10% General, 15% Palisades Park
- Limit the number of additional instructors a permit holder may have to 5
- Require permit holders to display signage issued by the City
- Prohibit approved instructors from reserving or holding space
- Include volleyball with the list of sports requiring a court permit
- Require permit holders to maintain a 10 foot clearance from tree trunks
- Require permit holders to submit usage reports as required by the City
- Limit the number of medium or large group permits in Palisades Park to a maximum of 15
- Limit the number of small group permits issued in Palisades Park to a maximum of 15

**NEXT STEPS**

Staff anticipates presenting a review of the pilot year program including recommendations for changes to the permit program at a Council meeting in January, 2015 and will incorporate the Commission’s comments and recommendations into the staff report.

**Prepared by:**

Wendy Pietrzak, Senior Administrative Analyst
Kathy LePrevost, Administrative Project Manager
Attachment A
Permit Requirements and Rules

Permit Requirements

- Applicant must provide documentation of the following prior to Permit execution:
  - Completed and signed application form
  - Proof of insurance as stated under Instructor Insurance Requirements
  - Provide separate “Additional Insured Endorsement form”
  - Execute “Defense, Indemnity and Hold Harmless Agreement” – details below
  - Copy of current Santa Monica Business License
  - Payment of required permit fee and quarterly use charge

A City authorized permit is required to conduct fitness or athletic instruction, classes or camps for compensation in parks and at the beach pursuant to Ordinance 4.55.030.

Permit Rules

1. Definitions:
   - **Small Group**: Not more than 2 participants excluding instructor(s) and/or spectators.
   - **Medium Group**: Not more than 10 participants excluding instructor(s) and/or spectator(s).
   - **Large Group**: More than 10 participants excluding instructor(s) and/or spectator(s).
   - **Approved Instructor**: An instructor, approved by the City that works as an employee or contractor, under the supervision and responsibility of the permit holder.

2. Small Group, Medium Group and Large Group fitness or athletic instruction, classes or camps may be conducted at the beach and in the following parks:
   - Airport Park
   - Beach Green
   - Beach Park #1
   - Clover Park
   - Douglas Park
   - Hotchkiss Park
   - Marine Park
   - Ocean View Park
   - Palisades Park (with special annual group permit as described below)
   - Reed Park
   - South Beach Park
   - Stewart Street Park
   - Virginia Avenue Park

3. Only Small Group fitness or athletic instruction, classes or camps may be conducted in the following parks:
   - Barnard Way Linear Park
   - Crescent Bay Park
   - Memorial Park
   - Tongva Park
4. No commercial fitness or athletic instruction, classes or camps may occur in the following parks: Ashland Park, Beach Park #4, Chess Park, Euclid Park, Goose Egg Park, Joslyn Park, Ken Genser Square, Muscle Beach Park, Ozone Park, Pacific Street Park, Park Drive Park, and Schader Park.

5. Permits for fitness or athletic instruction, classes or camps for compensation are issued on a calendar year basis. (January 1 – December 31)

6. Permits issued for fitness or athletic instruction, classes or camps for compensation shall become invalid if the permittee fails to:
   - pay all applicable City fees and charges;
   - maintain a current and valid general liability insurance as required by the City;
   - execute a required Indemnity and Hold Harmless Agreement; and
   - maintain a current and valid Santa Monica Business License

7. Permit holders and/or Approved Instructors must visibly wear a City-issued badge or display card at all times while conducting commercial fitness or athletic instruction, classes or camps and have the City issued Permit available for immediate inspection by City staff upon request. *(Permits and City-issued badges are non-transferable.)*

8. Permit holders and/or Approved Instructors shall follow City staff instructions in siting or relocating commercial fitness or athletic instruction, classes or camps, in order to avoid damage to City facilities or turf areas, and to avoid interference with maintenance activities and closures including but not limited to closures related to rain events.

9. Permit holders and/or Approved Instructors must site commercial fitness or athletic instruction, classes or camps at least 200 feet away from all City operated classes and/or camps.

10. Permit holders and/or Approved Instructors shall not use amplification equipment, boom boxes, bull horns or whistles.

11. Permit holders and/or Approved Instructors shall not conduct commercial fitness or athletic instruction, classes or camps in any City park or on the beach between 9pm and 6am.

12. Permit holders and/or Approved Instructors shall not require park or beach users to relocate to accommodate a commercial fitness or athletic instruction, class or camp.

13. Permit holders and/or Approved Instructors shall relocate to accommodate City permitted activities, including City approved Community Events and City approved Filming.

14. No Permit holder or Approved Instructors shall display, place or distribute, or cause the display, placement or distribution of, any commercial advertising or signage,
including but not limited to cards, flyers, brochures, signs or banners, in any City park or park parking lots and at the beach or beach parking lots.

15. No person shall conduct any commercial fitness or athletic instruction, class or camp north of Marguerita Avenue in Palisades Park.

16. No person shall conduct any commercial fitness or athletic instruction, class or camp in Palisades Park on Sundays.

17. Palisades Park Medium and Large Group Permits
   • A maximum of 20 permits will be issued on a first-come first-served basis.
   • If more than 20 qualified applications are received during the application period, then a lottery or other allocation process will be used to fairly allocate permits.
   • No Permit holder or Approved Instructor shall conduct any commercial fitness or athletic instruction, class or camp containing more than 15 participants.
   • Permit holders and/or Approved Instructors of Medium and Large Groups shall not operate outside of the four Zones designated by the City.
     o Zone #1: Palisades Avenue north to Alta.
     o Zone #2: Montana Avenue north to Palisades Avenue
     o Zone #3: Immediately north of Idaho Avenue
     o Zone #4: Wilshire Boulevard north to the public restroom
   • No more than two Medium or Large Groups may occupy a single Zone at any one time. No Permit holder and/or Approved Instructor shall commence operation of a Medium or Large Group in any Zone that already contains two Groups of either Medium or Large size.
   • Medium or Large Groups shall occupy zones on a first-come first-served basis. No Permit holder and/or Approved Instructor shall reserve or hold any space in any Zone prior to the commencement of the fitness or athletic instruction, class or camp.
   • These requirements shall not apply to any group only traversing through Palisades Park.

18. Park equipment and installations, including but not limited to light poles, drinking fountains, public art, bleachers, pergolas, picnic tables, benches, railings, fencing, signs, bike racks, and barbeque grills, shall not be used for exercise activity, except for equipment specifically designated by signage for exercising.

19. Pursuant to Ordinance 4.55.130, no person shall place any equipment or object used for fitness or athletic activity weighing more than twenty-five pounds within any City park without prior authorization by the Director. This prohibition shall not be applicable at Airport Park, Clover Park and Reed Park.

20. A City-issued field permit, consistent with the City’s field permitting guidelines, is required for commercial use of a field.
21. A court reservation permit is required for basketball or tennis instruction for compensation.

22. No person shall place any exercise weights or any other exercise equipment, with the exception of mats, on the basketball courts.

23. No person shall place any exercise weights or any other exercise equipment, with the exception of mats, on tennis courts. This regulation does not apply to ball machines and ball sweeps.

24. No person shall store athletic, sports or other equipment within any park unless otherwise lawfully authorized to do so.

25. Permit holders and/or approved instructors must abide by the following Code of Conduct

- Permit holders and Approved Instructors shall be respectful of park and beach users
- Permit holders and Approved Instructors shall be respectful of City staff
- Permit holders and Approved Instructors shall be respectful of other instructors and their clients
- Permit holder and Approved Instructors shall be respectful of park and beach residents and businesses

**Permit Revocation and Penalties:**
Pursuant to Section 4.55.420 (c) of the SMMC, any person violating any rule for this permit shall be guilty of a misdemeanor which shall be punishable by a fine not exceeding one thousand dollars per violation, or imprisonment in the County jail for a period not exceeding six months, or by both fine and imprisonment, or shall be guilty of an infraction which shall be punishable by a fine not exceeding two hundred fifty dollars.

Destruction, removal or injury to any park facility or park foliage may require restitution in an amount necessary to reimburse the Department for investigative costs and for the value of the item or material destroyed, defaced, removed or damaged as well as labor required to replant or restore the area, item or material affected.

Any person violating any rule or regulation of this permit may be subject to administrative citations.

The City may revoke, suspend or deny the issuance of a permit if the permit holder or applicant has violated applicable Federal, State, or City laws, or rules or regulations.
To: Recreation and Parks Commission

From: City Staff

Subject: Recommendation for the Recreation and Parks Commission to City Council Regarding a Name for Buffer Park

RECOMMEND ACTION
Staff recommends that the Commission take public input, review the results of surveys and public suggestions to date, discuss options, recommend a name, or names, for the park currently known as Buffer Park, and direct staff to forward the recommendations to City Council.

EXECUTIVE SUMMARY
A 2.35 acre park will be developed on Exposition Boulevard between Stewart Street and Dorchester Avenue. Community outreach was conducted during the month of October 2014 to solicit formal name recommendations for this park, which has been nicknamed Buffer Park. The community submitted a total of 135 name suggestions, with 88 being distinct.

BACKGROUND
The City Council adopted a policy for naming City-owned land, buildings and facilities on July 9, 2002 which established formal guidelines and a procedure for considering appropriate names (see Attachment A for a summary of these guidelines). As required by policy, Council seeks recommendations from “related advisory bodies such as the Recreation and Parks Commission, the Library Board and the Landmarks Commission.” The City Council then makes its determination at a regularly scheduled meeting of the Council at which staff, representatives of advisory bodies and civic organizations, and the general public may offer testimony. Since the Recreation and Parks Commission has purview over parks, and is therefore the related advisory body, it is appropriate that it take comments and make a recommendation on a proposed permanent name or names for Buffer Park, a 2.35 acre site located on Exposition Boulevard between Stewart Street and Dorchester Avenue.
On November 23, 2010, Council directed staff to work with the community to create a buffer area facing the residential neighborhood along Exposition Boulevard, adjacent to and south of the new Expo Maintenance Facility. On January 24, 2012, Council approved use of the buffer site as open space and directed staff to issue a Request for Proposals for design services. On September 11, 2012, Council awarded an agreement to Mia Lehrer + Associates to provide design services for the park. On November 21, 2013, staff presented the schematic design to the Recreation and Parks Commission.

Council approved the proposed design of Buffer Park on April 22, 2014, which included a plan for conducting community outreach to name the park. Given the neighborhood focus of this park, staff proposed to work closely with the Pico Neighborhood Association to solicit input on the most effective strategies to reach residents in the area to obtain park naming suggestions. These strategies were expected to possibly include distribution of a survey to prior workshop participants and others in the neighborhood, soliciting input through a display at Virginia Avenue Park, hosting a table at the Pico Farmers’ Market, and engaging students and families from Edison Language Academy to participate.

**DISCUSSION**
Staff met with the Pico Neighborhood Association on September 11, 2014 to discuss the above proposed strategies and received additional input from the membership, including a suggestion to reach out to local churches in the neighborhood. Staff launched a survey that was available the entire month of October 2014 to solicit name suggestions for Buffer Park. Surveys in English and Spanish were available online and paper surveys were available at Virginia Avenue Park and the Pico Branch Library. Additionally, staff hosted a table at the Pico Farmers’ Market each Saturday in October to speak to residents about the project and to solicit name suggestions.

Staff conducted further outreach by sending email campaigns in the first and fourth weeks of October to those on the Buffer Park interest list to remind them to submit their recommendations for a formal park name. Furthermore, emails containing general
project information and links to the park naming survey were sent to seven churches in the Pico Neighborhood, and surveys in English and Spanish were sent home with all Edison Language Academy students.

The community submitted a total of 135 park name suggestions. The full list of recommended names is quite divergent (see Attachment C), and the most commonly suggested names are as follows:

- Toypurina Park (16 submissions)
- Exposition Park (or similar variation; 9 submissions)
- George Ishihara Memorial Park (or similar variation; 6 submissions)
- Santa Monica Park (5 submissions)
- People's Park (4 submissions)
- Hachi Park (3 submissions)
- Nisei Park (3 submissions)
- Vida Park (3 submissions)

Additional information regarding each of the above names is available in Attachment D.

Prepared by: Melissa Spagnuolo, Senior Administrative Analyst
Community & Cultural Services

Attachment A: Summary of Naming Guidelines
Attachment B: Buffer Park Naming Surveys
Attachment C: Survey Results
Attachment D: Additional Background on Suggested Names
In naming public land and buildings, the City Council and its advisory bodies shall consider the following:

- Incorporating “Santa Monica” in the name where it is important for civic or other reasons for a building or facility to be identified with the City;
- Recognizing geographic, topographic or historical features or events associated with Santa Monica;
- Commemorating persons who have served the City in an exceptional manner;
- Commemorating persons who have served the state, nation, or world in an exceptional manner and who have an association with the City;
- Commemorating persons who have served the state, nation, or world in an exceptional or distinguished manner where the contribution is of such major significance that a local association pales in importance;
- Commemorating individuals or organizations who have made important donations of land, funds or materials, equipment and/or facilities; and
- Avoiding recognition of those whose contribution has been appropriately recognized in other city venues or by other means.

The City Council will not name any buildings, land or facilities after current office holders.
You are invited to submit your ideas for the name of Santa Monica’s newest park! Please recommend a name below. This survey can also be completed online at www.smgov.net/bufferparksurvey.

Park name suggestion(s):

Mia Lehrer + Associates provided the examples below as possible names, based on the design of the park:

- Bosque Park
- Ramble Park

Suggested names will be presented to the Recreation and Parks Commission and then forwarded to the City Council for consideration.

Your name: ________________________________ Zip code: ______________

Your email address to receive notice of park opening and events: ____________________

Community and Cultural Services  |  1685 Main Street, Room 210  |  (310) 458-8310  |  ccs@smgov.net
¡Nombre el parque más nuevo de su vecindad!
Entregue su respuesta por el 31 de octubre del 2014

2.35 Acres por la Exposition Blvd., entre Stewart St. y Dorchester Ave.

 Cronología: Construcción comienza a principios de verano 2015.

Architecto paisajista: Mia Lehrer + Associates

Usted esta invitado a presentar sus ideas sobre el nombre del parque Nuevo de Santa Monica! Por favor recomendar un nombre mas abajo. Esta encuesta también se puede completarse en línea en www.smgov.net/bufferparksurvey.

Sugerencia(s) para el nombre del parque: ____________________________
 ____________________________
 ____________________________

Mia Lehrer + Associates proporcionan los ejemplos abajo como posibles nombres, basados en el diseño del parque:
• Bosque Park
• Ramble Park

Nombres sugeridos se presentaran a la Comisión de Parques y Recreación y luego remitidos al Concejo Municipal para su consideración.

Su nombre: ____________________________ Código postal: _____________
Su dirección de correo electrónico para recibir notificación de la apertura de parque y eventos:

Community and Cultural Services | 1685 Main Street, Room 210 | (310) 458-8310 | ccs@smgov.net
<table>
<thead>
<tr>
<th>Name suggestions:</th>
<th>Name suggestions (cont.):</th>
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<tbody>
<tr>
<td>A la Fresco Park</td>
<td>Happy Park</td>
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<tr>
<td>Abundance Park</td>
<td>HideAway Park</td>
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<tr>
<td>Arcadia Park</td>
<td>Hobo Junction East</td>
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<tr>
<td>Arcadia Park</td>
<td>Hope Park</td>
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<tr>
<td>Back Yard, The</td>
<td>Hub Park</td>
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<td>Barrio Park</td>
<td>Japanese American Memorial Park</td>
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<td>Bergamot Park</td>
<td>Jay Adams</td>
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<td>Blossom Park</td>
<td>Leaf Park</td>
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<td>Bosque Park (2)</td>
<td>Learning Gardens, The</td>
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<td>Branches Park</td>
<td>Little Park</td>
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<td>Breeze Path Park</td>
<td>Menagerie Park</td>
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<td>Buffer Park (2)</td>
<td>Nachochan Park</td>
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<tr>
<td>Cecilito Park</td>
<td>Nature Gardens, The</td>
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<td>Celo Park</td>
<td>Nature Park (2)</td>
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<td>Colibrí</td>
<td>Neighbors Park</td>
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<td>Conrad Park</td>
<td>New Life Park (2)</td>
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<td>Cookies and Cupcake (2)</td>
<td>Nisei Park (3)</td>
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<td>Creative Park</td>
<td>Oasis Park</td>
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<tr>
<td>East Edge Park</td>
<td>Oasis, The</td>
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<tr>
<td>East Park</td>
<td>O'conner Park</td>
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<td>Eco Park</td>
<td>Oscar de la Torre Park</td>
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<tr>
<td>Eden</td>
<td>Pacific Electric Park</td>
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<tr>
<td>Edge Park</td>
<td>Pacific Gateway Park</td>
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<tr>
<td>Encounter Park</td>
<td>Parque de los Amigos</td>
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<tr>
<td>Expo Park (3)</td>
<td>Paseo Verde</td>
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<td>Expo Trail Park</td>
<td>Pavilion Park</td>
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<td>Exposition Park (4)</td>
<td>Peace Gardens, The</td>
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<td>Exposition Park West</td>
<td>Peace Park</td>
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<tr>
<td>Flow Park</td>
<td>Peace Square, The</td>
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<tr>
<td>Freedom Park</td>
<td>Pebble Park</td>
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<tr>
<td>Friends &amp; Family Park</td>
<td>People's Park (4)</td>
</tr>
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<td>Friendship Park</td>
<td>Permaculture Park</td>
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<tr>
<td>Gardens, The</td>
<td>Pocket Park</td>
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<td>George Ishihara Memorial Park (6)</td>
<td>Quarter Mile Park (2)</td>
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<td>George Whitefield Park</td>
<td>Relaxation Gardens, The</td>
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<td>Great Pacific Park</td>
<td>Renaissance Park</td>
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<td>Green Gardens, The</td>
<td>Reverie Park</td>
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<td>Green Meadow Park</td>
<td>Santa Monica Park (5)</td>
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<td>Green Path Park</td>
<td>Serenity Park</td>
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<tr>
<td>Green Strip Park</td>
<td>Serra Park</td>
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<tr>
<td>Hachi Park (3)</td>
<td>Sky Park</td>
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</table>
Attachment C  
Survey Results (cont.)

<table>
<thead>
<tr>
<th>Name suggestions (cont.):</th>
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<tbody>
<tr>
<td>So Cal Park</td>
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<tr>
<td>Stroll, The</td>
</tr>
<tr>
<td>Superior Park</td>
</tr>
<tr>
<td>Thickest</td>
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<tr>
<td>Too close to the building park</td>
</tr>
<tr>
<td>Too damn close to the sidewalk park</td>
</tr>
<tr>
<td>Toypurina Park (16)</td>
</tr>
<tr>
<td>Vida Park (3)</td>
</tr>
<tr>
<td>Walking Together Park</td>
</tr>
<tr>
<td>Vida Park (3)</td>
</tr>
<tr>
<td>Walking Together Park</td>
</tr>
</tbody>
</table>

Note: *Names suggested more than once are denoted with the total number of submissions in parentheses.*
Supplemental Information for the Most Commonly Suggested Names

Toypurina Park (16 submissions)
Toypurina (1760-1799) was a Tongva/Gabrielino Native American medicine woman who opposed the rule of colonization by Spanish missionaries in California, and led an unsuccessful rebellion against them. (Source: Wikipedia, http://en.wikipedia.org/wiki/Toypurina)

Toypurina and the San Gabriel Mission, 1785
Few details survive about the life of the Gabrielino medicine woman Toypurina, but she is undoubtedly best remembered for her direct involvement in a planned revolt against Spanish colonial rule in 1785. Born into the Kumivit tribe of Southern California from the area around Mission San Gabriel, Toypurina’s tribe became known as the Gabrielino (today, their descendants also refer to themselves as the Tongva people) after Spanish contact in the late eighteenth century. Franciscan missionaries at the time had founded more than twenty missions from San Diego to Sonoma between 1769 and 1823. These missions encroached on the lands of numerous tribal nations in the area, exploited the labor of their people, and proselytized for their conversion to the Roman Catholic Faith. From the perspective of the colonists, these missions were intended to act as a chain of defense around the Spanish empire in the north.

It was in this context that Mission San Gabriel was established, near the banks of the Río Hondo on the southern edge of the San Gabriel Valley in September 1771. The mission remained at its original site for half a decade, until May 1775, when it was moved several miles north to its present site, which is located on Gabrielino land. Historians estimate that in 1770, the Gabrielino numbered about five thousand, and their territory encompassed about 1,500 square miles of the Los Angeles Basin. This land included the watersheds of the Los Angeles, San Gabriel, Santa Ana, and Río Hondo rivers, and it extended west to the islands off present-day Los Angeles. Within that territory were more than fifty independent and competing communities, whose populations ranged from 50 to 150. By the time Toypurina became involved in the rebellion against the Mission in 1785, the missionaries at San Gabriel had baptized well over 1,200 Indians, counting approximately 843 Gabrielinos among these baptisms.

In an effort to protect the self-sufficiency of their communities, retain their tribal cultures, and uphold their religious practices and beliefs, many Native people at this time had long been actively resisting the imposed Spanish rule and attempts at acculturation. Toypurina emerged as one such individual. In October 1785, she joined a group of Gabrielino neophytes from Mission San Gabriel in their plot against the mission. Most prominent among the instigators of this rebellion was the discontented neophyte Nicolás José, who not only initiated talk of the plan among other Gabrielinos inside the Mission, but also rallied key individuals, including Toypurina, from as many as eight Indian villages in the surrounding area.

Historians have concluded that their plan was provoked in the final instance when Spanish officials forbade the practice of traditional dances. Up until this point, the Padres had shown some degree of leniency, permitting a number of Indians to maintain their roles in traditional ceremonies. José in particular is said to have been accustomed to living in ways that allowed him to equally balance commitments in both of his cultural worlds. The authoritarian decision to suddenly ban all traditional dances among the Mission Indians was thus the latest in a long string of ongoing affronts and atrocities (violence, rapes, forced religious conversions, and slave
labor) committed against the Gabrielinos since the beginning of the Spanish invasion. José and his allies therefore set out to destroy the San Gabriel Mission.

Toypurina’s support of this effort is believed to have been crucial, due to her extraordinary powers as a medicine woman. It was intended that she would use her divine influence to immobilize the Catholic priests during the revolt, while her male counterparts would eliminate the Spanish soldiers. On the night of October 25th, 1785, Toypurina and the other insurgents attacked the mission as planned, but unbeknownst to them, a corporal of the guard had been informed of the revolt ahead of time, allowing the Spanish to mount an ambush. When Toypurina arrived, she and several others were arrested. Spanish officials held a trial, sentencing five people to twenty-five lashes, and another twelve to receive fifteen or twenty lashes. Rather than torture or kill the offenders behind closed doors, these floggings were carried out in public, so the entire mission population would see the consequences of the rebels' actions.

Likewise, the Spanish officials found Toypurina, José, and two other men (Temejasaquichí and Alijivit) guilty of leading the attack. As punishment, Toypurina was exiled from Mission San Gabriel after being held there as a prisoner for the duration of her trial, and in which time she was also baptized into the Catholic Faith. She was sent to live out her life further north, first at Mission San Carlos Borromeo, located near Monterey in present-day Carmel. There, she remarried, to a Spanish soldier named Manuel Montera. Between 1789 (the year of their marriage) and 1794, Toypurina and Montera had three children: Cesario, Juana de Dios Montero, and Maria Clementina. In 1799, Toypurina passed away at Mission San Juan Bautista, and was buried there.


Exposition Park (or similar variation; 10 submissions)
Buffer Park will be constructed on Exposition Boulevard. Staff recommends against considering this suggestion as a well-known park currently exists by this name in the City of Los Angeles.

George Ishihara Memorial Park (or similar variation; 6 submissions)
George Ishihara was born on February 22, 1921 and died at his home in Santa Monica on March 17, 2009. Mr. Ishihara was a Japanese-American who grew up in Washington and Northern California, and relocated to Santa Monica’s Pico Neighborhood in 1958. He enlisted in the United States Army and served in World War II in the most decorated unit, the 442nd Regimental Combat Team, and also was part of the 522nd Field Artillery Battalion that liberated the Jewish people from the Dachau Germany Internment Camp and other surrounding camps. During World War II, Mr. Ishihara’s family was interned in two relocation camps. Given his enlistment in the US Army, he was able to negotiate his family being reunited in the Minidoka Relocation Camp. Mr. Ishihara’s daughter currently lives in the Pico Neighborhood with her family.

The Japanese-American people played a significant role in the history of West Los Angeles and in Santa Monica, first as farmers and then as homeowners in the area. Many were displaced from the neighborhood when Interstate 10 was constructed.

(Source: Christel Andersen, Pico Neighborhood resident)
Santa Monica Park (5 submissions) and People’s Park (4 submissions)
These names were also suggested for what is now known as Tongva Park.

Hachi Park (3 submissions)
Hachi refers to a Japanese dog known for his loyalty to his owner. In 1924, Hidesaburō Ueno, a professor in the agriculture department at the University of Tokyo, took in Hachikō, a golden brown Akita, as a pet. During his owner’s life, Hachikō greeted him at the end of each day at the nearby Shibuya Station. The pair continued their daily routine until May 1925, when Professor Ueno did not return. The professor had suffered a cerebral hemorrhage and died, never returning to the train station where Hachikō was waiting. Each day for the next nine years Hachikō awaited Ueno’s return, appearing precisely when the train was due at the station.

Hachikō attracted the attention of other commuters. Many of the people who frequented the Shibuya train station had seen Hachikō and Professor Ueno together each day. Initial reactions from the people, especially from those working at the station, were not necessarily friendly. However, after the first appearance of the article about him on October 4, 1932 in Asahi Shimbun, people started to bring Hachikō treats and food to nourish him during his wait.

In 1932 one of Ueno’s students (who developed expertise on the Akita breed) saw the dog at the station and followed him to the Kobayashi home (the home of the former gardener of Professor Ueno—Kikuzaboro Kobayashi) where he learned the history of Hachikō’s life. Shortly after this meeting, the former student published a documented census of Akitas in Japan. His research found only 30 purebred Akitas remaining, including Hachikō from Shibuya Station.

He returned frequently to visit Hachikō and over the years published several articles about the dog’s remarkable loyalty. In 1932 one of these articles, published in the Tokyo Asahi Shimbun, placed the dog in the national spotlight. Hachikō became a national sensation. His faithfulness to his master’s memory impressed the people of Japan as a spirit of family loyalty all should strive to achieve. Teachers and parents used Hachikō’s vigil as an example for children to follow. A well-known Japanese artist rendered a sculpture of the dog, and throughout the country a new awareness of the Akita breed grew.

Eventually, Hachikō’s legendary faithfulness became a national symbol of loyalty, particularly to the person and institution of the Emperor.


Nisei Park (3 submissions)
“Nisei” refers to the generation of Japanese Americans that were interned during World War II, and more specifically refers to Japanese Americans whose parents were immigrants from Japan. The Pico Neighborhood has been home to people who identify as Nisei.

Vida Park (3 submissions)
Vida is the Spanish term for “life.”