

Re: TIME SENSITIVE - CA PUBLIC RECORDS ACT REQUEST -

Re: TIME SENSITIVE - CA PUBLIC RECORDS ACT REQUEST -

From: Robina <robinasuwol@earthlink.net>
To: lafdarson@lacity.org, mike.dundas@lacity.org, mike.feuer@lacity.org, adam.lid@lacity.org, john.white@lacity.org, allan.kawaguchi@lacity.org
Cc: holly.wolcott@lacity.org, deron.williams@lacity.org
Subject: Re: TIME SENSITIVE - CA PUBLIC RECORDS ACT REQUEST -
Date: Jun 26, 2016 11:16 PM

June 26th, 2016

Council President Wesson & Councilmembers
Los Angeles City Council
deron.williams@lacity.org
holly.wolcott@lacity.org

Board of Public Works & Gang Reduction Committee
adam.lid@lacity.org

Mr. Mike Feuer
City Attorney
mike.feuer@lacity.org

Jennifer Cornejo
City of Los Angeles Fire Department
Public Records Act Officer
lafdarson@lacity.org

Mike Dundas
City of Los Angeles
Public Records Act Officer
Mike.dundas@lacity.org

Allan Kawaguchi
Bureau of Engineering
City of Los Angeles
allan.kawaguchi@lacity.org

Sent via email

Re: CALIFORNIA PUBLIC RECORDS ACT REQUEST

Dear Public Records Act Officers:

Date: 6/27/16
Submitted in PWR Committee
Council File No: 13-1103
Item No: 3
Deputy: Adam R. Lid

Re: TIME SENSITIVE - CA PUBLIC RECORDS ACT REQUEST -

This is a request for records pursuant to the provisions of the California Public Records Act as amended (Cal. Gov. Code § 6250, et seq.). I request copies of all records prepared, owned, used, or retained by the City of Los Angeles, Los Angeles Fire Department (CUPA) on the subject of Fire Department Quarterly Deficiency Quarterly Progress Reports from January 2006 to January 2016.

The request for these records made previously by Mark Wolfe in his comment letter of May 9th, 2016 on the Draft EIR for Fire Station # 39. Mr. Wolf's The comment letter was sent to Maria Martin, City of Los Angeles Public Works, Bureau of Engineering Environmental Management Group 1149 S. Broadway, 6th Floor, Mail Stop 939 Los Angeles, CA 90015-2213, and his request received a (non) response in the Final EIR (MRW-6).

Therefore, I am requesting once again the following records:

"Pursuant to California Health and Safety Code section 25404, the City of Los Angeles has been authorized by the Secretary for Environmental Protection to implement a Unified Hazardous Waste and Hazardous Materials Regulatory Program as a Certified Unified Program Agency (CUPA). The DEIR states that the Los May 9, 2016 Page 5 Angeles Fire Department is the CUPA for the City. (p. 4.5-4).

To maintain its authorization, the Fire Department must operate the program in compliance with statutory and regulatory requirements, and also submit to a triennial program evaluation by CalEPA. Please provide the dates of all triennial program evaluations since 2006 that , together with any associated reports of the outcomes generated by CalEPA or the City and its departments. Please identify any program deficiencies that could involve or affect the DEIR's analysis and conclusions regarding the presence of hazardous materials at the Project site."

This request includes all records regardless of form, including but not limited to letters, memoranda, telephone log entries, visitor log entries, message receipts, notations of conversations, meeting notes, e-mail messages or other records on magnetic media, fax cover sheets, reports, statistics, calendar entries, permits, questionnaires, photographs, audio tape, film, and videotape.

This request reasonably describes identifiable records or information produced therefrom and I believe no express provision of law exists exempting the requested records from disclosure. Should your agency find any portion of any requested record exempt from release, I ask that you carefully consider the public interest served by the full disclosure of all requested records.

The requested records relate to an important issue in which the public has expressed an enormous amount of interest - health and safety of the public,

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especially vulnerable children. The public interest in these records clearly outweighs all other interests. Therefore, I request that you release non-segregated copies of each of the requested records otherwise exempt under California Government Code 6254(a).

Should you find any portion of any requested record exempt from release, I ask that you exercise your discretionary authority to release the requested record in its entirety. If you decide against exercising your authority to release non-segregated copies of all requested records, Government Code Section 6257 requires that you release all reasonably segregable portions of the requested records. I reserve my right to challenge the withholding or deletion of any information.

If you decide to withhold any portion of any requested record, I ask that you provide me a list identifying what you have withheld. I also ask that you cite the specific exemption(s) being relied upon to withhold information. In addition, if you deny all or part of this request, Government Code Section 6256.2 requires that you provide the name and title or position of each person responsible for the denial of this request. Should you decide to withhold any information, Government Code Section 6256 requires that you notify me of the reasons for this determination no later than 10 days after receipt of this request. Government Code Section 6256.2 prohibits the use of the 10-day period, or any provisions of the Public Records Act, "to delay access for purposes of inspecting public records."

I also request any records that indicate, suggest, or otherwise identify the prior existence of other records related to my request that may have been destroyed or modified. California Government Code Section 14755(a) makes clear that "[n]o record shall be destroyed or otherwise disposed of by any agency of the state" unless (1) the Director of the Department of General Services has determined that "the record has no further administrative, legal or fiscal value," and (2) "the Secretary of State has [also] determined that the record is inappropriate for preservation in the State Archives." The "willful removal" or "destruction" of agency records in violation of these statutory mandates can result in the imposition of criminal sanctions. [See, Cal. Gov. Code § 6200 (felony offense for destruction of records by "custodial officer") and Cal. Gov. Code § 6201 (misdemeanor offense for destruction of records by "noncustodial officers").]

Given the public interest in the requested records, I ask that you exercise your discretionary authority and waive all reproduction fees associated with my request. I seek this information because it is informative of your agency's operations and activities, and important to the health and safety of members of the public.

Please call me at 818.785.5515 or e-mail me at robinasuwo1@earthlink.net if you

Re: TIME SENSITIVE - CA PUBLIC RECORDS ACT REQUEST -

have any questions or need additional information. Thank you for your assistance and cooperation with this matter.

* Ms. Wolcott please kindly place in the Fire Station #39 Los Angeles City file.

Sincerely,

Robina Suwol, Resident
5925 Tobias Avenue
Sherman Oaks, California 91411

The information contained in this communication is confidential material and is intended for the designated recipient only.

If you are not the designated recipient, you are hereby notified that any unauthorized review, dissemination, distribution or copying of this communication, and that which is transmitted herewith, is strictly prohibited.

If this communication is received by you in error, please telephone (818) 785-5515 immediately.

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From: Robina <robinasuwol@earthlink.net>
To: lafdarson@lacity.org, mike.dundas@lacity.org, allan.kawaguchi@lacity.org
Cc: holly.wolcott@lacity.org
Subject: TIME SENSITIVE - CA PUBLIC RECORDS ACT REQUEST
Date: Jun 23, 2016 11:38 PM
Attachments: Public Records Act Officer CUPA DOCUMENTS June 23.docx
June 23rd, 2016

Re: TIME SENSITIVE - CA PUBLIC RECORDS ACT REQUEST -

Jennifer Cornejo
City of Los Angeles Fire Department
Public Records Act Officer
lafdarson@lacity.org

Mike Dundas
City of Los Angeles
Public Records Act Officer
Mike.dundas@lacity.org

Allan Kawaguchi
Bureau of Engineering
City of Los Angeles
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