

From: Tracy Carpenter tracycarpenter@me.com
Subject: Re: CPRA Response
Date: August 25, 2020 at 5:01 PM
To: Kate Pynoos kate.pynoos@lacity.org



Hi Kate,

This CPRA request is still not complete, as you have excluded e-mails regarding this project from 2019. There are only a few e-mails from 2019 (from Jason Douglas) and one of Bonin's newsletters from 2019 is included. There is no judge that is going to believe that there was essentially no communication about this project in 2019. I personally sent 3 e-mails in 2019 to Bonin's office (I know others who sent e-mails, as well) and they weren't included in your report.

I will be discussing the deliberative process privilege claim and the excluded e-mails from 2019 with my attorney.

Best,
Tracy Carpenter

1 - First of all, the vast majority of e-mails are from 2020. I find it hard to believe that there was basically no communication regarding this project in 2019. Personally, I sent 3 e-mails to Bonin's office in 2019 and none of them are included in this report (I'll forward to you immediately following this e-mail). My public records request is incomplete and I ask that 2019 documents and communications from Bonin and/or his office, regarding Lincoln Apartments, be included in a new report. They should have been included in this report per my request on May 28, 2020 and the absence of them is a violation of the California Public Records Act.

On Aug 25, 2020, at 4:37 PM, Kate Pynoos <kate.pynoos@lacity.org> wrote:

Hi Tracy -

Apologies for the delay. We have reviewed your questions. It appears that the emails we provided to you are complete. The redactions that you referenced were made under the deliberative process privilege (Government Code Section 6255 per Times Mirror Company v. Superior Court (1991) 53 Cal.3d 135, 1338). Documents are deliberative when they capture internal candid communications, which, if disclosed, would have a chilling effect on communications within an agency, thereby limiting the agency's ability to make day-to-day decisions necessary for effective governance.

I have attached the emails that you mentioned were cut off.

Best regards,
Kate

On Tue, Aug 25, 2020 at 10:03 AM Kate Pynoos <kate.pynoos@lacity.org> wrote:

Hi Tracy -

Just wanted to give you a quick update. I have looked into this and will be in touch with documents later today.

Kate

On Thu, Aug 20, 2020 at 3:56 PM Kate Pynoos <kate.pynoos@lacity.org> wrote:

Hi Tracy,

Thanks for reaching out. Let me look into this.

Best regards,
Kate

On Thu, Aug 20, 2020 at 3:48 PM Tracy Carpenter <tracycarpenter@me.com> wrote:

Dear Kate,

I have been more than patient while waiting for documents pertaining to my CPRA request dated May 28, 2020. You haven't replied to my e-mails since July 7th. I would like to avoid legal action, but if your office does not comply with my CPRA request very soon then you leave me no choice.

Need I remind you that your office lost a CPRA lawsuit last year and \$12,000 in legal fees was awarded and documents were ordered to be disclosed? I would hope that it wouldn't take another taxpayer-funded lawsuit to compel Mike Bonin to follow the law.

All the best,
Tracy Carpenter

Begin forwarded message:

From: Tracy Carpenter <tracycarpenter@me.com>
Subject: Re: CPRA Response
Date: July 17, 2020 at 11:57:01 AM PDT
To: Kate Pynoos <kate.pynoos@lacity.org>

Hi Kate,

It has been 2 weeks since I requested the list below, which includes e-mails from 2019, e-mails between Mike Bonin and Becky Dennison, clear versions of the blurry emails originally sent, and the replies from 2 staffers to Mike Bonin's question regarding this project. In regards to the staffers redacted replies, you cite deliberative process privilege. Can you explain how the public interest is served by not disclosing the two redacted e-mails? The public interest served by disclosing the redacted e-mails outweighs the public interest by not disclosing them. This is a matter of public safety and I ask you to disclose the 2 redacted e-mails immediately, as well as the other requests made 2 weeks ago.

It seems Mike Bonin's office is deliberately hiding this information and there are many parties who are interested in that.

All the best,
Tracy

On Jul 7, 2020, at 4:21 PM, Kate Pynoos <kate.pynoos@lacity.org> wrote:

Hi Tracy -

I am looking into questions you raised. I am working with various staff members to provide you with the documents that were cut off or illegible. The redacted parts you mentioned were redacted under the deliberative process privilege.

Best regards,
Kate

On Fri, Jul 3, 2020 at 4:33 PM Tracy Carpenter <tracycarpenter@me.com> wrote:

Hi Kate, I was able to access the document. However, there are many violations of the California Public Records Act and these issues need to be resolved as soon as possible.

1 - First of all, the vast majority of e-mails are from 2020. I find it hard to believe that there was basically no communication regarding this project in 2019. Personally, I sent 3 e-mails to Bonin's office in 2019 and none of them are included in this report (I'll forward to you immediately following this e-mail). My public records request is incomplete and I ask that 2019 documents and communications from Bonin and/or his office, regarding Lincoln Apartments, be included in a new report. They should have been included in this report per my request on May 28, 2020 and the absence of them is a violation of the California Public Records Act.

2 - Clearly, there are also e-mails missing between Becky Dennison and Mike Bonin and I request that any e-mails between them regarding Lincoln Apartments, from January 2019 until now, be included in a new report. These e-mails should have been part of my original CPRA request on May 28, 2020, but were not included and the absence of them is a violation of the California Public Records Act. This is backed up by the fact that there is an e-mail from Becky Dennison, directly to Mike (May 9, 2020), that is so casual that it implies she has been in previous communication with him about this project.

3 - Some of the redacted text answer Bonin's proposed question (page 52 and 494: "If CPC approves at the end of the month, I can still insist on changes to address/mitigate some of the concerns of the church/school/neighbors before it comes to council, right? I could put together a meeting of me, VCH, SPY, St. Mark's, etc, right?") – of which, the community would also like to read the answers to that question from Krista and Jason, which is redacted in the report below (redactions listed below).

4 - Please read my specific additional requests below for redactions to be disclosed and for e-mails that were cut off and/or out of focus, to be re-sent with all of the text included.

Page 53 – e-mail from Krista Kline, May 19th, 12:13pm – This is redacted and I request the text be disclosed immediately, as a matter of public record and public safety.

Page 54, e-mail from Jason Douglas, May 19th, 12:14pm – This is redacted and I request the text be disclosed immediately, as a matter of public record and public safety.

Page 132+ (July 18, 2019) – Discussion of meeting with Bonin's office and Advocacy LA – This is in regard to a different project (2422 Lincoln).

Page 163-165 – E-mail text is cut off - I request the full text to be disclosed.

Page 474 (June 5, 2020) – This is redacted and I request the text be disclosed immediately, as a matter of public record and public safety.

Page 485 – This is redacted and I request the text be disclosed immediately, as a matter of public record and public safety.

Page 486 (May 9, 2020)- Casual note from Becky to Bonin, implying that they've discussed this project before.

Page 494 – This is redacted and I request the text be disclosed immediately, as a matter of public record and public safety.

Page 495 (May 19, 2020) This is redacted and I request the text be disclosed immediately, as a matter of public record and public safety.

Pages 503-509 - Difficult to read and text cut off. I request the full text to be disclosed and be in focus.

These violations of the California Public Records Act are unacceptable and I ask that they be resolved quickly.

Thank you,
Tracy Carpenter

On Jul 2, 2020, at 5:19 PM, Kate Pynoos <kate.pynoos@lacity.org> wrote:

Hi Ms. Carpenter,

Attached please find the response to your CPRA request. Because of its size, it is attached as a link to a Google Doc. Please let me know if you have any issues accessing it.

Best regards,
Kate

 [Lincoln Apartments_Redacted.pdf](#)

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Kate Pynoos

Legislative Deputy
Councilmember Mike Bonin
City of Los Angeles
213-444-3508 | www.11thdistrict.com



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