

Communication from Public

Name:

Date Submitted: 07/27/2022 05:23 PM

Council File No: 22-0297

Comments for Public Posting: Please include the attached 8 page letter in the administrative record. Thanks.

To: City Planning Commissioners

Re: CPC-2020-3140-CU-MCUP-DB-SPR-HCA
CEQA: ENV-2020-3141-SCPE
Council File No. 22-0297

Dear City Planning Commissioners:

Attached to this letter of opposition (which vehemently rejects these valuable entitlements you seek to give away) are documents that were produced in response to a California Records Public Act Request. The Requestor is not an attorney. There is no duty to do the City's job for them in reviewing the documents they choose to produce.

The Requestor who did the CPRA has confirmed the City did not reach out to Requestor alerting them there was any error made with production. On the contrary, prior to providing the responsive documents, the clerk informed all relevant city planners to:

“please place your emails that are not attorney client privilege or related to drafts in the following folder?
P:\Share\PRARRequests\6.22.2022 TAIX”

Therefore it is clear the documents that were provided in response to the CPRA were not done so in error, since the Chief Clerk specifically requested the planners produce their emails that are not “privileged”.

However, when the Requestor contacted the Chief Clerk informing her the links that were provided in some of the responsive documents were not accessible, the clerk replied: “One update though is that the first two links you provided should not have been shared with you as they are Attorney-Client privilege.”

No grounds for privilege were asserted. And again, this was in response to Requestor requesting access to the withheld documents. Not because any error was recognized.

These entitlements before you are a result of collusion, fraud and corruption. When will you start hearing that tax payers are exhausted and have had enough of the department of city planning, the city attorneys office and the city as a whole managing city planning as snakes. Taix is a historical resource Mitch O'Farrell (the other corrupt piece to the corruption puzzle) has manipulated in order to push this project through as a SCPE. One is not permitted to demolish a historic resource to qualify as a SCPE. Instead of complying with the requirements, O'Farrell manipulated and hacked Taix's HCM nomination by designating 3 accessory salvage items from Taix, in order to be able to say he is “preserving” a historic resource for no other reason than to comply with SCPE, while simultaneously demolishing the historic structures. If this commission doesn't see that and how this in connection with what the city did as seen below: this commission is no better or different, and we welcome the FBI into your offices.

ATTACHMENT 1

June 1, 2021 email from deputy city attorney Kimberly Huangfu to city planners Oliver Netburn, Lisa Webber, Heather Bleemers and deputy city attorney Kathryn Phelan.

Said email demonstrates the deputy city attorneys involvement in “drafting the SCPE criteria section”.

Said email demonstrates city attorney Huangfu’s encouragement in not using “attachments” in emails in order to avoid their production in CPRA requests, as we have here.

From: Kimberly Huangfu <kimberly.huangfu@lacity.org>
Date: Fri, 4 Jun 2021 09:14:07 -0700
To: Oliver Netburn <oliver.netburn@lacity.org>
Cc: Lisa Webber <lisa.webber@lacity.org>, Heather Bleemers <Heather.Bleemers@lacity.org>, Kathryn Phelan <kathryn.phelan@lacity.org>
Subject: Re: SCPE - Echo Park Taix Square

ATTORNEY-CLIENT PRIVILEGED AND CONFIDENTIAL COMMUNICATION

Hi Oliver,

Thanks for sending over a copy of the draft SCPE criteria section. I will review and send you a redline with my comments. Please let me know what your timing is on this.

I also wanted to clarify that any email communications with the consultant and developer (as outside non-City folks) are not privileged. This is the case even if the City Attorney's Office is copied on the actual email or sent a copy of the email thread after the initial communication. It looks like the consultants are using dropbox, so it's good that the actual draft Word files aren't being sent as attachments, but the body of your transmittal emails (and any attachments) are discoverable and would be subject to a PRA request and/or included in the administrative record if a lawsuit follows. Let me know if you have any questions. Thanks.

Kimberly A. Huangfu | Deputy City Attorney
Land Use Division | City of Los Angeles City Attorney's Office
200 North Main Street | Room 701 | City Hall East
Los Angeles, California 90012
kimberly.huangfu@lacity.org

ATTACHMENT 2

July 30, 2021 email FROM city planner Heather Bleemers, to Taix property owners representative Timothy Moran, Senior Project Manager from Irvine & Associates, Inc., clarifying they “need to have an updated HRA to proceed.” (with the SCPE).

On Fri, Jul 30, 2021 at 9:38 AM Tim Moran <tim@irvineassoc.com> wrote:

Hi Heather,

Based on our previous discussion there was no need to update the HRA. The important part for the SCPE was the decision from the lead agency, especially since everyone had a historic analysis with different conclusions. The SCPE was updated to include the decision from the City and show that the project is compliant with the requirements of that determination.

Timothy Moran
Senior Project Manager
Irvine & Associates, Inc.

From: Heather Bleemers <Heather.Bleemers@lacity.org>
Date: Fri, 30 Jul 2021 09:43:25 -0700
To: Tim Moran <tim@irvineassoc.com>
Cc: Alexander Irvine <alex@irvineassoc.com>, Oliver Netburn <oliver.netburn@lacity.org>
Subject: Re: Timeline

Hi Tim,

There must have been a misunderstanding. We need to have an updated HRA to proceed. Please let me know if you would like to discuss this further.

Best,

Heather

Heather Bleemers Senior City Planner
Preferred Pronouns: She, Hers, Her

Los Angeles City Planning
221 N. Figueroa St., Suite 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1322

ATTACHMENT 2

ATTACHMENT 3

January 19, 2022 email FROM deputy city attorney Kathryn Phelan TO city planners Oliver Netburn, Lisa Webber, Heather Bleemers and deputy city attorney Kimberly Huangfu.

Said email illustrates how the deputy city attorneys and city planners EDIT A THIRD PARTY HISTORICAL ANALYSIS REPORT which was prepared by GPA Consultants specifically to comply with the SCPE.

From: Kathryn Phelan <kathryn.phelan@lacity.org>

Date: Wed, 19 Jan 2022 17:28:51 -0800

To: Heather Bleemers <Heather.Bleemers@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>, Kimberly Huangfu <kimberly.huangfu@lacity.org>

Subject: Taix HRA

 [GPA_Taix HRTR_Draft_2021.11.19 \(1\) edits.docx](#)

<https://drive.google.com/file/d/1hRrPcJt_msbWzkRhVZVq8NVSgSgf088p/view?usp=drive_web>

Hi Heather and Oliver,

I am fine with the attached Technical Report and think it does what we need. I made a couple minor edits. With those edits I would be fine with moving forward with this Technical Report. DO NOT FORWARD MY EDITS WITH ANY PARTY OUTSIDE THE CITY. If you agree with them, you can communicate the edits orally in a call or meeting.

As to what I think is one of OHR's biggest issues re Taix eligibility for state listing, the HRA does not assess or conclude for itself that the Taix meets criteria for listing in state register or local register. It summarizes all the past surveys and actions and recognizes that there have been surveys identifying that the ppty is eligible for state listing and local listing and ultimately Council designated it on the HCM and found three features contributed to its eligibility for local and state listing. And then in Section 5 in the impact analysis it concludes the project won't impact what makes it eligible for state and local listing. The conclusion on Taix's eligibility for state listing under State criteria is found in the introduction, the impact analysis and the Report conclusion.

If OHR is against the conclusion in the Report that the Taix is eligible for state register we could do a minor touch and and drop a footnote in the impact analysis to say, the drafter of this document disagrees the property is eligible for state listing after reviewing the prior surveys and even notwithstanding Council's thoughts on the matter, but then conclude that even if it is eligible for state the project will not impact it based on the analysis provided therein and council's determination that the signs and bar top are the contributing features. Or if OHR won't have it at all, the intro, impact analysis and conclusion will need to be edited to remove any reference to state criteria eligibility/ listing, and Section 3 should be edited to say that the expert finds that the project is not eligible for state listing based on prior surveys (or some new analysis), notwithstanding Council's statement in its designation action. I think doing that would also give us a Technical Report that would help us defend the SCPE. Although you may have more trouble getting that from the applicant.

If you have any questions related to the above, please let me know.

Thanks,
Kathy

Kathryn C. Phelan | Deputy City Attorney | She/Her
Land Use Division | City Attorney's Office | City of Los Angeles
kathryn.phelan@lacity.org | 213.978.8242

ATTACHMENT 3

It is clear the previous historical analysis reports that were done on Taix were not sufficient for a SCPE due to the fact that they demonstrated overwhelming evidence that Taix is no doubt a historically significant property. In more ways than one.

The historical reports the project applicant previously submitted report Taix as being historically significant. In addition to the other reports prepared by consultants retained by the LA Conservancy, and submissions from historians such as Charlie Fisher and Daniel Paul that exist in council file **21-0119**. The project applicant sought to obtain an additional historic analysis written in a specific way, omitting the character defining features, and intentionally wording the report for the sole purpose of seeking compliance with the SCPE, in attempt to diminish and reduce the property's historical significance. This is not an acceptable technique in exchange for planning entitlements. Citizens find this disgusting, corrupt, law breaking, a violation of ethics from California licensed attorneys. And you wonder why people don't vote? This is why.

In addition to this letter and the above attachments included herein, I am hereby submitting all of the documents that **exists in council file 21-0119** including weblinks, attachments, reports, statements, public comments, letters, emails and whatever other documentation or reference of documentation exists in Council File 21-0119, which must be submitted into the Administrative Record for this case and council file 22-0297. Also submitted into the Administrative Record in this case are all emails and documents that were produced in response to the 6/22/2022 CPRA request.

Thank you.