

**From:** Veronica Lebron <Veronica@robertsilversteinlaw.com>  
**Sent time:** 09/30/2020 04:55:20 PM  
**To:** councilmember.ofarrell@lacity.org; jeanne.min@lacity.org; mindy.nguyen@lacity.org; vince.bertoni@lacity.org  
**Cc:** Dan Wright <Dan@robertsilversteinlaw.com>; Esther Kornfeld <Esther@robertsilversteinlaw.com>; Robert Silverstein <Robert@robertsilversteinlaw.com>  
**Subject:** The Silverstein Law Firm | California Public Records Act Requests re the Hollywood Center Project; Case Nos. ENV-2018-2116-EIR, CPC-2018-2114-DB-MCUP-SPR, CPC-2018-2115-DA, and VTT-82152 ; SCH 2018051002  
**Attachments:** 9-30-20 [SCAN] CPRA Request to CD 13 (O'Farrell).PDF

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Dear Councilmember O'Farrell and Ms. Min:

Please see attached. Please confirm receipt.

Dear Ms. Nguyen:

Please include the attached in the record for the above-referenced matter.

Thank you.

Veronica Lebron  
The Silverstein Law Firm, APC  
215 North Marengo Avenue, 3rd Floor  
Pasadena, CA 91101-1504  
Telephone: (626) 449-4200  
Facsimile: (626) 449-4205  
Email: Veronica@RobertSilversteinLaw.com  
Website: www.RobertSilversteinLaw.com

=====  
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=====

# THE SILVERSTEIN LAW FIRM

*A Professional Corporation*

215 NORTH MARENGO AVENUE, 3RD FLOOR  
PASADENA, CALIFORNIA 91101-1504

PHONE: (626) 449-4200 FAX: (626) 449-4205

ROBERT@ROBERTSILVERSTEINLAW.COM  
WWW.ROBERTSILVERSTEINLAW.COM

September 30, 2020

**VIA EMAIL councilmember.ofarrell@lacity.org**  
**jeanne.min@lacity.org**

Mitch O'Farrell, Councilmember  
Jeanne Min, Chief of Staff  
Council District 13  
200 N. Spring St., Room 480  
Los Angeles, CA 90012

Re: California Public Records Act Requests re the Hollywood Center Project;  
Case Nos. ENV-2018-2116-EIR, CPC-2018-2114-DB-MCUP-SPR,  
CPC-2018-2115-DA, and VTT-82152 ; SCH 2018051002

Dear Councilmember O'Farrell:

Please include this letter and your responses in the Hollywood Center running administrative record.

We request that the Hollywood Center Environmental Impact Report ("EIR") process **not** be completed, and that no Final EIR be scheduled for certification, until the City has produced all of the documents requested herein, and we have had reasonable time to review them following complete production.

These requests are made under the California Public Records Act pursuant to Government Code § 6250, et seq. Please provide copies of the following from the City (as "City" is defined below).

For ease of reference in this document, please refer to the following **defined terms**:

The "City" shall refer to the City of Los Angeles, its City Council, the Mayor and all members of the City Council, including Councilman Mitch O'Farrell, his Council District 13 office, staff and employees, all members, officials, employees, consultants and agents of the City commissions, boards, offices, departments,

divisions, the City Attorney's office and any and all in-house and outside counsel for the City.

"Project" shall refer to the "Hollywood Center Project", Environmental Case No. ENV-2018-2116-EIR, State Clearinghouse No. 2018051002, and generally located on, at or near 1720-1770 North Vine Street, 1746-1760 North Ivar Avenue, 1733 and 1741 Argyle Avenue, and 6236, 6270, and 6334 West Yucca Street, Los Angeles, CA 90028.

"CGS" shall refer to the California Geological Survey, all members, officials, employees, consultants, and agents, and any and all in-house and outside counsel retained by CGS.

"DOC" shall refer to the Department of Conservation, all members, officials, employees, consultants, and agents, and any and all in-house and outside counsel retained by DOC.

"NRA" shall refer to the Natural Resources Agency, all members, officials, employees, consultants, and agents, and any and all in-house and outside counsel retained by the NRA.

"Developer" shall refer to any principal, owner, employee, agent, consultant or attorney representing the owners or applicants of the Hollywood Center project site, including but not limited to MCAF Vine LLC, 1750 North Vine LLC, 1749 North Vine Street LLC, 1770 Ivar LLC, 1733 North Argyle LLC, and 1720 North Vine LLC, and any of their members, partners, employees, agents, consultants and/or lobbyists, including but not limited to:

(a) Millennium Partners, Millennium Hollywood Partners, Argent Ventures, and all principals, officers, partners, members, employees, attorneys, agents and/or consultants of such firms, including but not limited to Christopher Jeffries, Philip Aarons, Mario Palumbo, Phillip Lovett, Michael Gargano.

(b) Platinum Advisors, LLC, and their officers, partners, members, employees, attorneys, agents and/or consultants, including but not limited to Darius Anderson, Tim Lynch, Martha Miller, Beau C. Biller, Marisol Lopez, Joseph Devine, Charles Fina, Nick Garcia, Brian Lungren, Danny Offer, Steven Wallauch, and Kelly Hitt.

(c) Marathon Communications, and their officers, partners, members, employees, attorneys, agents and/or consultants.

(d) Attorneys for MCAF Vine LLC and/or related entities noted above, including Millennium Partners, and including the law firm of Sheppard, Mullin, including but not limited to Jerold/Jerry Neuman, Alfred Fraijo and Jeremy Chan, the law firm of Cox, Castle & Nicholson, including but not limited to David Waite, Michael Zischke, and Alexander DeGood, the Liner Law Firm, the law firm of Mayer Brown, including but not limited to Edgar Khalatian and Jeremy Chan.

(e) All consultants for MCAF Vine LLC and/or related entities noted above, including Millennium Partners, and including but not limited to Group Delta and Michael Reader.

“Email” includes, but is not limited to, correspondence to or from any email account through which any City business is being conducted, including but not limited to email accounts assigned by the City’s Information Technology Agency to City officials, employees or consultants, and consistent with City of San Jose v. Superior Court of Santa Clara County, each and every personal email account outside the City’s email system upon which any City business has been conducted.

“Text messages” includes, but is not limited to, correspondence to or from any communications device of the City or a City official, employee or consultant’s personal communications device over which text messages may have been sent or received and stored which are City business.

“Meeting Notes” includes, but is not limited to any personal handwritten or electronic notes maintained by any City employee, contractor, or agent, regardless of the ownership of the media.

“Exchanged between” shall mean the passing of a document from one person to another by any means of transmission or delivery.

“Document,” as defined in Govt. Code § 6252(g), shall mean any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail, message texting or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any

Mitch O'Farrell, Councilmember  
Council District 13  
September 30, 2020  
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record thereby created, regardless of the manner in which the record has been stored.

Please note that Documents and Emails includes, but is not limited to, correspondence to or from any email account through which any public business is conducted, including but not limited to **personal or otherwise private email accounts belonging to government officials, employees or consultants**, pursuant to the California Supreme Court's decision in City of San Jose v. Superior Court (2017) 2 Cal.5th 608. This also includes text messages on any public or private device on which discussions about the Project and other public matters was discussed. **Please ensure that you have secured and produced all such personal or otherwise private emails and texts.** Therefore, we are also requesting that all relevant officials, employees and agents **preserve intact under a litigation hold** all such "personal" and official emails and text messages, and not to destroy, delete, allow to be automatically purged, or otherwise to engage in or permit spoliation of such evidence. To the extent that such emails or texts have been deleted, purged or otherwise spoliated, we demand that the holders of these devices immediately be informed that they must take all efforts to retrieve any deleted or otherwise purged emails and texts, and make all efforts to retrieve and preserve them. **Please confirm that you will do so.**

The public records requests include:

- (1) All documents as of the date of this letter that are not currently in the Project's running administrative record, from January 1, 2017 through the date of your compliance with this request, which refer, relate to, or are any communications exchanged on the one hand between, among, including or with any member of the City and/or LADBS, including but not limited to LADBS staff assigned to this Project, and on the other hand, the Developer (as defined above), related to the Project and/or its Draft EIR and/or its proposed or actual Final EIR, including but not limited to any and all staff reports, including drafts and documents in "working files," studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.
- (2) All documents as of the date of this letter that are not currently in the Project's running administrative record, from January 1, 2017 through the date of your compliance with this request, which refer or relate to the Developer (as defined above, but excluding only for this request

subdivision (d) of the definition of Developer, unless such documents involving those attorneys or law firms also relate to the Project), including but not limited to any and all staff reports, including drafts and documents in “working files,” studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.

- (3) All documents as of the date of this letter that are not currently in the Project’s running administrative record, from January 1, 2017 through the date of your compliance with this request, which refer or relate to the Project, including but not limited to any and all staff reports, including drafts and documents in “working files,” studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.
- (4) All documents from January 1, 2019 through the date of your compliance with this request which refer or relate to the timing, and decisions about the timing, of the release of the Project Draft Environmental Impact Report (“DEIR”) and/or its release during the Coronavirus Disease 19 (“COVID-19”) pandemic, and further including the City’s refusal to extend the close of the public comment period past June 1, 2020, including but not limited to any and all staff reports, including drafts and documents in “working files,” studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.
- (5) All documents that refer or relate to all deadlines, schedules or critical path time lines, including but not limited to internal City deadlines, concerning completion of the Project or its Draft EIR and/or Final EIR and/or entitlements.
- (6) All documents from January 1, 2018 through the date of your compliance with this request which refer or relate to Raymond Chan in any manner, including but not limited to the FBI’s investigation of him, or of “Individual 1” referred to in the FBI’s criminal indictment or other documents related to the pay-to-play investigation of LA City Hall, and further including but not limited to emails, attachments to emails, texts,

notes, photos, and audio and/or video recordings, and including but not limited to in connection with any and all filings and applications for the Project and/or the Developer.

- (7) All documents from January 1, 2018 through the date of your compliance with this request which refer or relate to Raymond Chan's son, Jeremy Chan, in any manner, including but not limited to emails, attachments to emails, texts, notes, photos, and audio and/or video recordings, and including but not limited to in connection with any and all filings and applications for the Project and/or the Developer.
- (8) All documents from January 1, 2018 through the date of your compliance with this request which refer or relate to Millennium Partners' San Francisco residential tower, sometimes also known as the "Leaning Tower of San Francisco", including but not limited to emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.
- (9) All documents from January 1, 2018 through the date of your compliance with this request which refer or relate to any suspected or actual FBI investigations, or any other governmental investigations, of Mayor Eric Garcetti, Councilman Mitch O'Farrell, any other LA City Councilmembers past or present, Raymond Chan, Mitch Englander, and/or Jose Huizar.
- (10) From January 1, 2018 through the date of your compliance with this request, all Public Records Act requests by any and all other persons and entities about the Project or Developer, and the City's written determinations and responses thereto.
- (11) All documents as of the date of this letter that are not currently in the Project's running administrative record, from January 1, 2017 through the date of your compliance with this request, which refer, relate to, or are communications between, among, including or with other governmental agencies (federal, state and local), including but not limited to the Governor or his office, CGS, DOC, NRA, CRA/LA, Caltrans, SCAQMD, and CARB, including regarding any meetings or briefings (particularly but not exclusively with CGS or Caltrans), that relate to the Project and/or Developer, and further including but not limited to any and all staff reports, including drafts and documents in "working files," studies, photographs,

memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.

- (12) All documents as of the date of this letter that are not currently in the Project's running administrative record, from January 1, 2017 through the date of your compliance with this request, which refer or relate to Group Delta and/or Michael Reader, including but not limited to any and all criticisms of their work, staff reports, including drafts and documents in "working files," studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.
- (13) All documents from July 1, 2020 through the date of your compliance with this request that refer or relate to the August 7, 2020 City of Los Angeles Interdepartmental Memo and/or September 9, 2020 letter collectively attached hereto at **Exhibit 1**, including but not limited to all documents that refer or relate to all discussions and considerations that led up to issuance of said Memo, all documents that refer or relate to any "scope of work for a trench," all documents that refer or relate to how LADBS or City Planning "will ensure there will be transparency with the CGS," and further including but not limited to all staff reports, including drafts and documents in "working files," studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.
- (14) All documents from July 1, 2020 through the date of your compliance with this request that refer or relate to the July 22 or 23, 2020 LA Times article, variously bearing the titles:
- (a) Evidence mounts earthquake fault underlies giant Hollywood proposed development;
  - (b) Strong evidence quake fault runs along site of Hollywood skyscrapers, state says;
  - (c) Strong evidence quake fault runs through site of Hollywood skyscrapers, state says; or



- (d) High-rise site in quake peril, state warns.
- (15) All documents from January 1, 2020 through the date of your compliance with this request between the LADBS on the one hand, and any or all of the following on the other hand: CGS, DOC, NRA, City and/or LADBS's Daniel Schneiderei, that refer or relate to the Project and/or Developer, including all seismic and soils and geology studies, reports, letters, memoranda (internal or external) and all other communications.
- (16) All documents from January 1, 2020 through the date of your compliance with this request that refer, relate to, or are communications between the CGS's Steve Bohlen on the one hand and any member of the City on the other hand, including but not limited to Planning Director Vince Bertoni and/or LADBS officials, and further including in relation to these communications all notes of calls and meetings, emails, attachments to emails, texts, memoranda, photos, and audio and/or video recordings.
- (17) The review of the geologic studies conducted for the Hollywood Center Project by Earth Consultants International, Project No. 3425, June 3, 2015, and all documents that refer or relate thereto, including but not limited to all staff reports, including drafts and documents in "working files," studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.
- (18) All documents from January 1, 2017 through the date of your compliance with this request that refer, relate to, or are contracts or other agreements for the Developer to pay or reimburse any fees or costs related to the Project, including for outside CEQA counsel or other counsel to the City, and as to such agreements further including but not limited to all invoices, billing sheets, audits, budgets, accountings, and payments, and further including but not limited to memoranda and internal memoranda, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.
- (19) All documents that refer or relate to the July 16-17, 2020 Full Cost Recovery delinquency notice attached hereto at **Exhibit 2**, and any other delinquency or other notices sent by the City to the Developer, including

but not limited to memoranda and internal memoranda, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.

- (20) All documents that refer, relate to, or are communications between, among, including or with, on the one hand, the City, including Planning Dept. or LADBS staff and/or the City's attorneys, whether in-house or outside counsel, and on the other hand, the Developer's attorneys, and that refer or relate to the Project or the contents of the administrative record, including but not limited to communications about which documents to include, exclude, remove and/or replace for any reason from the Project's running administrative record, and further including but not limited to drafts and documents in "working files," studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.
- (21) All documents that have at any time been removed, deleted, excluded, rescinded, altered or replaced from or in the Project's running administrative record, whether requested to be removed, deleted, excluded, rescinded, altered or replaced by any governmental agency, private person or other entity, and further including but not limited to all communications that refer or relate thereto, including requests to remove, delete, exclude, rescind, alter or replace, and the City's responses thereto.
- (22) All documents from August 1, 2020 through the date of your compliance with this request that refer to and/or discuss in any manner to the August 19, 2020 email regarding the Project from Councilman David Ryu's office, attached hereto at **Exhibit 3**.
- (23) All documents from January 1, 2020 through the date of your compliance with this request that refer or relate to any additional or expanded discussion, details, analysis, technical studies, review and/or consideration of the Project Draft EIR's Alternative 8, including but not limited to all communications to/from/with and/or including Councilman Mitch O'Farrell and/or his staff or office and/or all alleged requests and/or other communications by stakeholders seeking more office space as part of the Project.

Mitch O'Farrell, Councilmember  
Council District 13  
September 30, 2020  
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- (24) All documents as of the date of this letter that are not currently in the Project's running administrative record, from January 1, 2018 through the date of your compliance with this request, which refer or relate to stopthemillenniumhollywood.com, Robert Silverstein, The Silverstein Law Firm, and/or George Abrahams, related to the Project or Developer, and including but not limited to memoranda and internal memoranda, emails, attachments to emails, texts, notes, photos, and audio and/or video recordings.

Please note that communications between the City and the Developer, and/or their respective counsel, are not privileged and must be produced. Citizens for Ceres v. Superior Court (2013) 217 Cal.App.4th 889, 922. Accordingly, you may not withhold from the Project's administrative record, delete or otherwise destroy or spoliage any documents exchanged between, among, to/from or including the City and the Developer or their respective counsel.<sup>1</sup> **If you disagree with this proposition, please promptly provide any legal grounds for your position that any documents exchanged between the City and Developer (both as broadly defined above) are or could be privileged and not required to be included in the administrative record. Please also describe with specificity the categories of such documents you claim would be subject to any privilege or exemption to production.**

I draw your attention to Government Code § 6253.1, which requires a public agency to assist the public in making a focused and effective request by: (1) identifying records and information responsive to the request; (2) describing the information technology and physical location of the records; and (3) providing suggestions for overcoming any practical basis for denying access to the records or information sought.

If you determine that any information is exempt from disclosure, I ask that you reconsider that determination in view of Proposition 59 which amended the State Constitution to require that all exemptions be "narrowly construed." Proposition 59 may modify or overturn authorities on which the City has relied in the past.

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<sup>1</sup> This principle and admonition applies to ALL documents and communications between the City, as broadly defined above, and the Developer, as broadly defined above. No pre-Project-approval documents to, from, between, among, or including them may be withheld. This applies to all of the requests contained in this letter. Please confirm that you are not withholding or redacting any such documents and/or communications, or parts of such documents and/or communications.

Mitch O'Farrell, Councilmember  
Council District 13  
September 30, 2020  
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If you determine that any requested records are subject to a still-valid exemption, I request that you exercise its discretion to disclose some or all of the records notwithstanding the exemption and with respect to records containing both exempt and non-exempt content, you redact the exempt content and disclose the rest. Should you deny any part of this request, you are required to provide a written response describing the legal authority on which you rely.

Please be advised that Government Code § 6253(c) states in pertinent part that the agency “shall promptly notify the person making the request of the determination **and the reasons therefore.**” (Emphasis added.) Section 6253(d) further states that nothing in this chapter “shall be construed to permit an agency to delay or obstruct the inspection or copying of public records. The **notification of denial** of any request for records required by Section 6255 shall set forth the names and titles or positions of each person responsible for the denial.”

Additionally, Government Code § 6255(a) states that the “agency shall justify withholding **any record by demonstrating that the record in question** is exempt under expressed provisions of this chapter or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.” (Emphasis added.) This provision makes clear that the agency is required to justify withholding any record **with particularity as to “the record in question.”** (Emphasis added.)

Please clearly state in writing pursuant to Section 6255(b): (1) if you are withholding any documents; (2) if you are redacting any documents; (3) what documents you are so withholding and/or redacting; and (4) the alleged legal bases for withholding and/or redacting as to the particular documents. It should also be noted that to the extent documents are being withheld, should those documents also contain material that is not subject to any applicable exemption to disclosure, then the disclosable portions of the documents must be segregated and produced.

Govt. Code § 6253.9(a) requires that the agency provide documents in their native format, when requested. Pursuant to that code section, please also provide the requested documents, including all applications, in their native and electronic format.

We request that you preserve intact all documents and computer communications and attachments thereto, including but not limited to all emails and computer files, wherever originated, received or copied, regarding the subject matter of the above-referenced cases, including archives thereof preserved on tape, hard drive, disc, or any

Mitch O'Farrell, Councilmember  
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other archival medium, and including also any printouts, blowbacks, or other reproduction of any such computer communications. Pursuant to, *inter alia*, Pub. Res. Code Section 21167.6(e), the documents requested herein must be retained – notwithstanding any contrary City document or email retention policies.

If the documents exist in electronic form, we ask that you provide copies on a disk or flashdrive at cost. For any non-electronic documents, if the copy costs for those documents do not exceed \$500, please make the copies and bill this office. If the copy costs exceed \$500, please contact me in advance to arrange a time and place where we can inspect the records. However, in light of COVID, and consistent with the remote/electronic/telephonic protocols that have been imposed on the public by the City, we ask that as to any documents (should there be any) that are only in paper form, that all such documents also be made available electronically.

As required by Government Code § 6253, please respond to this request within ten days. Because I am emailing this request on September 30, 2020, please ensure that your response is provided to me by no later than **October 10, 2020**. Thank you.

Very truly yours,

*/s/ Robert Silverstein*

ROBERT P. SILVERSTEIN

FOR

THE SILVERSTEIN LAW FIRM, APC

RPS:vl  
Encls.

Cc: Vince Bertoni, Planning Director (via email vince.bertoni@lacity.org)  
Mindy Nguyen, City Planner (via email mindy.nguyen@lacity.org)

**The Silverstein Law Firm  
September 30, 2020  
California Public Records Act Requests  
re the Hollywood Center Project;  
Case Nos. ENV-2018-2116-EIR, CPC-2018-2114-DB-MCUP-SPR, CPC-  
2018-2115-DA, and VTT-82152 ; SCH 2018051002**

# **EXHIBIT 1**

CITY OF LOS ANGELES  
CALIFORNIA

BOARD OF  
BUILDING AND SAFETY  
COMMISSIONERS

VAN AMBATIELOS  
PRESIDENT

JAVIER NUNEZ  
VICE PRESIDENT

JOSELYN GEAGA-ROSENTHAL  
GEORGE HOVAGUIMIAN  
ELVIN W. MOON



ERIC GARCETTI  
MAYOR

DEPARTMENT OF  
BUILDING AND SAFETY  
201 NORTH FIGUEROA STREET  
LOS ANGELES, CA 90012

OSAMA YOUNAN, P.E.  
GENERAL MANAGER  
SUPERINTENDENT OF BUILDING

JOHN WEIGHT  
EXECUTIVE OFFICER

CITY OF LOS ANGELES  
INTER-DEPARTMENTAL CORRESPONDENCE

August 7, 2020

**To:** Luciralia Ibarra, Principle City Planner  
Department of City Planning

**From:** Daniel Schneidereit, Engineering Geologist II  
Department of Building and Safety

**Subject:** The California Geological Survey's Comments Regarding the Hollywood Center  
Fault Investigation

At the request of the Department of City Planning the Department of Building and Safety has reviewed a July 16, 2020 letter by the California Geological Survey (CGS) that concerns the proposed Hollywood Center development (Vesting Tentative Tract 82152). The CGS states they have new data they believe indicate there may be an active fault traversing the southerly portion of the site.

We acknowledge the CGS's concern and believe the best way to resolve this issue is for the developer to excavate another exploratory trench to demonstrate, or rule out, the presence of an active fault in the southerly part of the site. The trench needs to be approximately 30 feet deep or more to expose the necessary strata, and may require the use of shoring.

It is our understanding that the geologic consultants for the project are currently working on a scope of work for a trench. As part of the review, the Department of Building and Safety will ensure there will be transparency with the CGS, by requesting the CGS geologists to observe the trench and verify the exploration results.

Please contact me if you have further questions.

Thank you.

DCS

9-30-20 [SCAN] CPRA Request to CD 13 (O'Farrell).PDF

# CITY OF LOS ANGELES CALIFORNIA

BOARD OF  
**BUILDING AND SAFETY  
COMMISSIONERS**

VAN AMBATIELOS  
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VICE PRESIDENT

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ELVIN W. MOON



ERIC GARCETTI  
MAYOR

DEPARTMENT OF  
**BUILDING AND SAFETY**  
201 NORTH FIGUEROA STREET  
LOS ANGELES, CA 90012

OSAMA YOUNAN, P.E.  
GENERAL MANAGER  
SUPERINTENDENT OF BUILDING

JOHN WEIGHT  
EXECUTIVE OFFICER

## GEOLOGY REPORT REVIEW LETTER

September 9, 2020

LOG # 114063 & 114169  
SOILS/GEOLOGY FILE - 2  
AP

MACF Vine LLC; 1740 N. Vine St. LLC; 1749 N. Vine St. LLC; 1770 Ivar LLC; 1733 N. Argyle LLC  
c/o Mayor Brown  
350 S. Grand Ave., 25th Fl.  
Los Angeles, CA 90071-1503

TRACT: Hollywood (MR 28-59/60) / Central Hollywood Tract No. 2 (MP 6-144) / 18237  
BLOCK: 21 / --- / ---  
LOT(S): 19 (Arb 1), 20 (Arbs 1 & 2), 21 (Arbs 1 & 2), 2 (Arb 1), 5 (Arb1), 4 (Arbs 1 & 2),  
3, FR 2 (Arb 1) / FR 6, LT 1 (Arb 4), 12 (Arb 1), FR 13 (Arbs 2 & 3) / LT 1  
(Arb 2), LT 1, Arb 3  
LOCATION: 1745-1749, 1751, 1753, 1770 N. Vine St., 1746-1748, 1754, 1760-1764 Ivar Ave.,  
(1770 N. Ivar Ave. - 6334 Yucca Ave. / 1720-1724, 1730, 1760-1768 Vine St.,  
(1770 N. Vine St. -6270 Yucca Ave.) / (1740-1750 N. Vine St. - 6236 W. Yucca  
Ave.), 1733-1741 N. Argyle Ave.

<u>CURRENT REFERENCE REPORT/LETTER(S)</u>	<u>REPORT No.</u>	<u>DATE OF DOCUMENT</u>	<u>PREPARED BY</u>
Addendum Report	LA1301D	07/28/2020	Group Delta
Addendum Report	2077-77	07/06/2020	Feffer Geological Consulting

<u>PREVIOUS REFERENCE REPORT/LETTER(S)</u>	<u>REPORT No.</u>	<u>DATE OF DOCUMENT</u>	<u>PREPARED BY</u>
Dept. Approval Letter	109547	10/15/2019	LADBS
Geology/Soils Report	2077-77	09/23/2019	Feffer Geological Consulting
Dept. Approval Letter	109310	08/09/2019	LADBS
Geology Report	LA1301A	07/19/2019	Group Delta
Dept. Approval Letter	87496	07/07/2015	LADBS
Geologic Response Report	3425	06/03/2015	Earth Consultants International
Geologic Response Letter	LA-1191 A	05/17/2015	Group Delta
Third Party Review	3425	03/09/2015	Earth Consultants International
Geology Report	LA-1191 A	03/06/2015	Group Delta

The Grading Division of the Department of Building and Safety has reviewed the referenced addendum reports that concerns a proposed project of mixed-use buildings with subterranean parking levels. The Department previously conditionally approved the above previous referenced reports for the proposed project in the approval letters referenced above. The addendum reports address an alternative (Alternative 8) for the project, which is similar to that discussed in the 09/23/2019 report by Feffer Geological Consulting (Feffer). According to the 07/06/2020 Feffer report, Alternative 8 consists of a 17-story



Page 2

1745-1749, 1751, 1753, 1770 N. Vine St., 1746-1748, 1754, 1760-1764 Ivar Ave., (1770 N. Ivar Ave. - 6334 Yucca Ave. / 1720-1724, 1730, 1760-1768 Vine St., (1770 N. Vine St. -6270 Yucca Ave.) / (1740-1750 N. Vine St. - 6236 W. Yucca Ave.), 1733-1741 N. Argyle Ave.

development with seven subterranean levels on the East Site, and a 48-story and a 13-story development with five subterranean levels on the West Site. Maximum anticipated depths of excavations are 64 feet on the East Site and 60 feet on the West Site. This alternative does not alter the geologic and geotechnical issues addressed in the previous reports. A design level geotechnical report will be required prior to issuing building permits.

As discussed in an Inter-Departmental Correspondence by the Department of Building and Safety (DBS) to the Department of City Planning (DCP), dated 08/07/2020, the California Geological Survey (CGS) has issued a letter dated 07/16/2020 that concerns the possibility of an active fault traversing the southerly portion of the site. As such, a geologic fault exploration trench shall be excavated in the suspected area to demonstrate, or rule out, the presence of an active fault prior to the DBS' approval of this project.



DANIEL C. SCHNEIDEREIT  
Engineering Geologist II

DCS/dcs  
Log No. 114063 & 114169  
213-482-0480

cc: Group Delta, Project Consultant  
Feffer Geological Consulting, Project Consultant  
LA District Office

**The Silverstein Law Firm  
September 30, 2020  
California Public Records Act Requests  
re the Hollywood Center Project;  
Case Nos. ENV-2018-2116-EIR, CPC-2018-2114-DB-MCUP-SPR, CPC-  
2018-2115-DA, and VTT-82152 ; SCH 2018051002**

# **EXHIBIT 2**

**From:** Rose Duroy <rose.duroy@lacity.org>  
**Sent time:** 07/17/2020 10:52:28 AM  
**To:** Khalatian, Edgar <EKhalatian@mayerbrown.com>  
**Cc:** Mindy Nguyen <Mindy.Nguyen@lacity.org>  
**Subject:** Re: Fund Status Alert for Case Number ENV-2018-2116-EIR [MB-AME.FID1683707]  
**Attachments:** Inv FCR20000385\_Case # ENV-2018-2116-EIR.pdf

Here you go.



**Rose Duroy**  
Accountant  
**Los Angeles City Planning**  
200 N. Spring Street, Room 570  
Los Angeles, CA 90012  
Planning4LA.org  
T: (213) 978-1284 | F: (213) 978-2232



*"Great is thy Faithfulness"*

On Fri, Jul 17, 2020 at 10:28 AM Khalatian, Edgar <EKhalatian@mayerbrown.com> wrote:

Thanks, and Rose, please PDF me the invoice. Thanks.

**Edgar Khalatian**  
**Partner**  
Mayer Brown LLP  
350 South Grand Avenue, 25th Floor  
Los Angeles, CA 90071-1503 United States of America  
213-229-9548  
[ekhalatian@mayerbrown.com](mailto:ekhalatian@mayerbrown.com)

Please consider the environment before printing this e-mail. If you need to print it, please consider printing it double-sided.

**From:** Mindy Nguyen <Mindy.Nguyen@lacity.org>  
**Sent:** Friday, July 17, 2020 9:09 AM  
**To:** Khalatian, Edgar <EKhalatian@mayerbrown.com>  
**Cc:** Rose Duroy <rose.duroy@lacity.org>  
**Subject:** Fwd: Fund Status Alert for Case Number ENV-2018-2116-EIR

**\*\*EXTERNAL SENDER\*\***

Hi Edgar,

Please be advised of the Past Due FCR for this Project. You may contact Rose Duroy (cc'ed) directly with any questions.

Thank you!

----- Forwarded message -----

From: <[Planning.ctsIntranet@lacity.org](mailto:Planning.ctsIntranet@lacity.org)>

Date: Thu, Jul 16, 2020 at 8:04 AM

Subject: Fund Status Alert for Case Number ENV-2018-2116-EIR

To: <[mindy.nguyen@lacity.org](mailto:mindy.nguyen@lacity.org)>

THIS IS AN AUTO-ALERT NOTIFICATION TO INFORM YOU THAT THE FUND STATUS FOR THE ABOVE CASE NUMBER HAS BEEN CHANGED. PLEASE DO NOT REPLY TO THIS SYSTEM GENERATED MESSAGE. CONTACT PLANNING ACCOUNTING STAFF TO OBTAIN MORE DETAILS.

Delinquent Invoice: Over \$143,200 Past Due FCR Invoice (1). Pls. call Applicant.

Date Sent: 07/16/20 at 08:04 AM \* Please note: Do not reply to this email. This email was sent from the web via the Coldfusion Application Server, not an actual email client.

--



**Mindy Nguyen**

City Planner

**Los Angeles City Planning**

221 N. Figueroa St., Suite 1350

Los Angeles, CA 90012

[Planning4LA.org](http://Planning4LA.org)

T: (213) 847-3674



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CITY OF LOS ANGELES

Customer Number	Invoice Number	Date Printed	Due Date
VC0000032254	68 FCR20000385	07-13-20	07-11-20
Case Number	Customer Name		Amount Due
ENV-2018-2116-EIR	MCA VINE LLC		\$143,231.04

For any questions about this invoice, please contact: milena.zasadzien@lacity.org, 213-847-3636

Invoice Charges

Line No.	Description	Service Date From	Service Date To	Charges/Credits
1	Plan and Land Use Fees	01-01-20	03-31-20	\$116,448.00
2	General Plan Maintenance Surcharge	01-01-20	03-31-20	\$8,151.36
3	CP Systems Development Surcharge	01-01-20	03-31-20	\$6,986.88
4	Operating Surcharge	01-01-20	03-31-20	\$8,151.36
5	Development Services Center Surcharge	01-01-20	03-31-20	\$3,493.44

Total Invoice Charges \$143,231.04

Credit Payments Applied	\$0.00
<b>Total Amount Due</b>	<b>\$143,231.04</b>

If payment has already been made, please disregard this notice.

Billing for Full Cost Recovery Case from 01/01/2020 - 03/31/2020 Work Order# E182116C

THIS INVOICE IS NOW PAST DUE. IF PAYMENT HAS ALREADY BEEN MADE, PLEASE DISREGARD THIS NOTICE. OTHERWISE, PLEASE REMIT THE FULL PAYMENT IMMEDIATELY IN ORDER TO BRING YOUR ACCOUNT CURRENT AND PRESERVE YOUR CREDIT PRIVILEGES.

IF FULL PAYMENT IS NOT RECEIVED WITHIN TEN (10) DAYS, THE CASE MAY BE PLACED ON HOLD FROM FURTHER PROCESSING. ADDITIONALLY, WE WILL PURSUE ALL AVAILABLE LEGAL REMEDIES AND REFER YOUR ACCOUNT TO THE CITY ATTORNEY FOR PROPER ACTIONS.

Return this portion with your payment.

NOTICE OF DELINQUENCY

Customer Number	Invoice Number	Date Printed
VC0000032254	68 FCR20000385	07-13-20
Customer Name		Date Due
MCA VINE LLC		07-11-20
Amount Due	Amount Enclosed	
\$143,231.04	\$	



CITY OF LOS ANGELES

Please write Invoice Number on check or money order. DO NOT MAIL CASH

Please make checks payable to: CITY OF LOS ANGELES, PLANNING DEPT

Bill To:

Remit To:

MCA VINE LLC
1995 Broadway, 3rd Floor
New York NY 10023-5882

CITY OF LOS ANGELES TREASURER
PO BOX 845252
LOS ANGELES CA 90084-5252

**The Silverstein Law Firm  
September 30, 2020  
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2018-2115-DA, and VTT-82152 ; SCH 2018051002**

# **EXHIBIT 3**

**From:** Emma Howard <emma.howard@lacity.org>

**To:**

**Date:** 8/19/2020 4:55 PM

**Subject:** Councilmember Ryu's Position on the Hollywood Center Project

Dear All, I'm emailing to share the Councilmember's position on the Hollywood Center Project with those of you who have written in to ask us about the status of the EIR and shared your additional concerns.

///

When I consider development projects, such as the [Hollywood Center Project](#), I closely consider the reports prepared by experts in the relevant fields and verified as true by City Departments with review authority. I am not an expert in seismic engineering, and must rely on the conclusions of experts to help me determine if a development project can be constructed safely.

Which is why I am so deeply concerned by the results of the recent California Geological Survey report indicating the possible presence of an active fault strand at the project site. Given that previous studies and this new study differ so widely, I don't believe there can be confidence in the project's safety until there is clarity on the conflicting reports and data. Until such time as there is clarity, I stand in opposition to the Hollywood Center Project. Safety must be the first priority at the site.

I and my constituents are left with uncertainty, not only about the safety of the proposed future project, but also the current safety of existing buildings in the area. As I understand it, if the site has an active fault strand on it, it may not be possible for any future building at the site to ever be safe to build, no matter how sophisticated the engineering.

Furthermore, I believe that the Departments of Building and Safety and City Planning need to fully explain the review process used to verify seismic studies, namely, what the City does to independently confirm the information provided by the project applicants and address conflicting reports. - Councilmember David E. Ryu

/// I have also attached interdepartmental correspondence sent from a Geologist at the Department of Building and Safety containing recommendations for further study and verifications. Please feel free to contact our office if you have further questions. To submit a public comment to the project record also email Mindy Nguyen ([Mindy.Nguyen@lacity.org](mailto:Mindy.Nguyen@lacity.org)), who is the lead planner at the Department of City Planning. And if you want to email Councilmember O'Farrell's office, my

counterpart there is Craig Bullock ([craig.bullock@lacity.org](mailto:craig.bullock@lacity.org)). This project is located in Councilmember O'Farrell's district, Council District 13.

Regards,  
Emma



Emma G. Howard  
Director of Planning  
Office: (213) 473-7004  
<http://davidryu.lacity.org>